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Southend-on-Sea Borough Council

Legal & Democratic Services

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07 October 2020

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - WEDNESDAY, 7TH OCTOBER, 2020

Please find enclosed, for consideration at this evening's meeting of the Development Control Committee, a copy of the supplementary report that provides further information on some of the items that was not available when the Agenda was printed.

Yours faithfully

Tim Row
Principal Democratic Services Officer

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Southend-on-Sea Borough Council

Development Control Committee 7th October 2020

SUPPLEMENTARY INFORMATION

4

Agenda Item 6 Pages 33-128

20/01095/AMDT Beaumont Court & Richmond House, 71 Victoria Avenue, Southend

Page 47 9 Recommendation

It is proposed to add the following standard paragraph to the recommendation to authorise refusal of the application in the event that the planning obligation has not been completed by the date of expiry.

(c) In the event that the planning obligation referred to in part (a) above has not been completed by 9th November 2020 (or an extension of this time as may be agreed by the Interim Director for Planning or Group Manager Planning and Building Control, the Interim Director for Planning or Group Manager Planning and Building Control be authorised to refuse planning permission for the application on the grounds that the development would not provide for affordable housing, highway works, travel plan, a publicly accessible area, a public art provision or appropriate management of the site and that as such the proposal would be unacceptable and contrary to Policies KP2, KP3, CP3, CP6 and CP8 of the Core Strategy (2007) and Policies DM1, DM3, DM7 and DM15 of the Development Management Document (2015).

Agenda Item 8 Pages 167 - 202

20/01018/FULH 115 Tattersall Gardens Leigh on Sea

Page 169 4.1 Public Consultation

Late Representation received 2nd October 2020. Summary of objector's comments are :

The red outline on the reference map, indicating the "large rear garden", is inaccurate, as it includes land owned by the Salvation Army. The applicant also occupies the land that runs along the western edge of property 168 Marine Parade and uses it in conjunction with his AirBnB guests, contravening the covenants which are conditional for the lessees.

The applicant continues to submit applications and then fails to implement them in accordance with the approved plans. This has cost the

Council/Taxpayers in officer's time and salary in dealing with applications and enforcement investigations. The planning department should enforce against the applicant for failure to comply with original planning decision.

In terms of planning history, neighbours were not notified of planning application 16/01868/FULH which was another retrospective application. The applicant in 2011 built a balcony without planning history and building regulations approval which was subject to an enforcement notice.

The property will continue to be used for AirBnB on the 2nd floor. Guests will breakfast on rear balcony and this will result in loss of privacy and increased noise disturbance contrary to the Human Rights Act Articles 1 & 8. The continued use as an AirBnB has resulted in increased parking congestion close to the junction with Marine Parade

The incorrectly placed roof light on the north facing roof-slope should be obscured and impossible to open in perpetuity, which would prevent direct overlooking and a loss of privacy to the neighbouring property. This second floor bedroom with en-suite is likely to be used for AirBnB guests which will mean a constant use of this floor of the house.

The flat-roof above the 1st floor rear bay window will be increased so it is level with the 2nd floor rear balcony. The balcony guard-rail should not be extended out over the bay-window roof. Approval was given to extend this balcony southwards under application 20/00760/FULH.

Damage by delivery vehicles to greensward in Tattersall Gardens

[Officer comment. Those issues relevant to the submitted planning application and its impacts are materially addressed within the report]