

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 4th April, 2018

Place: Committee Room 1 - Civic Suite

Present: Councillor F Waterworth (Chair)
Councillors D Garston (Vice-Chair), B Arscott, B Ayling, M Borton, H Boyd, S Buckley, M Butler*, T Callaghan, N Folkard, R Hadley, H McDonald, C Mulroney, D Norman MBE, P Van Looy, C Walker and N Ward

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillor S Habermel
P Geraghty, M Smith, K Waters, P Keyes, C Galforg, C White, M Warren and T Row

Start/End Time: 2.00 p.m. - 2.55 p.m.

864 Apologies for Absence

Apologies for absence were received from Councillor J Garston (substitute: Councillor Butler).

865 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Callaghan – Agenda Item No. 9 (17/01115/FULM - Prospects House, 10 Fairfax Drive, Westcliff-on-Sea, Essex, SS0 9AG) – Disqualifying non-pecuniary: Had predetermined the application (withdrew);

(b) Councillor D Garston – Agenda Item No. 4 (17/02179/FULM - Crowstone Preparatory School, 121-123 Crowstone Road, Westcliff-on-Sea, Essex, SS0 8LH) – Non-pecuniary interest: Some of the objectors are known to him; and

(c) Councillor Mulroney – Agenda Item No. 6 (17/02280/FUL - Scout Hall 52 High Street, Leigh-on-Sea, Essex SS9 2EP) and Agenda Item No. 8 (18/00084/FUL - 76A Herschell Road, Leigh-on-Sea, Essex, SS9 2PU) – Non-pecuniary interests: Member of Leigh Town Council and Leigh Society (non-participant in planning).

866 Supplementary Report

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

867 17/02179/FULM - Crowstone Preparatory School, 121-123 Crowstone Road, Westcliff-on-Sea, Essex, SS0 8LH (Chalkwell Ward)
Proposal: Demolish existing buildings, including 6 Crosby Road, erect three storey building comprising 20 self-contained flats, 6 no dwelling houses, layout parking, hard and soft landscaping and extend existing vehicular access on to Crosby Road.
Applicant: BESB Contracts Ltd
Agent: Phase 2 Planning

Resolved:-

That planning permission be REFUSED for the following reasons:

01 The south-western part of the application site constitutes designated protected green space which would be lost as a result of this development. The application has failed to clearly demonstrate that the open space is surplus to requirements or that it will be replaced and the development does not provide an alternative sport or recreation facility to replace the space lost. The development is therefore unacceptable and contrary to the National Planning Policy Framework and Policies KP2 and CP7 of the Core Strategy (2007).

02 The proposal would, by reason of its size, scale, bulk, mass, siting beyond the established building line and detailed design, constitute a cramped, contrived and incongruous development that would be harmful to the character and appearance of the site and the surrounding area. This is unacceptable and contrary to National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).

03 By virtue of the design, layout and siting of the car parking and access road proposed within the site, the development would result in unacceptable levels of noise and disturbance to the detriment of the amenities of the occupiers of the neighbouring dwelling at No.125 Crowstone Road. The development is therefore unacceptable and contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).

04 A number of the proposed flats would provide unacceptable levels of amenities for their future occupiers by virtue of their inadequate size in terms of internal floorspace and bedroom size, the insufficient outside amenity areas proposed and the poor levels of light and outlook provided to habitable rooms. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM8 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).

05 The application does not include a formal undertaking to secure a contribution to affordable housing provision to meet the demand for such housing in the area. The submission also lacks a formal undertaking to secure a contribution to the delivery of education facilities to meet the need for such infrastructure generated by the development. In the absence of these

undertakings the application is unacceptable and contrary to the National Planning Policy Framework, Policies KP2, KP3, CP6 and CP8 of the Core Strategy (2007) and policy DM7 of the Development Management Policies Document (2015).

06 The submission does not clearly demonstrate that the proposal would provide a development that is appropriately accessible and adaptable for all members of the community in accordance with the requirements of the M4(2) accessibility standards. This is unacceptable and contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007) and policies DM1, DM3 and DM8 of the Development Management Document (2015).

