

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 5th June, 2019

Place: Committee Room 1 - Civic Suite

Present: Councillor N Ward (Chair)
Councillors M Borton (Vice-Chair), D Garston, A Dear, F Evans, S Habermel,
H McDonald, P Van Looy, C Walker, B Ayling, J Beck, D Jarvis, D Cowan,
A Jones, A Thompson and P Wexham

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: T Hartley, J K Williams, P Geraghty, K Waters, C Galforg, P Keyes,
M Warren and T Row

Start/End Time: 2.00 - 5.45 pm

29 Apologies for Absence

Apologies were received from Councillor Chalk.

30 Declarations of Interest

The following declarations were made at the meeting:

(a) Councillor Garston - Agenda item 18 (18/02007/FUL - Cockethurst, Eastwoodbury Lane) - Non-pecuniary interest: The applicant is known to him.

(b) Councillor Jones – Agenda item 7 (19/00420/BC4M - Chalkwell Hall Infants School) – Pecuniary interest: Portfolio holder for Children and Learning.

(c) Councillor McDonald – Agenda item 9 (19/00600/FUL - Land rear of Highlands Court) - Disqualifying non-pecuniary interest: Partners mum lives in Highlands Court and has use of the mentioned garages.

(d) Councillor Thompson – Agenda item 18 (18/02007/FUL - Cockenthurst, Eastwoodbury Lane) - Non-pecuniary interest: The applicant is known to him.

(e) Councillor Van Looy – Agenda item 11 (19/00528/FUL - 169 Manchester Drive) - Non-pecuniary interest: Brother lives on Manchester drive and agenda item 18 (18/02007/FUL - Cockenthurst, Eastwoodbury Lane) - Disqualifying non-pecuniary interest: The applicant is a close friend.

(f) Councillor Wexham – Agenda item 13 (19/00502/FULH - 64 Mount Avenue) – Non-pecuniary interest: The resident of 65 Mount Avenue is known to him and Agenda item 18 (18/02007/FUL - Cockenthurst, Eastwoodbury Lane) - Non-pecuniary interest: The applicant is known to him.

(g) Councillor Ward – Agenda item 22 (19/00675/FUL - The Trinity, 3 Trinity Avenue) – Non-pecuniary interest: He is an owner of a guesthouse.

31 Minutes of the Meeting held on Wednesday, 6th March 2019

Resolved:-

That the Minutes of the Meeting held on Wednesday 6th March be confirmed as a correct record and signed.

32 Minutes of the Meeting held on Wednesday 3rd April 2019

Resolved:-

That the Minutes of the Meeting held on Wednesday 3rd April be confirmed as a correct record and signed.

33 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.

34 19/00086/FULM - 277 Prince Avenue, Westcliff-on-Sea (St Laurence Ward)

Proposal: Demolish existing buildings and erect three storey block comprising of 12 self-contained flats and 8 two storey dwellinghouses, layout landscaping, amenity space and parking.

Applicant: Dove Jeffrey Homes Planning Service

Agent: Phase 2 Planning

Ms Verhiac spoke as an objector to the application and the agent to the application responded.

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reasons:

01 The proposed development is wholly located within a designated employment area and the proposal fails to demonstrate that there is no long term or reasonable prospect of the site being used for B class uses and that the proposed use could not reasonably be located elsewhere in the area it serves. On this basis it is concluded that the use of the site as proposed would materially undermine the status of a designated employment area and the long term availability of employment generating development in the Borough. There are found to be no material planning considerations, or other public benefits including by reason of the modest number of additional dwellings proposed, to outweigh the harm caused by this conflict with development plan policy. This proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP1, KP2 and CP1 of the Core Strategy (2007) and policies DM3 and DM11 of the Development Management Document (2015).

02 The application does not include a formal undertaking to secure a suitable contribution towards affordable housing provisions to meet demand for such housing in the area. A formal undertaking to secure a contribution to the delivery of education facilities is also absent. In the absence of these undertakings the application is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2, KP3, CP4, CP6 and CP8 of the Core Strategy (2007) and Policy DM7 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 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.

01 Please note that this application would be liable for 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.

35 19/00420/BC4M - Chalkwell Hall Infants School, London Road, Leigh on Sea (Chalkwell Ward)

Proposal: Demolish portacabins, erect part single/ part two storey building for classrooms.

Applicant: Framebuild Ltd

Agent: Framebuild Ltd

Councillor Jones withdrew from the meeting.

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 Chalkwell Plan1 Rev E, Chalkwell Plan2 Rev E, Chalkwell Plan5 Rev E, Chalkwell Plan5A Rev E, Chalkwell Plan10 Rev E, Chalkwell Plan11 Rev E, Chalkwell Plan12, SYLVA-DET-8.62AREVD, SYLVA-DET-8.60AREVD, SYLVA-DET-8.03AREVC, SYLVA-DET-8.01AREVD

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

03 The materials for the external surfaces of the development hereby approved shall be EBS Sanded Red Stock Brick slips with mortar joints, white through colour render, single membrane bonded roof (grey) with aluminium coping to two storey section, grey (RAL 7004) double glazed aluminium windows and doors and a matching brick boundary wall unless alternative materials are previously submitted to and agreed in writing with the Local Planning Authority. The detailing of the proposal shall be carried out only as specified on drawings reference SYLVA-DET-8.62AREVD, SYLVA-DET-8.60AREVD, SYLVA-DET-8.03AREVC, SYLVA-DET-8.01AREVD

Reason: To safeguard the visual amenities of the area, in accordance with Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

04 The first floor flank windows in the north east and south west elevation of the two storey element of the development hereby approved shall be permanently glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and permanently fixed shut up to a height of not less than 1.7m above first floor level before the occupation of the development hereby approved and shall be retained as such in perpetuity. 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.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1, and advice contained within the Design and Townscape Guide (2009).

