

# **SOUTHEND-ON-SEA BOROUGH COUNCIL**

## **Meeting of Development Control Committee**

**Date: Wednesday, 8th June, 2016**

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

**Present:** Councillor F Waterworth (Chair)  
Councillors D Garston (Vice-Chair), B Arscott, M Assenheim,  
B Ayling, M Borton, M Butler, T Callaghan, F Evans, N Folkard,  
J Garston, R Hadley, A Jones, C Mulroney, P Van Looy and  
C Walker

**In Attendance:** Councillors M Davidson, D Jarvis, D McGlone and M Terry  
P Geraghty, D Hermitage, C Galforg, J Rowley, I Harrison,  
M Warren, P Tremayne and T Row

**Start/End Time:** 2.00 pm - 4.45 pm

### **25 Apologies for Absence**

Apologies for absence were received from Councillor Norman MBE.

### **26 Declarations of Interest**

The following interests were declared at the meeting:

- (a) Councillor Assenheim – 16/00504/FUL – Non-pecuniary interest: The applicant is his GP;
- (b) Councillor Folkard - 16/00184/FUL – Non-pecuniary interest: Customer of the business next door;
- (c) Councillor D Garston -16/000328/FUL – Non-pecuniary interest: Resident of Bellway Court behind The Shore is well known to him;
- (d) Councillor Anne Jones – 16/00184/FUL – Non-pecuniary interest: Acquainted with the Church Elders;
- (e) Councillor Mulroney – 16/00460/FUL & 16/00467/FUL – Non-pecuniary interests: member of Leigh Town Council;
- (f) Councillor Walker – 16/00504/FUL: Non-pecuniary interest: Neighbour is known to him;
- (g) Councillor Waterworth – 15/0024\_UNAU\_B – Non-pecuniary interest: One of the objectors is known to him (withdrew – the chair for this item was taken by the Vice-Chairman).

**27 Minutes of the Meeting held on Wednesday 2nd March 2016**

Resolved:

That the Minutes of the meeting held on Wednesday 2nd March 2016 be received, confirmed as a correct record and signed.

**28 Minutes of the Meeting held on Wednesday 13th April 2016**

Resolved:

That the Minutes of the meeting held on Wednesday 13th April 2016 be received, confirmed as a correct record and signed.

**29 Supplementary Report**

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

**30 Report on Planning Applications - Pre-Meeting Site Visits**

**(a) West Shoebury Ward**

**16/00551/FUL**

**Demolish existing bungalow and erect two storey building of four self-contained flats, layout amenity space, parking, cycle and bin stores and form vehicle crossovers on to St Andrews Road**

**30 Thorpedene Gardens, Shoeburyness, Southend-on-Sea, Essex, SS3 9JB**

**Mr R Golding**

**APS Design Associates Ltd.**

Mr McDermott, a local resident, spoke as an objector to the application. Mr Seager, the applicant's, agent responded.

Planning permission REFUSED for the following reasons:

The proposed development, by reason of its excessive bulk, design, massing and forward projection would result in an incongruous and discordant feature at this location within the streetscene to the detriment of the character and appearance of area. This would be contrary to the provisions of the National Planning Policy Framework, policy KP2 and CP4 of the Core Strategy (DPD1) policy DM1 of the Development Management DPD2 and advice contained within the adopted Design and Townscape Guide (SPD1).

COUNCILLOR D GARSTON IN THE CHAIR

**(b) West Leigh Ward  
15/00242/UNAU-B**

**Without planning permission, the erection of an outbuilding which exceeds 2.5m in height and is located within 2.0m of a boundary of the curtilage of the dwellinghouse.**

**15 Aberdeen Gardens, Leigh-on-Sea, Essex, SS9 3RH**

DEFERRED to enable further discussions with the Council's Environmental Health Team regarding the potential issue of anti-social behaviour being caused to the occupants of the properties at the rear of the site through light pollution.