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.

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.

868 18/00076/FUL - 423-425 Sutton Road, Southend-on-Sea, Essex (Victoria Ward)

Proposal: Demolish existing buildings and erect nine dwellings comprising of six terraced houses, two semi-detached houses and one detached house, layout 9 parking spaces, cycle store to rear, layout bin stores to front and install vehicular access on to Sutton Road (Amended Proposal).

Applicant: Trafalgar Traditional Homes

Agent: Knight Gratrix Architects

Resolved:-

That planning permission be 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: Location Plan; Site Location Plan; 020 Revision E; 021; 022 Revision E; 023 Revision F; 024 Revision D; 025 Revision B; 026 Revision B.

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

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved the development hereby permitted shall not commence other than for groundworks and site preparation works unless and until details and appropriately sized samples of the materials to be used for all the external surfaces of the proposed buildings at the site including facing materials, roof detail, windows, doors, balustrading, fascia, soffits, pergola canopy detail and forecourt area have been submitted to and approved in writing by the local planning authority. The works must then be carried out in accordance with the approved materials and drawings before any of the dwellings hereby approved are first occupied.

Reason: To safeguard character and appearance of the area and amenities of neighbouring occupiers in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009). Given the nature of the development propose, the details sought and the objectives of the condition it is fundamental that information required is provided prior to the commencement of any development.

04 No site clearance, preparatory work or development of any kind shall take place until a scheme for the protection of the trees adjacent to the site in Sutton Road and an Arboricultural method statement for the protection of the trees in accordance with British Standard BS5837 - Trees in Relation to Construction - Recommendations has been submitted to and agreed in writing by the local planning authority.

The approved protection measures shall be fully installed before the commencement of works and maintained during construction. The development shall be implemented in full accordance with the approved statement, measures and methods.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of tree protection, pursuant to Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and the advice contained in the Design and Townscape Guide (2009).

05 No development shall commence unless and until measures to secure the provision of two appropriate (in terms of size, species and location) new street trees have been submitted to the local planning authority and approved in writing. The dwellings hereby approved shall not be occupied until the two new street trees have been provided in accordance with the measures approved under this condition.

Reason: A pre commencement condition is need in the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policies DM1 and DM3 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

06 Notwithstanding the details shown on the plans submitted no development shall take place other than demolition ground and site preparation works until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping. This shall include details of the number, size and location of the trees and shrubs to be planted together with a planting specification, the staking of trees and removal of the stakes once the trees are established; details of measures to enhance biodiversity within the site; details of the treatment of all hard and soft surfaces (including any earthworks to be carried out) and all means of enclosing and subdividing the site.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

07 All planting in the approved landscaping scheme shall be carried out within the first available planting season following first occupation of the development. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority. Hard landscaping and means of enclosure shall be implemented in full accordance with the approved scheme prior to occupation of any of the new dwellings.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of landscaping, pursuant to Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

08 The development shall not be occupied until 9 on site car parking spaces have been provided in full accordance with drawing 022 E, together with properly constructed vehicular access to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently retained thereafter solely for the parking of occupiers of and visitors to the development.

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

09 Prior to the first occupation of any of the dwellinghouses hereby approved, cycle and refuse and general storage shall be provided and made available for use in accordance with the details shown on plan 022 E and shall be retained as such in perpetuity.

Reason: To ensure the provision of adequate cycle parking and refuse storage in accordance with policies DM3, DM8 and DM15 of Development Management Document (2015).

10 A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources shall be submitted to and agreed in writing by the Local Planning Authority and implemented in full prior to the first occupation of any part of the development. This provision shall be maintained for the lifetime of the development and in accordance with the agreed details.

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (2007) and the Design and Townscape Guide (2009).

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

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

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

Reason: To safeguard the design and appearance of the proposed development in the interest of visual amenities of the locality in accordance with the National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009).

13 The development hereby approved shall be carried out in a manner to ensure compliance with Building Regulation part M4 (2) 'accessible and adaptable dwellings', before it is brought in to use or occupied.