05 No development above ground floor slab level shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority. The details submitted shall include, but not be limited to:-

- i means of enclosure, of the site including any gates or boundary fencing;
- ii. permeable hard surfacing materials;
- iii. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
- iv. details of measures to enhance biodiversity within the site;

Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority

Reason: In the interests of visual amenity of the area and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015)

06 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, no rooftop plant or telecommunications equipment or other similar erections shall be fixed to the exterior of the building without the receipt of express planning permission from 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) and Policies DM1 and DM3 of the Development Management Document (2015).

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

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

08 Before the development hereby approved is commenced, tree protection measures for the mature tree adjacent to the north west corner of the application site, shall be protected with temporary protective fencing in full accordance with BS 5837:2012 Trees in relation to design, demolition and construction-Recommendations. The protective fencing shall be maintained throughout the construction of the development.

Reason: To safeguard the health of existing trees which represent an amenity feature in accordance with Core Strategy (2007) policies KP2 and CP4, policy DM1 of the Development Management Document (2015) and advice contained in the Design and Townscape Guide (2009).

09 Prior to occupation of the development hereby approved, an energy strategy for the development, which fulfils the objectives of Core Strategy Policy KP2, including a timeframe for implementation, shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken and completed in full accordance with the approved scheme and timeframe.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) policy DM2 and the Southend Design and Townscape Guide(2009).

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.

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 proposal.

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.

36 19/00565/FULM - Rear of 95, Prince Avenue. Southend on Sea (St Laurence Ward)

Proposal: Demolish existing workshop buildings and storage garages to rear and erect two, three storey blocks comprising of 11 self-contained flats including bin/cycle storage, layout amenity space and parking (Amended Proposal).

Applicant: Mr James Dove

Agent: Mr James Collinson of Design Spec Ltd.

Mr Haynes spoke as an objector to the application. Mr Dove, the applicant, responded.

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reasons:

01. The applicant has failed to demonstrate through a suitable appraisal that it is no longer effective or viable to accommodate the continued use of the site for employment purposes in the short, medium and long term, and that the alternative use would give greater potential benefits to the community and environment than a continued employment use. This is unacceptable and contrary to the National Planning Policy Framework, Policy CP1 of the Core Strategy (2007) and Policies DM3 and DM11 of the Development Management Document (2015).

02. The proposed development by virtue of its layout scale and design relative to the site boundaries and neighbouring built form would be cramped and contrived, incongruous and materially harmful to the appearance, visual amenities and quality of the surrounding townscape. This is unacceptable and contrary to the National Planning Policy Framework (2019), 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).

03. The proposed buildings by virtue of their layout scale and design relative to the site boundaries and neighbouring dwellings would be unduly dominant and overbearing to neighbouring occupiers, and would lead to a material loss of outlook. The layout design and proximity of the development would also lead to a material loss of privacy. This is unacceptable and contrary to the National Planning Policy Framework (2019), 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).

04. The proposed development would provide an inadequate level of daylight and poor outlook to occupiers of the ground floor flats at Block B and would provide an inadequate quantity and quality of usable outdoor amenity space together with a substandard setting for the proposed dwellings. In addition, refuse storage would be inadequate and there would be insufficient off-street car parking to meet the needs of occupiers. On this basis the development would provide inadequate living conditions for future occupiers. This is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2, CP3 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM8 of the Development Management Document (2015) and the advice contained within the Southend-on-Sea 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 and the submission fails to demonstrate that such a contribution is not viable. 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 (2019), Policies KP2, KP3, CP6 and CP8 of the Core Strategy (2007) and policy DM7 of the Development Management Policies Document (2015).

06. The proposed development would fail to meet acceptable standards for new dwellings as it fails to demonstrate that it would be appropriately accessible and adaptable for all members of the community in accordance with the requirements of the Building Regulations M4(2) and M4(3) accessibility standards. This is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM8 of the Development Management Document (2015).

Informatives:

01. 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.

02. 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.

37 19/00600/FUL - Land rear of Highlands Court, London Road, Leigh on Sea (West Leigh Ward)

Proposal: Demolish existing garages and utility building and erect building comprising of 6 self-contained flats, lay out parking, cycle storage, refuse store and amenity space.

Applicant: Hollowell Ltd

Agent: Plainview Planning Ltd

Councillor McDonald withdrew from the meeting.

Ms Ingoldby spoke as an objector to the application. Ms Perkins, the agent, responded.

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reasons:

01. The proposed development would, by virtue of the size and siting of the building coupled with the functional and poorly articulated design of the rear elevation, harm the outlook of and appear visually intrusive for the occupiers of the immediate rear, 17-27 Gordon Road. This is unacceptable and contrary to the National Planning Policy Framework (2019), 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).