COUNCILLOR WATERWORTH IN THE CHAIR

**(c) Chalkwell Ward  
16/00328/FUL**

**Convert ground floor 3 bed flat into two flats, convert existing flat roofed areas to roof terraces (6th - 9th floor), alter hard and soft landscaping at frontage of the site, alter elevations and erect free standing sign**

**The Shore, 22 - 23 The Leas, Westcliff-on-Sea, Essex**

**The Shore Limited**

**Daniel Watney LLP**

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: TWI-1250-AF-D101 B, TWI-1250-AF-D102 A, TWI-1250-AF-D103 A, TWI-1250-AF-D104 C, TWI-1250-AF-D105 B, TWI-1250-AF-D106 B, TWI-1250-AF-D107 B, TWI-1250-AF-D108 B, TWI-1250-AF-D109 B, TWI-1250-AF-D110 B, TWI-1250-AF-D111 B, TWI-1250-AF-D112 B, TWI-1250-AF-D113 B, TWI-1250-AF-D114 B, TWI-1250-AF-D115 B, TWI-1250-AF-D116 C, TWI-1250-AF-D117 B, TWI-1250-AF-D118 C, TWI-1250-AF-D119 B, TWI-1250-AF-D120 C, TWI-1250-AF-D121 B, TWI-1250-AF-D122 C, TWI-1250-AF-D123 B, TWI-1250-AF-D124 D, TWI-1250-AF-D125 B, TWI-1250-AF-D126 B, TWI-1250-AF-D127 C, TWI-1250-AF-D128 B, TWI-1250-AF-D129 B, TWI-1250-AF-D130 B, TWI-1250-AF-D131 C, TWI-1250-AF-D132 A, TWI-1250-AF-D133 A, TWI-1250-AF-D135 A

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

03 The landscaping of the land to the rear (North) of the building at the rear of the site shall be undertaken in accordance with condition 05 of planning permission 14/01663/AMDT. Such planting shall be undertaken within 12 calendar months of the first occupation of any of the flats hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy DPD1 and Policy DM1 of the Development Management DPD2.

04 The materials used in the works hereby approved shall only be in accordance with the plans hereby approved unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt, no other alterations to the materials previously approved are hereby approved

Reason: To ensure the adequate management of surface water drainage at the site in accordance with the National Planning Policy Framework and policy KP2 of the Core Strategy (DM1).

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

Informative:

1. The grant of this permission does not affect the terms of planning permissions 07/00820/FULM and 14/01663AMDT. All conditions attached to those permissions and the requirements of the associated legal agreement are still required to be complied with.

### **31 Report on Planning Applications - Main Plans List**

#### **(a) 16/00758/FULM**

##### **Prittlewell**

**Erect two storey linked infill extension to North West corner, re-position port-a-cabin, re-configure existing driveway and layout parking, erect new gates, and extend existing vehicle access onto Prittlewell Chase (Amended Proposal)**

**Southend High School for Boys, Prittlewell Chase, Westcliff-on-Sea, Essex, SS0 0RG**

**Southend High School For Boys**

**Rees Pryer Architects LLP**

Mr Cole, a local resident, spoke as an objector to the application. Ms Wilkie, the applicant's agent, responded.

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 hereby permitted shall be carried out in accordance with the approved plans 14 1448 LP1; 14 1448 07; 14 1448 04; 14 1448 05; 14 1448

02 Revision C; 14 1448 03 Revision B; 14 144806 Revision B; 14 1448 01 Revision L and the details of the boundary walls on drawing 14 1448 09.

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

03 The development shall be carried out in accordance with the details received on the 3<sup>rd</sup> May 2016 including windows and doors constructed from Technal beaded aluminium system- RAL colour 7016 (dark grey), external walls Trespa Cladding-colour Papyrus white and buff brick; Bauder flat roof membrane colour grey; tarmac to the vehicle access; parapet detailing as shown on drawing 14 1448 SK 100; Brise Soleil detailing on drawing titled '560001 and 560002 blades on Geode curtain; Timber framing to Brise Soleil wall unless otherwise agreed in writing by the local planning authority.

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

04 Within 6 months of the development hereby permitted commencing, a detailed playing field specification based on the proposals in the submitted Agrostis Site Investigation Study and an implementation programme, prepared in consultation with Sport England, shall be submitted to and approved in writing by the Local Planning Authority. The approved specification and implementation programme shall be complied with in full prior to the completion of the development unless otherwise agreed with the Local Planning Authority.