Reason: To ensure the residential units hereby approved provide high quality and flexible internal layouts to meet the changing needs of residents in accordance with the National Planning Policy Framework, Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and Design and Townscape Guide (2009).

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

Reason: In order to protect the amenities of surrounding occupiers and to protect the character the area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

15 The rear flat roof projections of the dwellings hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other similar

purpose. The roof can however be used for the purposes of maintenance or to escape in an emergency.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

16 Prior to occupation of any part of the development, details of an acoustic fence, to be erected along the southern boundary of the site, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried only in accordance with the agreed details prior to occupation of the dwellings and shall be permanently maintained as such thereafter.

Reason: To protect the environment of future occupiers, in accordance with the National Planning Policy Framework (2012), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

17 Other than the demolition, grubbing up of foundations and site clearance, no development shall take place until a site investigation of the nature and extent of any land contamination present has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority.

The results of the site investigation shall be made available to the local planning authority before any construction begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any construction begins. The site shall be remediated in accordance with the approved remediation measures before the development hereby approved is occupied and evidence to demonstrate that the remediation has taken place shall be submitted in writing to the Local Planning Authority before the development is occupied.

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

Reason: To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution to Controlled Waters in accordance with Core Strategy (2007) Policies KP2 and CP4 and Policies DM1 and DM14 of the Development Management Document (2015).

Informatives

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

You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development.

Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend

02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may 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 borough.

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.

869 17/02280/FUL - Scout Hall 52 High Street, Leigh-on-Sea, Essex SS9 2EP (Leigh Ward)

Proposal: Change of use from scout hall/gym (class D2) to restaurant (class A3), install extract flue to rear, refuse area to west side and alter front elevation

Applicant: Paul Alston

Agent: WJS-Survey & Design

Resolved:-

That planning permission be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not 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 17-Clarendon-01B, 17-Clarendon-02A, 17-Clarendon-03B, 17-Clarendon – 04A

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

03 No development shall take place until details of the materials to be used on the external elevations including a sample of the natural state, details of the materials for the dormer cheeks and any new guttering, product details for the staining of the existing weatherboarding, materials including glazing for the new dormer windows and doors, materials for the balustrading and any new flooring to the terrace and any other new external materials including boundary materials 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 the historic building and the surrounding Leigh Old Town Conservation Area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3, DM5 and DM6 of the Development Management Document (2015) and advice contained within the Southend Design and Townscape Guide (2009).

04 Prior to the commencement of development, detailed design drawings of the new doors, new dormer windows and terrace balustrades/railings at scales of 1:20, 1:10 or 1:1 as appropriate shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved details before it is brought into use.

Reason: A pre commencement condition is needed to safeguard character and appearance of the historic building and the surrounding Leigh Old Town Conservation Area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3, DM5 and DM6 of the Development Management Document (2015) and advice contained within the Southend Design and Townscape Guide (2009).

05 Prior to the first occupation of the building for A3 purposes details of the proposed waste storage and an associated waste management plan shall be submitted to and approved by the local planning authority. The development shall only be implemented in accordance with the approved details from first occupation for the proposed use and be maintained as such in perpetuity.

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 conservation area, in accordance with Policies KP2, CP3 and CP4 of the Core Strategy (2007) and Policies DM1, DM5 and DM15 of the Development Management Document (2015).

06 Prior to the first occupation of the building for A3 purposes details of the staff cycle storage shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details before it is first occupied for the approved use.

Reason: To ensure the provision of adequate cycle parking in accordance with policies DM8 and DM15 of The Development Management Document (2015).

07 Prior to the commencement of the development the design details and materials of the proposed extraction flue chimney and fresh air grille at scales of 1:20, 1:10 or 1:1 as appropriate shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before it is brought into use.

Reason: A pre commencement condition is needed in order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and visual amenities of the conservation area in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3, DM5 and DM6 of the Development Management Document 2015.