02. As a result of the constrained manoeuvring space, and the necessary proximity of vehicle movements to the main outlook of the ground floor flats, and the reduction in soft landscaping, the development is considered to not offer a suitable standard of outlook and would cause harmful levels of noise and disturbance to occupiers of the proposed single aspect ground floor flats to the detriment of their amenity. This is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2, CP3 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM8 of the Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

03. Notwithstanding the failure to provide an elevation, the proposed refuse store would materially harm the outlook of occupiers of the existing accommodation at ground floor of Highlands Court by virtue of its size and proximity together with the associated loss of soft landscaped space. The store would be sited a carry distance of some 60m from the northernmost flats at Highlands Court and this would encourage ad-hoc presentation of waste elsewhere within the site. The proposal is therefore found harmful to living conditions of existing and future occupiers at the site. This is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2, CP3 and CP4 of the Core Strategy (2007),

Policies DM1, DM3 and DM8 of the Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

04. The proposed development would fail to meet acceptable standards for new dwellings as it fails to demonstrate that it would be appropriately accessible and adaptable for all members of the community in accordance with the requirements of the Building Regulations M4(2) accessibility standards. This is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM8 of the Development Management Document (2015).

05. The proposed development by virtue of its layout, scale and design relative to the site boundaries and neighbouring built form would be cramped, contrived and incongruous, and materially harmful to the appearance, visual amenities and quality of the surrounding townscape. This is unacceptable and contrary to the National Planning Policy Framework (2019), 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).

Informatives:

01. 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.

02. 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.

38 19/00467/FUL - 1373 London Road, Leigh-on-Sea, Leigh on Sea (Belfairs Ward)

Proposal: Erect roof extension forming second floor to form self-contained flat, install lift shaft and external staircase to side elevation, layout additional parking spaces and cycle store (Amended Proposal).

Applicant: LSM

Agent: Stone Me

Mr Hawkins spoke as an objector to the application.

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reason:

The development proposed by reason of its size, siting and overall design would result in a poorly designed, incongruous and obtrusive development that would result in material harm to the character and appearance of the host building, the street scene and the wider surrounding area. The development is therefore unacceptable and contrary to the National Planning Policy Framework (2019), 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).

Informatives

01. 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.

02. 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.

39 19/00528/FUL - 169 Manchester Drive, Leigh-on Sea (Blenheim Park Ward)

Proposal: Demolish existing bungalow, erect two detached dwellinghouses with associated parking and form vehicular access on to Manchester Drive (Amended Proposal).

Applicant: Mr George Panayi

Agent: IWPS Planning and Building Control

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 Location Plan, GP-001-19/A, GP-002-19/A, GP-003-19/A, GP-004-19/B, GP-005-19/A, GP-006/19B, GP-007-19/A, GP-008-19/A

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

03 The materials for the development hereby approved shall be Weinberger Terca Kassandra dark red multi stock brick, K-Rend through colour render (limestone

white), Marley ACME plain clay tiles (antique) roof tiles, slate grey (RAL 7004) double glazed upvc windows, slate grey timber decoration and a composite door unless details of alternative materials are subsequently approved in writing by the Local Planning Authority.

Reason: To safeguard the visual amenities of the area, in accordance with policies This is as set out in Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

04 The first floor windows in the east and west elevation of the eastern house and the first floor windows in the east elevation of the west house hereby approved shall only be permanently glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and permanently fixed shut up to a height of 1.7m above first floor level before the occupation of the dwellings hereby approved and shall be retained as such in perpetuity. 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.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1, and advice contained within the Design and Townscape Guide (2009).

05 No development above ground floor slab level shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority.

The details submitted shall include, but not limited to:-

- i proposed finished site levels or contours;
- ii. means of enclosure, of the site including any gates or boundary fencing;
- iii. permeable hard surfacing materials;
- iv. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
- vii. details of measures to enhance biodiversity within the site;

Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority

Reason: In the interests of visual amenity of the conservation area and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy DM1 of the Development Management Document (2015) and Policy CP4 of the Core Strategy (2007)

06 No development 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 approved scheme shall be implemented, in accordance with the approved details before the development is occupied or brought into use and be maintained as such thereafter in perpetuity. 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 or soakaway tests should be provided which fully adhere to BRE365 guidance to demonstrate this. 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
- vii) 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: A pre commencement condition is required 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 Policy DM2 of the Development Management Document (2015)

07 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order or Act of Parliament revoking and re-enacting that Order with or without modification, no development shall be carried out at the development hereby approved specified within Schedule 2, Part 1, Classes A, B, C, E and F of the Town and Country Planning (General Permitted Development) Order 2015 without the receipt of express planning permission in writing from the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

08 The four car parking spaces and the associated vehicular access for the spaces to and from the public highway, shown on approved plan GP-007-19/A shall be provided and made available for use at the site prior to the first occupation of the dwellings hereby approved. The car parking spaces and the associated vehicular accesses to and from the public highway shall thereafter be permanently retained for the parking of vehicles of the occupiers and visitors to the dwellings and the

accessing of the car parking spaces in connection with the dwelling hereby approved.

Reason: To ensure that satisfactory off-street car parking is provided in the interests of residential amenity and highways efficiency and safety, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM15 and the Southend Design and Townscape Guide (2009).