Reason: To ensure provision of adequate improvements to the quality of the playing field and to accord with the Borough Local Plan Policy CP7 of the Core Strategy DPD1.

05 The playing field enhancement works shall be completed prior to commencement of any car parking and external works in phase 2 of the development hereby permitted as shown on Drawing No: 14 1448 T33 A unless otherwise agreed with the Local Planning Authority.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use [phasing provision] and to accord with policy CP7 of the Core Strategy DPD1.

06 The playing field enhancement works of the development hereby permitted shall be completed prior to occupation of the development hereby approved.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use [phasing provision] and to accord with Development Plan Policy CP7 of Core Strategy DPD1.

07 The replacement throwing cage shall be completed in accordance with the submitted Athletics Direct specification for an IAAF Steel Hammer/Discus Cage prior to commencement of any car parking and external works in phase 2 of the

development hereby permitted as shown on Drawing No: 14 1448 T33 A unless otherwise agreed with the Local Planning Authority.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures continuity of use [phasing provision] and to accord with Development Plan Policy CP7 of the Core Strategy.

08 The temporary construction compound shall be removed and the area affected to be subsequently reinstated to playing field use before the new building opens, unless otherwise agreed in writing with the local planning authority. Such a condition is justified to ensure that the compound is removed in practice at the end of the construction period and the affected playing field area is reinstated to playing field use.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy CP7 of the Core Strategy.

09 Prior to occupation of the development hereby permitted details of a community use agreement for the school's playing field shall be submitted to and approved by the local planning authority (in consultation with Sport England).

Reason: To ensure the development is available for the community and is fit for purpose and sustainable and to accord with Development Plan Policy CP7 of the Core Strategy.

10 All planting in the approved landscaping as shown on drawings 'Car Parking Planting Plan' LOC 1507/04 Revision C and 'Front of School Planting Plan' LOC 1507/05 Revision C, together with the 'Landscaping Planting Design Statement, Plant Schedule, Summary Planting Specification and Management Plan carried out by Landscapes of Change dated April 2016 shall be carried out within the first planting season of 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.

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) emerging policy DM1 and SPD1 (Design and Townscape Guide).

11 The development hereby permitted shall not be occupied until the highways works identified on drawings 14 148801 Revision L have been completed.

Reason: In the interests of highway management 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).

12 The 124 car parking spaces shall be implemented prior to occupation of the school building in accordance with drawing 14 1448 01 Revision L hereby approved and shall thereafter be permanently retained, unless otherwise agreed

in writing by the local planning authority. Permeable paving shall be used for the hardstanding area.

Reason: In the interests of highway management 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).

13 Prior to first occupation of the development hereby approved, a Travel Plan including a comprehensive survey of all users, targets to reduce car journeys to school, details of local resident involvement 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, prior to the first use of the approved parking area as shown on drawing 14 148801 Revision L. At the end of each academic year the Schools Travel Plan monitoring 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 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)

14 Prior to use of the additional car parking spaces as shown on drawing 14.1448-.01 Revision L, details of an acoustic fence to be installed on the northern boundary between nos. 46 to 70 Earls Hall Avenue shall be submitted to and agreed in writing by the local planning authority. The fence shall be installed in accordance with the approved details and be permanently retained thereafter, unless otherwise agreed in writing by the local planning authority.

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

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

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

16 The development hereby approved shall be carried out in accordance with the Drainage Strategy carried out by Peter Dann Consulting Engineers and

drawings 10-6127\_XX-DR-D201 Revision T3, 10-6127\_XX-DR-D200 Revision T3. The sustainable drainage system shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

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

17 Development shall not commence on any part of the site until the mitigation measures and recommendations as set out in the Phase 1 Habitat Survey Ecology Appraisal and the recommendations 17.06.2016 reference 1216-Southend High School-Ecology Appraisal Phase have been implemented unless otherwise agreed in writing by the local planning authority.

Reason: To reduce the effect the development has on the biodiversity of the environment in accordance with the National Planning Policy Framework and DPD1 (Core Strategy) 2007 policy KP2 and CP4.