08 Prior to commencement of the proposed use details of the proposed extraction and ventilation equipment together with a report detailing any mitigation measures proposed in respect of noise and odour impacts shall be submitted to, and approved by, the Local Planning Authority. The installation of extraction equipment shall be carried out in full accordance with the approved details and any noise and odour mitigation measures undertaken in association with the agreed details before the use hereby approved is commenced. With reference to BS4142 the noise rating level arising from all plant and extraction/ventilation equipment shall be at least 5dB(A) below the prevailing background at 3.5 metres from the ground floor facades and 1m from all other facades of the nearest noise sensitive property with no tonal or impulsive character. The rating level of noise for all activities (including amplified and unamplified music and human voices) shall be at least 10dB(A) below the background noise (with no tonal elements) to ensure inaudibility in noise sensitive premises.

Reason: In order to protect the amenities of the surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

09 The class A3 (restaurant) use hereby permitted shall not be open to customers outside the following times: 09:00 until 24:00 hours on Monday to Sundays including Bank Holidays from May through to and including September and 12:00 until 24:00 hours Mondays to Sundays including bank holidays from October through to and including April.

Reason: In order to protect the amenities of occupiers of surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

10 The entire raised terrace area shall not be use by customers for the consumption of food or drink or for smoking from 22:00 hours until the close of business on all days.

Reason: In order to protect the amenities of surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

11 No deliveries or refuse collection shall be taken at or despatched from the A3 use hereby permitted outside the hours of 07:00 to 18:00hours Mondays to Fridays and 08:00 to 13:00hours on Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015)

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

Reason: In order to protect the amenities surrounding occupiers and to protect the character the area in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

13 The use hereby approved shall operate solely as a restaurant falling within Class A3 of the Town and Country Planning Use Classes Order 1987 (as amended) for the consumption of food on the premises. The use shall not provide take away facilities of any kind for customers.

Reason: In order to protect the amenities of occupiers of surrounding occupiers and highway safety in accordance with policies KP2, CP3and CP4 of the Core Strategy (2007) and Policies DM1,DM3 and DM15 of the Development Management Document (2015).

14 No tables,chairs, other furniture or permanent or temporary means of enclosure shall at any time be placed on the area at ground floor (public footway) level to the front of the premises..

Reason: In order to protect amenity and for the safe and efficient use of the adjacent public highway including the safe and convenient movement of pedestrians in accordance with policies KP2 and CP3 of the Core Strategy (2007) and Policies DM1 and DM15 of the Development Management Document (2015)

Informatives

01 You are advised that as the proposed development equates to less than 100 sqm of additional floorspace so 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 for further details about CIL.

02 The applicant is advised that if noise modelling software is used to calculate the likely levels or impact of the noise then any actual measurement taken such as LA90 must be taken in accordance with BS7445. The assessment should be carried out by a suitably qualified and experienced acoustic consultant who would normally be a member of the Institute of Acoustics. For further guidance on the control of odour and noise from ventilation systems you are advised to have regard to – Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems published by DEFRA. This can be downloaded free from www.DEFRA.Gov.UK

03 The applicant is advised that according to this Department's record, asbestos containing materials may be present within the structure of walls at 52 High Street, Leigh-on-Sea, Essex. An asbestos survey at this address should therefore be carried out by a suitably qualified person before any structural work being carried out at the premises. Any asbestos containing material (ACM) must be removed and disposed off site to a facility licenced by the Environment Agency. A waste transfer certificate should be made available for inspection by authorised officer from this Authority on request.

04 The applicant is advised that compliance with this decision notice 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 also to the relevant sections of the Control of Pollution Act 1974. Contact 01702 215005 for more information

05 The applicant is reminded that this permission does not bestow compliance with the Food Safety and Hygiene (England) Regulations 2014 or any other provision so enacted, such as those located within the Food Safety Act 1990. Applicants should contact the Council's Environmental Health Officer for more advice on 01702 215005 or at Regulatory Services Department, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend SS2 6ZG The applicant is advised that any waste food collection must be undertaken by a licenced operator

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.