09 The roof of the single storey rear projections hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless express planning permission has previously been obtained from the Local Planning Authority. 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 Core Strategy (2007) policies KP2 and CP4, the Development Management Document (2015) policies DM1 and DM3 and advice contained within the Southend Design and Townscape Guide (2009)

10 Prior to occupation of the dwellings hereby approved, appropriate water efficient design measures as set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to not more than 105 litres per person per day (lpd) (110 lpd when including external water consumption), to include measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be implemented for the development and thereafter retained in perpetuity.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and advice contained within the Southend Design and Townscape Guide (2009).

11 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, agreed in writing by the Local Planning Authority and implemented in full in accordance with the approved details prior to the first occupation of the dwellings. 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 (2007) and Development Management Document (2015) policy DM2.

12 The development hereby approved shall be carried out in a manner to ensure the dwellinghouses comply with building regulation M4(2) 'accessible and adaptable dwellings' before the dwellings are occupied.

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 (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM8 and the advice contained in the Southend Design and Townscape Guide (2009).

13 Construction Hours shall be restricted to 8am – 6pm Monday to Friday, 8am - 1pm Saturday and not at all on Sundays or Bank Holidays.

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

14 Notwithstanding the information submitted with the application, no development shall be undertaken unless and until details of tree protection measures for street trees to the side of the site in Blenheim Crescent have been submitted to and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved tree protection measures throughout the construction phase of the development.

Reason: This pre-commencement condition is needed to safeguard the character and appearance of the surrounding area in accordance with policies DM1 and DM3 of the Development Management Document (2015) and Policies Kp2 and Cp4 of the Core Strategy (2007).

15. No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved statement shall be fully 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 hoardings;
- v) measures to control the emission of dust and dirt during construction;
- vi) a scheme for recycling/disposing of waste from construction works that does not allow for the burning of waste on site.

Reason: This pre-commencement condition is needed in the interests of visual amenity and the amenities of neighbouring occupiers pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and Dm3 of the Development Management Document (2015).

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.

Informatives

01 Please note that the development the subject of this application is liable for a charge under the 01 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 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.

03 The applicant is advised that they will be required to cover the cost of re locating the street lamp and reinstating the redundant crossover as part of this proposal. This should be done as part of the crossover application which should be made to the Council's Highways Team.

40 19/00369/FUL - 1053 London Road, Leigh-on-Sea (Blenheim Park Ward)

Proposal: Erect roof extension to existing mixed use building to form additional self-contained flat.

Applicant: TernRock Ltd

Agent: Studio: 08 architecture + planning

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

1. The development hereby permitted shall begin no 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.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 2000.LP-01, 2000.P.29, 2000.EX.11, 2000.EX.12, 2000.P.12, 2000.P.23, 2000.EX.13, 2000.P.24, 2000.EX.14, 2000.P.25, 2000.EX.15, 2000.P.26, 2000.EX.16, 2000.P.27, 2000.EX.17, 2000.P.28.

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

3. The external materials used for the development hereby permitted shall match those of the lower floors, with the exception of the wall cladding of the second storey details of which shall be agreed in writing by the local planning

authority prior to its installation. The development shall be carried out only in accordance with the approved details.

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).

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

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 (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

5. Prior to the occupation of the development hereby approved details of energy efficiency and other sustainability measures, including the provision of at least 10% of the development hereby approved energy needs being provided from renewable sources, shall be submitted to and agreed in writing by the Local Planning Authority and the development shall be carried only in accordance with the agreed details.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework, Core Strategy (2007) policy KP2 and CP4, and the Design and Townscape Guide (2009).

6. With the exception of the second storey front balcony hereby permitted as shown on drawing no's 2000.P.29, 2000.9.23, 2000.P.25, 2000.P.26, 2000.P.27, the roof of the first floor shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless express planning permission has first been obtained from the Local Planning Authority. 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 (NPPF), Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1, and the guidance contained within the Design and Townscape Guide (2009).

7. Water efficient design measures as set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems shall be installed prior to the first occupation of the development hereby approved and retained in perpetuity.

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

8. Prior to first occupation of the development hereby granted, secure, covered refuse and recycling storage areas and cycle parking to serve the development shall be provided in accordance with approved plan no.2000.EX.11 and these facilities shall be permanently retained as such thereafter.

Reason: To ensure that adequate cycle parking and waste storage is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy (2007) and Policies DM1 and DM15 of the Development Management Document (2015).

Informatives

1. 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.

2. 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 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.

41 19/00502/FULH - 64 Mount Avenue, Westcliff-on-Sea (Chalkwell Ward)

Proposer: Erect first floor extension to convert existing bungalow into dwellinghouse and alter elevations.

Applicant:

Mr

Rowland

Agent: Mr Nick Kenney

Mr Scott spoke as an objector to the application.

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reason:

01 The proposed development by reason of its size, scale and siting and exacerbated by changes in ground level would be overbearing and result in an unacceptable sense of enclosure and loss of outlook to the dwellings to the south in Crossways to the detriment of the amenities of occupiers of those dwellings. This is unacceptable and contrary to the National Planning Policy Framework (2019), 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).

42 19/00376/FULH - 44B Glendale Gardens, Leigh-on-Sea (Leigh Ward)

Proposal: Erect first floor front and side extension, erect dormer to front and alter elevations (Amended Proposal).

Applicant: Mr M Neale

Agent: BDA

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

1. The development hereby permitted shall begin no 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.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 18.144/SK02 Rev B, 18.144/SK03 Rev B, 18.144/SK04 Rev B, 18.144/SK05 Rev A

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

3. 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: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (NPPF), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and the Design and Townscape Guide (2009).