18 Construction and demolition shall only take place between 0730 and 1800 Monday to Friday 0800 and 1300 Saturday and not at all on Sundays or Bank Holidays.

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

19 During construction/demolition loading or unloading of goods or materials shall take place on the land between 0730-1800 Monday to Friday 0800-1300 Saturday, and not at all on Sundays or Bank Holidays.

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

20 The “portacabin” hereby approved shall be removed within 5 years from the date of this permission.

Reason: The siting of the “portacabin” would be unacceptable on a permanent basis in terms of its design and appearance, in accordance with policy DM1 of the Development Management DPD.

#### Informatives

01 You are advised that in this instance the chargeable amount for the Community Infrastructure Levy (CIL) has been calculated as zero due to the specific nature of the use.

02 In relation to Condition 12, you are advised to contact Highways Engineer – Martin Warren (Tel: 01702 534328 Email: martinwarren@southend.gov.uk) to discuss the requisite Highways Licence and approved contractors. You are



advised that a Highways Licence needs to be in place before any works are carried out to the public highway and you will need to employ a Council approved contractor to carry out any works to the public transport infrastructure, namely bus stops in this instance.

03 You are advised that the development hereby approved is likely to require approval under Building Regulations. Our Building Control Service can be contacted on 01702 215004 or alternatively visit our website [http://www.southend.gov.uk/info/200011/building\\_control](http://www.southend.gov.uk/info/200011/building_control) for further information.

04. In relation to condition 09- a community use agreement sets out a school's policy and arrangements for community use of its facilities and covers matters such as hours of use, pricing policy, types of bookings accepted, restrictions on community use, facility management arrangements etc. The agreement is between a school and the relevant local authority or leisure trust (e.g. Southend-on-Sea Borough Council) but may involve additional bodies and shall remain in perpetuity for the lifetime of the development.

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

**(b) St. Lukes Ward**

**16/00413/AMDT**

**Application to vary condition 02 (Approved Plans), condition 10 (Amended Energy Statement and revised Photovoltaics) and condition 15 (Drainage Strategy) (Minor Material Amendment) of planning permission 15/01884/FUL dated 2 Feb 2016**

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

**Veolia ES (UK) Ltd**

**Mr O. Diamond (Veolia)**

Planning permission GRANTED

01 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/B, 37272/A/CVD/003/B, 37272/A/CVD/012/A, 37272/A/CVD/013/A, 37272/A/CVD/014/A, 37272/A/CVD/027/A, 37272/A/CVD/029/A, 37272/A/CVD/030/A, 37272/A/CVD/031/A, 21507/101 A, A034/01/012, A034/01/012, 3602530 (7 Plans), 1508-C02 F, 1508-C05 G, 1508-C06 A and E359/E/04 D.

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).

02 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).

03 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)

04 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).

05 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.

06 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.

07 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.

08 All lighting shall be installed and maintained in perpetuity in accordance with the lighting scheme approved under the terms of application 16/00411/AD 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.

09 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 03/03/16 and submitted with the application and shown on drawing 1508-C05 E. 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).

10 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).

11 Prior to the first occupation of the Waste Transfer Station 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.

12 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.

13 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.

14 The Waste Transfer Station building hereby approved shall not be put to use until the surface water drainage strategy (set out within the Drainage Design Statement dated 03/02/16 and shown on plan E359/E/04 D) 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

15 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.

16 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.

17 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.

18 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.

19 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.

20 The "Recommendations" set out in section 5.2 paras 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 para 5.2.4 shall be implemented prior to first use of the Waste Transfer Station 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.

21 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 Waste Transfer Station building as appropriate.

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

22 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

23 Prior to their installation, details of the appearance and materials of the acoustic screens shall be submitted to and 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

24 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

25 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.

26 The construction of the Waste Transfer Station shall only be undertaken in accordance with the insulation and materials details that have been approved under the terms of application 15/02154/AD unless otherwise agreed in writing by the Local Planning Authority.

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) Chalkwell Ward**

**16/00704/LBC**

**Replace existing windows to north elevation**

**Palace Theatre, 430 London Road, Westcliff-on-Sea, Essex SS0 9LA**

**Southend-on Sea Borough Council**

**Metson Architects Ltd**

Listed Building Consent 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 hereby permitted shall be carried out in accordance with the approved plans 1604-TP-01, 1604-TP-02, 1604-TP-03

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

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 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. Detailed analysis is set out in a report prepared by officers.