- 870 **1. 17/02074/FUL and 2. 17/02075/LBC - 138 - 140 Hamlet Court Road, Westcliff-on-Sea, Essex SS0 7LN (Milton)**
Proposals: 1. Change of use of ground floor shop (Class A1) to community hub for age concern (Class D1), change of use of first floor from shop (Class A1) to Assembly and Leisure use (Class D2) and replace external staircase to rear, infill window to rear, install 2 rooflights and 2 roof lanterns to single storey flat roof to rear.
2. Various internal changes to ground, first and second floor, reinstate two letters to the signage on the front elevation, replace external staircase to rear, infill window to rear and install 2 rooflights and 2 roof lanterns to single storey flat roof to rear (Listed Building Consent)

Applicant: Age Concern Southend CIO
Agent: Metson Architects Ltd

Resolved:-

That consideration of these applications be DEFERRED.

- 871 **18/00084/FUL - 76A Herschell Road, Leigh-on-Sea, Essex, SS9 2PU (West Leigh Ward)**
Proposal: Demolish existing timber workshop, erect enlarged timber workshop, alter elevations of existing oak framed gazebo to create enclosed summerhouse and install Juliette balcony to rear of dwellinghouse
Applicant: Mr Oliver Beacham
Agent: N/A

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

Resolved:-

That planning permission be REFUSED for the following reason:

01 The proposed workshop outbuilding would, by reason of its design, siting, height and depth of rearward projection, result in an excessively large and intrusive structure which would create an unduly overbearing relationship, an increased sense of visual enclosure and a material loss of light and outlook to 76 Herschell Road, to the detriment of the residential amenities of the occupiers of this property. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007); Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015); and the advice contained within the Southend-on-Sea Design and Townscape guide (2009).

Informative

01 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 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.

872 17/01115/FULM - Prospects House, 10 Fairfax Drive, Westcliff-on-Sea, Essex, SS0 9AG (Prittlewell Ward)

Proposal: Demolish existing buildings, erect three blocks of three, four and five storeys comprising of 92 self-contained flats with balconies, basement parking and parking at ground floor level, landscaping, amenity space, associated works including highway alterations and alteration of existing access onto Fairfax Drive

Applicant: Weston Homes PLC

Agent: Weston Homes PLC

Resolved:-

(a) That, had the planning application not been appealed on the grounds of non-determination, planning permission would have been GRANTED subject to the completion of a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to seek the following:

- A minimum of 28 units of affordable housing units, of which 17 (10 x 1 bed, 4 x 2 bed and 3 x 3 bed) shall be for affordable rent or social rent and 11 (8 x 1 bed and 3 x 2 bed) shall comprise shared ownership dwellings
- Contribution of £46,154 towards secondary education
- Traffic Regulation Order contribution of £4,000

(b) That, upon completion of the obligation, planning permission would have been GRANTED subject to the following conditions:

01 The development hereby permitted shall be begun not later than 3 years beginning with the date of the original permission (7th March 2018).

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

02 The development shall be carried solely out in accordance with the approved plans: AP234: P001 Rev D (Landscape and semi basement), P002 Rev D (Ground and Upper Ground Floor), P003 Rev D (First Floor), P004 Rev D (Second Floor), P005 Rev D (Third Floor), P006 Rev D (Fourth Floor), P007 Rev D (Roof Plan/ Street Elevation), P008 Rev D (Elevations Sheet 1), P009 Rev D (Elevations Sheet 2), P0010 Rev D (Elevations Sheet 3), AP 234 P201- P240 (Flat types 1 to 40).

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

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above the lower ground floor (parking) slab level shall take place until samples of the materials to be used in the construction of the external elevations of the building hereby permitted, including balconies, balustrades, screening and fenestration, have been submitted to and approved in writing by the local planning authority. Development shall only be carried out in full accordance with the approved details.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies KP2 and CP4 of the BLP and policies DM1 and DM3 of the Development Management DPD 2015.