4. Notwithstanding the details shown on the plans submitted for consideration with this application and otherwise hereby approved, the rooflights to the rear roof slope

(south facing) of the development must have an internal sill height above first floor finished floor level of no less than 1.7m.

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

5. Notwithstanding the details shown on the plans submitted for consideration with this application, the windows to the front elevation (north facing) of the dormer hereby approved must have a sill height above first floor finished floor level of not less than 1.5m.

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

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.

Informatives

You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace, and does not involve the creation of a new dwelling (Class C3), 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.

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.

43 19/00373/AMDT - 129 Leigh Hall Road, Leigh-on-Sea (Leigh Ward)

Proposal: Application to vary condition 02 (Approved Plans) replace plan number 15-184-2-110B with plan number 15-184C-2-110A (Minor Material amendment to planning permission 18/00763/AMDT dated 18.07.2018 which amended planning permission 16/01601/FUL dated 10.11.2016 - Demolish existing bungalow and erect a pair of semi-detached dwellinghouses and lay out hardstanding (Amended Proposal) (Retrospective).

Applicant: Mr Ben Surgett

Agent: N/A

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

01. The development shall be carried out in accordance with the approved plans: 0-100/B, 2-113/A, 2-110/A

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

02. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, no development shall be carried out within Schedule 2, Part 1, Class A, B, C, D, E and F to those Orders without express planning permission having first been obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and the Design and Townscape Guide (2009).

03. Permeable paving shall be used for the hardstanding area unless otherwise agreed by the local planning authority. The proposed parking spaces to the front curtilages of the proposed dwellings shall be provided and made available for use in accordance with the plans no. 2-110/B prior to occupation of the dwellings hereby approved and shall thereafter be permanently retained solely for the benefit of the occupiers of the dwellings and their visitors and for no other purposes.

Reason: To ensure satisfactory parking is provided and retained to meet needs of occupants that the development is completed and used as agreed, and to ensure that it meets Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM15 and the Design and Townscape Guide (2009).

04. The first floor bathroom windows in the north and south elevations of the dwellings hereby approved shall only be glazed permanently in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and permanently fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level unless otherwise agreed in writing by the local planning authority. 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.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1, and the Design and Townscape Guide (2009).

05. The flat roofs of the dwellings hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless express planning permission has first been obtained from by the local planning authority. The roofs 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 (2019), Core

Strategy (2007) policy CP4, Development Management Document (2015) policy DM1, and the Design and Townscape Guide (2009).

06. Water efficient design measures as set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems shall be installed prior to the first occupation of the development hereby approved and retained in perpetuity.

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

07. The dwellings hereby approved shall not be occupied until details of soft and hard landscape works have been submitted to and approved by the local planning authority. The approved landscaping scheme shall be implemented within the first planting season following first occupation of the dwellings hereby approved.

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the amenity of future occupants in accordance with Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) policy DM1 and the Design and Townscape Guide (2009).

08. A scheme detailing how at least 10% of the total energy needs of the development hereby approved will be supplied using on site renewable sources shall be submitted to and agreed in writing by the Local Planning Authority and implemented in full prior to the first occupation of the dwelling houses. This provision shall be made for the lifetime of the development.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework (2019), Southend Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and Design and Townscape Guide (2009).

09. The materials used and the finished appearance shall be as approved under application reference 17/01356/AD or in accordance with other details separately submitted to and approved in writing by the Local Planning Authority before the dwellings hereby permitted are occupied.

Reason: The safeguard the visual amenities of the area in accordance with Core Strategy (2007) policies KP2, CP4, Development Management Document (2015) Policy DM1 and Design and Townscape Guide (2009).

Informatives

1. Community Infrastructure Levy (CIL): This application, made pursuant to Section 73 of the Town and Country Planning Act 1990, is CIL liable. As there is an increase in floorspace since the original permission, and therefore a change in the amount of CIL payable, CIL Regulation 9(7) applies. The chargeable development is the most recently commenced chargeable development; hence a new CIL Liability Notice that supersedes CIL Liability Notice ref. 16/01601/FUL/0001 will be issued as soon as practicable following this decision notice.

2. 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.

3. The applicant is advised that the development has commenced without discharging a number of pre commencement conditions of the previously approved applications reference 16/01601/FUL and 18/00763/AMDT. Where relevant, these conditions have been carried over and updated into this consent. At present the works may be the subject of enforcement action by the Local Planning Authority.

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.

44 17/00219/UNAU_B - 101 Broadway, Leigh-on-Sea (Leigh Ward)

Breach of Control: Without planning permission the installation of new shop front and illuminated signage.

Case Officer: Steve Jones

Resolved:-

That ENFORCEMENT ACTION be AUTHORISED for the following reasons:

The shopfront by reason of its poor design and use of inappropriate materials is not sympathetic to the locally listed building in which it is located or neighbouring buildings. The shopfront materially harms the character and appearance of the locally listed building and the Leigh Cliff Conservation Area contrary to Policies KP2 and CP4 of the Core Strategy (2007); Policies DM1, DM5, and DM13 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

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 in respect of any future application for a revised development.

Informatives

You are advised that as the proposed works to your property creates no 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.

Please note that advertisements i.e. fascia signage for the commercial unit may require separate advertisement consent.