**(d) Milton Ward**

**16/00184/FUL**

**Change of use of building from storage and distribution use (Class B8) to a House in Multiple Occupation, erect dormers to front and rear, increase depth of existing basement, creation of lightwells to front, layout cycle parking and alter elevations**

**49 Milton Road, Westcliff-on-Sea, Essex, SS0 7JP**

**LT Properties**

Mr Higham, a local resident, spoke as an objector to the application. Mr Marsden, responded on behalf of the applicants.

Planning permission REFUSED for the following reasons:

1. The proposed development would have insufficient parking to meet the needs of occupiers and would result in vehicles parking on the highway to the detriment of highway safety and the free flow of traffic. The proposal would therefore be

contrary to the National Planning Policy Framework and policies DM3 and DM15 of the Council's Development Management DPD.

2. The proposal would result in an additional HMO, further adding to a concentration of HMOs in the vicinity, which would be detrimental to the overall character of the area and residential amenities. This would be contrary to policy KP2 and CP4 of the Core Strategy 2007 and policy DM1 of the Development Management DPD 2015.

**(e) West Leigh Ward**

**16/00467/FUL**

**Demolish existing dwelling and erect two semi-detached dwellinghouses, amenity space to rear, layout parking to front and install new vehicular access on to Percy Road (Amended Proposal)**

**34 Percy Road, Leigh-on-Sea, Essex, SS9 2LA**

**Mrs H Collins**

**Knight Gratrix Architects**

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

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 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 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.

**(f) Eastwood Park Ward**

**16/00504/FUL**

**Demolish existing dwelling and garage and erect two storey dwellinghouse with rooms in roof, balcony at rear, two storey size extension to form habitable accommodation with attached link to main building, layout landscaping, parking to front and install new vehicular access on to Green Lane.**

**143 Green Lane, Eastwood, Essex, SS9 5QL**

**Mr And Mrs Siddique**

**SKArchitects**

DEFERRED

**(g) St. Laurence Ward**

**16/00546/FUL**

**Application to vary condition 2 of planning application 97/0651 dated 17/09/1997 to allow deliveries to take place between 07:00 hours and 23:00 hours Mondays to Saturdays and 08:00 hours and 17:00 hours on Sundays and Bank Holidays.**

**Morrison's, Western Approaches, Eastwood, Southend-on-Sea, Essex, SS2 6SH**

**WM Morrison's Plc**

**Peacock and Smith**

WITHDRAWN

**(h) Southchurch Ward**

**16/00419/FULH**

**Convert garage into habitable accommodation, erect single storey rear extension, first floor side extension and alter elevations.**

**23 Wansfell Gardens, Thorpe Bay, Essex SS1 3SW**

**Mr & Mrs Padbury**

**Knight Gratrix 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: 012 Amended

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

03 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings hereby approved or are required by conditions to this permission.

Reason: To safeguard the visual amenities of the area, in accordance with National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy CP4, policy DM1 of Development Management Document DPD2 and SPD1 (Design and Townscape Guide).

04 The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 23 Wansfell Gardens and shall not be sold or let separately.

Reason: To ensure the building is used as an annexe and remains as an ancillary building to the main dwelling in accordance with policy DM3 of the Development Management DPD2.

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.

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

**(i) Leigh Ward  
16/00460/FULH**

**Raise roof height to form chalet style dwelling, erect dormers to front and rear, form two storey front gable projection, layout parking and install new vehicular access on to Marguerite Drive**

**80 Marguerite Drive, Leigh-on-Sea, Essex, SS9 1NW**

**Mr And Mrs Adams**

**Brian Davison Associates**

Mr Russell, a local resident, spoke as an objector to the application. Mr Adams, the applicant, responded.