04 No construction works above the lower ground floor (parking) floor slab level shall take place until full details of both hard and soft landscape works to be carried out in accordance with this permission have been submitted to and approved in writing by the Local Planning Authority. These details shall include: proposed finished levels or contours; means of enclosure (including any gates to the car parks); car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting etc.) Details for the soft landscape works shall include the number, size and location of the trees, shrubs and plants to be planted together with a planting specification, the management of the site (e.g. the uncompacting of the site prior to planting) and the initial tree planting and tree staking details. The hard landscaping shall be completed prior to first occupation of the development and soft landscaping/planting shall be completed within the planting season following first occupation of the development. (or within any other time limit agreed in writing with the local planning authority). If any trees are removed or found to be dying, severely damaged or diseased within 5 years of planting them, they must be replaced with trees of a similar size and species as may be agreed with the Local Planning Authority.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies KP2 and CP4 of the Core Strategy 2007, Policy DM1 and DM3 of the Development Management Document 2015 and the Design and Townscape Guide 2009

05 The development hereby approved shall be carried in accordance with drawing AP234-P0002 Revision D dated 20/12/17 Ground and Upper Floor Plan in relation to the highways works and new access road shown for the development in accordance with a timescale that has been submitted to the local planning authority and approved in writing before the development is first occupied.

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

06 The development shall not be occupied until 92 car parking spaces, of which 10 shall be for disabled users, have been provided at the site in accordance with drawings AP234-P001 Revision D (dated 20/12/17) Landscape and Semi-Basement Parking and AP234-P0002 Revision D (dated 20/12/17) Ground and Upper Floor Plan, together with properly constructed vehicular accesses to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently retained thereafter for the parking of occupiers of and visitors to the development.

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

07 The development shall not be occupied until details of all balcony and terrace areas within the development and how they will be served by privacy screens have been submitted to and approved in writing by the Local Planning Authority. The screens, as approved, shall be erected prior to first occupation of those balconies/ terrace areas, and retained thereafter in perpetuity. No flat roof areas within the development shall be used for the purposes of a sitting out, balcony or amenity area unless it has been specifically approved as part of the above details.

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

08 The development shall not be occupied until a waste management plan for the dwellings has been submitted to and agreed in writing by the Local Planning Authority. The waste management and servicing of the development shall thereafter be carried out solely in accordance with the approved details including the provision of all refuse storage facilities which shall be maintained in perpetuity.

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

09 The development shall not be occupied until the secure, covered cycle parking spaces to serve the development as shown on drawings AP234-P001 Revision D (dated 20/12/17) Landscape and Semi-Basement Parking and AP234-P0002 Revision D (dated 20/12/17) Ground and Upper Floor Plan have been provided at the site in full accordance with the approved plans. The approved scheme shall be permanently maintained thereafter.

Reason: To ensure that adequate cycle parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

10 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to

throughout the construction period. The Statement shall provide, amongst other things, for:

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

Reason: A pre-commencement condition is needed in the interests of visual amenity and the amenities of neighbouring occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy DPD1 with CP4 of the Core Strategy DPD1 and Policy DM1 of the Development Management DPD 2015.

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

- i) An investigation of the feasibility of infiltration SUDS as the preferred approach to establish if the principles of any infiltration based surface water drainage strategy are achievable across the site, based on ground conditions. Infiltration features should be included where infiltration rates allow;
- ii) Drainage plans and drawings showing the proposed locations and dimensions of all aspects of the proposed surface water management scheme. The submitted plans should demonstrate the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features;
- iii) a timetable for its implementation; and
- iv) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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

12 A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources must be submitted

to and agreed in writing prior to occupation of the development hereby approved by the Local Planning Authority and implemented in full prior to the first occupation of the development. 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 and Development Management Document policy DM2.

13 Before the development is occupied or brought into use, the dwellings in blocks C and D/E hereby approved shall be carried out in a manner to ensure that the development complies with building regulation M4 (2).