Details can be found at <http://www.planningportal.co.uk/info/200130/common-projects/4/adverts-and-signs>

45 19/00384/AMDT - Garages, Rochford Road, Westcliff on Sea (St Laurence Ward)

Proposal: Application to vary conditions 02, 04, 05, 07, 11 (approved plans) replace plan numbers 3679-7-110PL4, 3679-7-110PL1, 101P10, and 110P7 with 3679-7-106PL5, 3679-7-110PL2, 101C1 and 110C1 (Minor Material Amendment of Planning Permission 18/01209/AMDT dated 02.08.2017).

Applicant: Southend on Sea Borough Council

Agent: AK DESIGN PARTNERSHIP LLP

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not later than 2nd August 2020.

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: 101C1, 102P1, F01P3, S01P2, 106P6, 110C1, 111P2, 210P4, 220P3, 230P5, 240/1-9P2, 310P2, 330P2, 3679-7.107PL2, 3679-7.106PL5, 3679-7.107PL3, 3679-7.108PL1, 3679-7.109PL1, 3679-7.108PL2, 3679-7.105PL1, 3679-7.110 PL2

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

03 The external surfaces of the development hereby permitted shall be constructed entirely of the materials details of which are shown on the approved plans reference 3679-7.107PL3 and 3679-7.106PL5 before the dwellings are first occupied.

Reason: To safeguard the visual amenities of the area, in accordance with Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

04 The development hereby approved shall be carried in accordance with drawings 3679-7.105PL1 Existing Site Plan and 3679-7.106PL5 in relation to the highways works in relation to the new access road to the development. The works shall be undertaken in accordance with the approved details and completed prior to first occupation of the development hereby approved.

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).

05 The development shall not be occupied until 20 car parking spaces have been provided and made available for use at the site in accordance with drawing 3679-7.106 PL5 Proposed Site 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 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 CP3 of the Core Strategy (2007) and policy DM15 of the Council's Development Management Document (2015).

06 Prior to occupation of the proposed development the first floor and second windows in the flank elevations of the flats and houses hereby approved shall be permanently glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and permanently fixed shut and unopenable, except for any top hung light which 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 as such 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 (2019), Core Strategy (2007) policies KP2 and CP4, and Development Management Document (2015) policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

07 The soft and hard landscape works for the development hereby approved shall be carried out in accordance with drawing 3679-7.110 PL2 and external material and boundary treatment samples and Rochford Road Planning Statement for pre commencement conditions dated June 2017.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are implemented pursuant to Policy CP4 of the Core Strategy (2007) and policy DM1 of the Development Management Document (2015).

08 All soft landscaping works in the approved landscaping scheme shall be carried out within the first planting season following the completion 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. The approved hard landscaping works and boundary treatments shall be carried out prior to first occupation of the development hereby approved.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are implemented pursuant to policy CP4 of the Core Strategy (2007) and policy DM1 of the Development Management (2015).

09 Prior to occupation of the development hereby approved a scheme for generating 10% of the predicted energy requirement of the development from

decentralised renewable and/or low carbon sources shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policies KP2 and CP4, policy DM2 of the Development Management Document (2015) and advice contained within the Southend Design and Townscape Guide (2009).

10 Prior to the occupation of the development hereby approved the bicycle stores as shown on drawing 3679-7-109 PL1, shall be implemented and made available for use prior to the first occupation of the flats and dwellings hereby approved to provide one cycle space per dwelling and shall be permanently retained for the lifetime of the development .

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

11 No development other than the approved highway works, and demolition and site clearance works, shall take place until the following have been supplied and agreed in writing by the local planning authority: (1) evidence demonstrating that surface water runoff attenuation within the tanked permeable paving to be provided on site has been utilised to achieve an overall discharge from the site as close as possible to greenfield runoff rate; (2) updated drainage layout plans with details of the attenuation storage volume to be provided by the tanked permeable paving. The sustainable drainage scheme shall thereafter be carried out in accordance with the agreed details and plan references 101C1, 102P1, F01P3, S01P2, 106P6, 110C1, 111P2, 210P4, 220P3, 230P5, 240/1-9P2, 310P2 and 330P2 and associated Maintenance and Action Schedule for Surface Water Drainage Rev A by PRP dated August 2018 or as otherwise agreed through submissions made and agreed under items (1) and (2) of this condition before the development is occupied.

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 (2007) and Policy DM2 of the Development Management Document (2015).

12 Prior to occupation of the development hereby approved 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 (lppd) (110 lppd 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 installed in the development hereby approved and be retained in perpetuity thereafter

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and the Councils Design and Townscape Guide (2009).

13 The development shall provide 3 dwellings that comply with building regulations M4(3) standard and 3 dwellings that comply with building regulations M4(2) standard as shown on drawings reference 3679-7.106PL5 and 3679-7.107PL3 before it is first occupied.

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 (2019), Core Strategy (2007) policy KP2, Development Management Document policy DM2 and advice in the Design and Townscape Guide (2009).

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

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

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, National Planning Policy Framework (2019), Core Strategy (2007) policy KP2 and CP4, and Development Management Document (2015) policy DM1.

16 The development shall not be occupied until the refuse stores as shown on drawing 3679-7-109 PL1 have been installed and made available for use by future occupiers of the development. The waste management and servicing of the development shall thereafter be carried out in accordance with the approved details and shall be maintained for the lifetime of the development.