DEFERRED (PMSV)

**(j) Victoria Ward**  
**16/00482/FULH**  
**Erect roof extension with dormer to rear**  
**13 Glenhurst Road, Southend-on-Sea, Essex, SS2 5DR**  
**Ms Lisa Steadman**

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. (C01A)

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: Revised 1 (dated 25/05/16), 2, Revised 3 (dated 25/05/16) (C01D)

Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan. (R01D)

03 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings hereby approved or are required by conditions to this permission. (C23D)

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 set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 Policy KP2 and CP4, Development Management DPD Policy DM1, and SPD1 (Design and Townscape Guide).

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

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.

**32 Enforcement of Planning Control**

**(a) Milton Ward**

**EN/15/00176/UNAU**

**Without planning permission installed PVC framed windows to front and side elevations**

**1-3 Warrior Square Southend-on-Sea**

Resolved: That ENFORCEMENT ACTION be AUTHORISED for the removal of the unauthorised PVC windows in elevations facing Warrior Square and Chichester Road. This is because of the detriment to the historic and visual character and amenities of the Conservation Area, contrary to Policies DM1 and DM5 of the DPD, Policies KP2 and CP4 of the Core Strategy, and advice contained within the Design and Townscape Guide (SPD1).

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 months compliance period is reasonable in these circumstances.

**(b) St Lukes Ward**

**15/00177/UCOU-B**

**Without planning permission, the change of use of the land from residential within Class C3 of the Town and Country (Use Classes) Order 1987 (as amended) to day care centre (Class D1).**

**161 Westbury Road, Southend-on-Sea, Essex, SS2 4DL**

Resolved: That consideration of this matter deferred

**(c) Shoeburyness Ward**

**15/00241/UNAU-B**

**Without planning permission, the erection of an outbuilding which exceeds 2.5m in height and is located within 2.0m of a boundary of the curtilage of the dwellinghouse.**

**47 High Street, Shoeburyness, Southend-on-Sea SS9 3RH.**

Resolved: That NO FURTHER ACTION be taken in respect of this matter.

**(d) Victoria Ward**

**EN/15/00279/UNAU-B**

**Without planning permission, the erection of a fence exceeding 1.0m in height to the eastern boundary of the site adjacent to a highway.**

**Southend Bowls Club, 7 Tunbridge Road, Southend-on-Sea, Essex SS2 6LT**

Resolved: That consideration of this matter be DEFERRED.

**(e) Milton Ward  
EN/16/00086/UNAU**

**Installation of external ventilation equipment to the rear of the premises without planning permission  
68 London Road, Southend-on-Sea**

Resolved: That ENFORCEMENT ACTION be AUTHORISED for the removal of the unauthorised external ventilation equipment at the rear. This is because of the detriment to residential amenities contrary to the NPPF, Policy DM1 of the DPD and Policies KP2 and CP4 of the Core Strategy.

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 one month compliance period is reasonable in these circumstances.

**(f) St Lukes Ward  
16/00097/UNAU\_B**

**Without planning permission, the erection of a two storey side extension not in accordance with the approved plans under application 10/01749/FULH.  
174 Royston Avenue, Southend-on-Sea, Essex**

Resolved: That ENFORCEMENT ACTION be AUTHORISED to secure the removal of the dormer on the grounds that the unauthorised development is detrimental to the character and visual amenity of the area by reason of its bulk and design results in an incongruous 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 to 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.

33 **16/00876/DOV - 3 Acacia Drive, Thorpe Bay, Essex SS1 3JU**

**(a) Thorpe Ward**

**16/00876/DOV**

**Deed of Variation**

**Modification of planning obligation (Section 106 agreement) dated 28th January 2015 pursuant to application 14/01434/FULM to vary the requirement to provide affordable housing.**

**3 Acacia Drive, Thorpe Bay, Essex SS1 3JU**

**Elmore Homes Ltd**

The Chairman agreed that this item be considered at this meeting as an urgent additional item to enable a decision to be made at the earliest opportunity.

DELEGATED to the Corporate Director for Place, Head of Planning and Transport or the Group Manager for Planning and Building Control to AGREE A MODIFICATION OF THE PLANNING OBLIGATION dated 28th January 2015 pursuant to planning application 14/01434/FULM to provide a commuted sum payment for affordable housing of £175,000 in lieu of on-site provision prior to occupation of the 6th market housing unit. This modification will be time limited for one year from the date of the Deed of Variation.

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