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

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

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

15 Notwithstanding the details shown in the plans submitted and otherwise hereby approved, the development hereby granted consent shall not be occupied or brought into use unless and until plans are submitted to the Local Planning Authority and approved in writing which clearly specify all the windows and other openings in the development that are to be permanently glazed with obscured glass and fixed shut or provided with only a fanlight (or other similar) opening and the manner and design in which these windows and openings are to be implemented. The development hereby permitted shall be implemented in full accordance with the details approved under this condition before it is first occupied or brought into use and shall be permanently retained as such thereafter. The windows included within such agreed scheme shall be glazed in obscure glass which is at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority. Top hung lights agreed within such scheme shall be a minimum of 1.7 metres above internal floor level. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4. The windows shall be retained in accordance with the agreed details in perpetuity thereafter.

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

16 a) Prior to development (including site clearance; construction; demolition etc.) commencing, detailed intrusive investigation must be undertaken on the site and the result, in the form of a Phase II contaminated land assessment report submitted to the LPA for approval. The investigation must include detailed soil sampling for a suite of hydrocarbons (including PAHs and TPHs); heavy metals and asbestos. The investigation must be undertaken by a competent person as stipulated in the National Planning Policy Framework, Annex 2 and in accordance with BS10175:2011 (Investigation of potentially contaminated sites – Code of Practice) and the Environment Agency/DEFRA 'Model Procedures for the Management of Land Contamination - CLR 11.

b) If any contaminant is found on the site to be above the relevant standard, 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 remediation 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 IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c) Due to the potential for ground gas migration from the former nearby sand pit, gas monitoring must be undertaken in accordance with the methodology outlined in the Tier 1 Contaminated Land Study Report in order to assess the risk of ground gas at the site. Where elevated levels of gas are detected on the site, adequate gas protection measures must be undertaken to prevent gas ingress into the building(s).

d) All underground fuel storage tanks present on the site must be removed and disposed off-site. The waste transfer certificate must be included in the validation report.

e) All approved remediation works must be implemented in their entirety prior to development commencing unless otherwise agreed in writing by the LPA.

f) Unless otherwise agreed in writing by the LPA, a validation report shall be submitted to the LPA prior to development commencing. The report shall contain details of the works carried out to make the site suitable for the intended development and a demonstration of the effectiveness of the remediation works undertaken.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can

be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Core Strategy (2007) policy KP2 and Policies DM1 and DM14 of the Development Management Document (2015)

17 All the noise mitigation measures outlined in the Environmental Noise Assessment Report No. ENV1-SOUT-040 version 1 of 7 July 2017 to protect future residents of the building from the impact of vehicular noise along Fairfax Drive and noise from football stadium activity must be implemented in their entirety prior to occupation of the buildings hereby approved to achieve an internal noise level of no greater than 30dB and the approved measures implemented shall be maintained in perpetuity.

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

18 The development shall not be occupied until a car park management plan for the development has been submitted to and agreed in writing by the Local Planning Authority. The development shall only be occupied in accordance with the agreed management plan.

Reason: To ensure that the car parking is satisfactorily managed in the interests of traffic management and highway safety in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015)

19 With reference to British Standard 4142, the noise rating level arising from all plant and extraction/ventilation equipment installed at this site in accordance with this consent shall be at least 5dB(A) below the prevailing background noise level at 3.5 metres from ground floor façades and 1 metre from all other façades of the nearest noise sensitive property with no tonal or impulsive character.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and visual amenities of the area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015.)

20 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved the development shall not to commence unless and until details of the levels of the proposed building, footpaths and other landscaped areas relative to adjoining land and any other changes proposed in the levels of the site associated with the works permitted by this permission have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the details approved under this condition before it is first occupied or brought into use.

Reason: A pre-commencement condition is needed to ensure that the development is carried out at suitable levels in relation to adjoining land and the highway having regard to drainage and the amenities of the area and neighbouring occupiers.

21 Before the development hereby approved is occupied bird and bat boxes shall be installed at the site in accordance with the Page 16 recommendations on Page 16 of the Phase 1 Habitats Survey (extended) by Wildlife Matters dated 15 June 2017 submitted with this application. The installed boxes shall be permanently maintained thereafter.