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 (2007) and Policy DM15 of the Development Management Document (2015).

Informatives

1. Community Infrastructure Levy (CIL): This application has been made pursuant to Section 73 of the Town and Country Planning Act 1990 and as such CIL Regulation 9(6) applies. You are advised that as the amount of CIL payable would not change from the previous permission ref. 17/00680/BC3M, the chargeable development is the development for which permission was granted by the previous permission as if that development was commenced. Therefore, CIL Liability Notice ref. 17/00680/BC3M/0001 still applies to the permission hereby granted and is enclosed for your reference.

2. 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.

3. 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.

46 18/02007/FUL - Cockethurst, Eastwoodbury Lane, Southend on Sea (St Laurence Ward)

Proposal: 1. Convert existing farm buildings into 6 dwellinghouses and layout associated amenity space and 2. Convert existing farm buildings into 6 dwellinghouses and layout associated amenity space (Listed Building Consent).

Applicant: Mr David Dedman

Agent: SKArchitects

Councillors Van Looy and Wexham withdrew from the meeting.

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reasons:

01 The proposed development is located part within a high risk Flood Risk Zone (Flood Zone 3a) and insufficient information has been submitted in terms of the sequential and exceptions test to demonstrate that there are not more suitable sites for this level of residential development elsewhere in the area and that the development will be safe for future occupiers over its lifetime. The development is therefore unacceptable and contrary to the National Planning Policy Framework (2019), and Policies KP1 and KP2 of the Core Strategy (2007).

02 The proposal has failed to demonstrate that the conversion of the outbuildings to 6 residential units and associated internal and external works to the site can be achieved without materially harming the special character and significance of the listed buildings and their unique setting. In particular the proposals will have a significant detrimental impact on the character of the outbuildings and Cockethurst Farmhouse itself due to the intensity of proposed use, scale and unsympathetic nature of the development and subdivision of the site. The lack of regard for the relationship between the outbuildings and the farmhouse would have a detrimental impact on the listed buildings and the harm identified is not outweighed by any public benefits. The proposed scheme is therefore contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007) Policies DM1, DM3 and DM5 of the Southend-on-Sea Development Management Document (2015) and advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

03 The proposal has failed to demonstrate that the works proposed can be carried out without materially harming or totally transforming the outbuildings and it appears unlikely that the buildings can be converted to modern standards without serious damage to these designated heritage assets for this number of units without an unsympathetic domestic appearance being established. This harm is unacceptable and not outweighed by any public benefits. The proposed scheme is therefore contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007) Policies DM1, DM3 and DM5 of the Southend-on-Sea Development Management Document (2015) and advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

04 The proposed conversion of the outbuildings, by reason of the inadequate size of the Coach House, Dairy 1 and Dairy 2, the limited outlook to the Coach House, and poor quality of the amenity space to Coach House, Dairy 1 and Dairy 2 would result in an inadequate quality living environment, to the detriment of the amenities of the future occupiers of the proposed dwellings. This is unacceptable and contrary to National Planning Policy Framework (2019), 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).

And

LISTED BUILDING CONSENT be REFUSED for the following reasons:

01 The proposal has failed to demonstrate that the conversion of the outbuildings to 6 residential units and associated internal and external works to the site can be achieved without materially harming the special character and significance of the listed buildings and their unique setting. In particular the proposals will have a significant detrimental impact on the character of the outbuildings and Cockethurst Farmhouse itself due to the intensity of proposed use, scale and unsympathetic nature of the development and subdivision of the site. The lack of regard for the relationship between the outbuildings and the farmhouse would have a detrimental impact on the listed buildings and the harm identified is not outweighed by any public benefits. The proposed scheme is therefore contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core

Strategy (2007) Policies DM1, DM3 and DM5 of the Southend-on-Sea Development Management Document (2015) and advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

02 The proposal has failed to demonstrate that the works proposed can be carried out without materially harming or totally transforming the outbuildings and it appears unlikely that the buildings can be converted to modern standards without serious damage to these designated heritage assets for this number of units without an unsympathetic domestic appearance being established. This harm is unacceptable and not outweighed by any public benefits. The proposed scheme is therefore contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007) Policies DM1, DM3 and DM5 of the Southend-on-Sea Development Management Document (2015) and advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

Informatives

01 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.

47 **19/00597/FUL - 194 Leigh Road, Leigh-on-Sea (Leigh Ward)**

Proposal: Erect hip to gable roof extension to rear to form one self-contained flat, install dormer to front, external staircase to rear and layout parking, cycle store and bin storage to rear (Amended Proposal).

Applicant: Mr J Doassans

Agent: Stone Me Ltd

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

1. The development hereby permitted shall begin no 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.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1729/05/B, 1729/06/C, 1729/07/A, 1729/09/A.

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

3. No development shall take place apart from demolition until samples and/or details of the materials to be used in the construction of the external elevations of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out only in accordance with the approved details.

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.

4. The residential dwelling hereby approved shall not be occupied unless and until details of on-site refuse and recycling facilities and cycle parking have been submitted to and agreed in writing by the Local Planning Authority. The refuse and recycling facilities and cycle parking shall thereafter be implemented and made available for use in accordance with the approved details before first occupation of the dwelling and shall be permanently maintained thereafter.