Reason: To ensure that the development contributes to local ecology in accordance with the national Planning Policy Framework, Policy KP2 and CP4 of the Council's Core Strategy (2007)

22 No development shall commence unless and until details of the works to provide access to the site and associated alterations to the public highway consistent with Drawing No AP234-P0002 have been submitted to and approved in writing by the Local planning Authority. The approved works shall be implemented in full accordance with the approved details before any of the dwellings hereby approved is first occupied.

Reason: To ensure that traffic flow generated by the approved development does not prejudice the free flow and safety of traffic movement outside the site in accordance with Policies CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

23 Before the development is occupied or brought into use, and notwithstanding details shown on the plans hereby approved, units B1, B2 and B3 on the ground floor of Block B shall be undertaken as wheelchair accessible to ensure compliance with building regulation M4(3) in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason : To ensure the development includes units suitably accessible for people using wheelchairs in accordance with the National Planning Policy Framework, the Core Strategy (2007) Policy KP2, Policy DM8 of the Development Management Document (2015) and the Council's Design and Townscape Guide.

24 The development shall not be occupied until a scheme of highway signage both for the internal roadway within the site and outside the site in the vicinity of the site access/ egress, such scheme to incorporate signage to inform drivers about prohibited right turn movements into and from Fairfax Drive, has been submitted to and approved in writing by the Local Planning Authority and which will also form part of the Section 278 Highways Agreement. All the approved signage shall be implemented in full accordance with those approved details, prior to occupation of any of the development and shall be permanently maintained thereafter.

Reason : To ensure that traffic movement is satisfactorily managed in the interests of highway traffic management and highway safety in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

Informatives

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

02 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 also to the relevant sections of the Control of Pollution Act 1974. The provisions apply to the construction phase and not solely to the operation of the completed development. Contact 01702 215005 for more information.

03 You are advised that a Highways Licence/Agreement needs to be in place before any works are carried out to the public highway and any works to public transport infrastructure (e.g. bus stops) will need to be carried out by a Council approved contractor.

04 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 a financial contribution towards affordable housing and secondary education.

05 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.

06 In relation to condition 06 above, the works to existing highway will require a Section 278 agreement or Highways Licence.

873 18/00045/ADV - Unit 4, Greyhound Trading Park, Greyhound Way, Southend-on-Sea, Essex, SS2 5PY (Victoria Ward)
Proposal: Install 1 x internally illuminated Totem Sign, 2 x internally illuminated single faced logo disk signs, 2 x internally illuminated double sided high directional signs, 1 x high single sided directional sign, 1 x illuminated LED lettering sign, 1 x illuminated building directional sign and vinyl graphics
Applicant: 23.5 Degrees Limited
Agent: 23.5 Degrees Limited

Resolved:-

That advertisement consent is GRANTED subject to the following conditions:

01 This consent is granted for a period of 5 years beginning from the date of this consent.

Reason: To comply with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

02 The advertisements shall be displayed in accordance with the approved plans: Siteplans Revision A 01; A-1001 Architectural Site Plan; A-2001 External Elevations Revision A 14.02.2018; A-2002-External Elevations Revision A 14.02.2018; Signage Details-Southend Greyhound RP Revision A 14.02.2018.

Reason: To ensure that the advertisements are displayed in accordance with the policies outlined in the development plan.

03 (a) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.

(b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

(c) Where any advertisement is required under the Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.

(d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

(e) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including coastal waters) or aerodrome (civil or military).

Reason: Required to be imposed to comply with Regulation 14 of the Town and Country Planning (Control of Advertisements) Regulations 2007.

04 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: Required to be imposed to comply with Regulation 14 of the Town and Country Planning (Control of Advertisements) Regulations 2007.

05 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: Required to be imposed to comply with Regulation 14 of the Town and Country Planning (Control of Advertisements) Regulations 2007.

06 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: Required to be imposed to comply with Regulation 14 of the Town and Country Planning (Control of Advertisements) Regulations 2007.

07 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: Required to be imposed to comply with Regulation 14 of the Town and Country Planning (Control of Advertisements) Regulations 2007.

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.

874 Vote of Thanks

The Committee thanked the Chairman for the able way in which he had conducted the business of the meetings over the past Municipal Year.

Chairman: _____