Reason: In order to protect the character and visual amenities of the area and the environment for residents and provide sustainable modes of transport in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Development Management Document (2015) policies DM1, DM3 and DM15.

5. Demolition or construction works associated with this permission shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and shall not take place at any time on Sundays or Bank Holidays.

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 (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

6. Prior to the commencement of the development, a full scheme of the measures to be incorporated in the development to mitigate the impact of noise from road traffic, the activities of uses neighbouring the site and any other relevant sources of noise on the future occupiers of the new dwelling in the development shall be submitted and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved scheme of noise mitigation measures in its entirety before the first occupation of the dwelling.

Reason: To ensure that the amenities of the occupiers of the development are not prejudiced by noise and in accordance with the National Planning Policy Framework (NPPF), Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1 and The Design and Townscape Guide (2009).

7. The flat and roof terrace hereby approved shall only be used as self-contained residential accommodation and private amenity space for the enjoyment of the occupier/s of the flat hereby granted and shall at no times be used in connection with the commercial use of the application site.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007), policy CP4, Development Management Document policy DM1, and the Design and Townscape Guide (2009).

8. The dwelling hereby permitted shall not be occupied unless and until space has been provided within the site for one car to be parked. The parking space shall be made available for use prior to first occupation of the dwelling hereby approved

and shall be permanently retained thereafter solely for the parking of occupiers of the development hereby approved and their visitors.

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

9. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, before the dwelling hereby approved is first occupied a Noise Mitigation Plan setting out in full the noise mitigation measures that will be put in place to ensure that the noise level experienced within the approved dwelling, as generated by activities within the lower two floors of the same building (including any amplified music and human voices or other activities) or generated by any plant or other noise generating equipment within the vicinity of the site, will be at least 10dB(A) below the background noise level and clearly demonstrating the methodology used to establish that this standard will be met by the proposed measures shall be submitted to the Local Planning Authority and approved in writing. The noise mitigation measures shown in the approved Noise Mitigation Plan shall be implemented in full before the first occupation of the approved dwelling and shall be maintained as such in perpetuity thereafter. 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 British Standard 7445:2003. The assessment shall be carried out by a suitably qualified and experienced acoustic consultant who would normally be a member of The Institute Of Acoustics.

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

Informatives

1. 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.

2. 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.

3. Air conditioning units shown on drawing no.1729/06C were not included in the description of proposed development so have not been included in the assessment or determination of this application. Separate consent will need to be obtained from the Local Planning Authority for installation of any externally mounted plant or equipment which materially differs the external appearance of the building.

4. The applicant is advised that any failure to properly discharge and/or otherwise comply with the terms of any details subsequently approved under the requirements of condition 9 of this planning permission will be viewed most seriously by the Local Planning Authority and will be likely to result in enforcement action being taken to remedy any identified harm.

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.

48 18/00839/FUL - Land rear of 106 -112 High Street, Shoeburyness (Shoeburyness Ward)

Proposal: Demolish existing commercial buildings, erect single storey dwelling, layout parking and amenity area rear of 104-112 High Street (Amended Proposal).

Applicant: Mr Hundal

Agent: N/A

Resolved:-

That this item be DEFFERED to a future meeting.

49 19/00663/FUL - 28 Bellhouse Crescent, Leigh-on-Sea (Belfairs Ward)

Proposal: Demolish existing dwellinghouse, erect four semi-detached two storey dwellinghouses and one detached two storey dwellinghouse, layout associated parking and landscaping, install refuse and cycle stores and form vehicular accesses onto Lodge Farm Close and Bellhouse Crescent (Amended Proposal).

Applicant: Mr Martin Nossel

Agent: Stone Me Ltd

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin no later than 3 (three) years from the date of this decision.

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

02 The development hereby permitted shall be carried out in accordance with the approved plans: 1743 – 28, 1743 – 27D, 1743 – 23D, 1743 – 22B, 1743 – 21C, 1743 – 11A , 1743 – 08, 1743 – 06

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

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no development shall take place other than for demolition works and construction up to ground floor slab level until samples of the materials to be used in the construction of the external elevations of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved details before it is occupied.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework, Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the guidance contained within the Design and Townscape Guide (2009).

04 Notwithstanding the provisions of Classes A, B, C, D and E of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order 2015 (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force), no development falling within those classes shall be undertaken at the site unless express planning permission has been obtained from the Local Planning Authority.

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

05 Prior to the first occupation of the dwellings hereby approved, full details of both hard and soft landscape works to be carried out at the site must be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping works shall be carried out in accordance with the approved details prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority. The details submitted shall include, but not limited to:-

- i. means of enclosure, of the site including any gates or boundary fencing;
- ii. car parking layouts;
- iii. other vehicle and pedestrian access and circulation areas;

- iv. hard surfacing materials;
- v. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
- vi. details of measures to enhance biodiversity within the site;

Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with 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 (2007) and Policy DM1 of the Development Management Document (2015).

06 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 by the Local Planning Authority prior to occupation of the development hereby approved 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 (2007) and Development Management Document (2015) Policy DM2.

07 Water efficient design measures as set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems shall be installed and made available for use prior to the first occupation of the development hereby approved and retained in perpetuity.

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

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

09 Prior to the first occupation of the development hereby approved, full details of refuse and bicycle storage facilities for the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the development, refuse and bicycle storage facilities shall be

provided at the site in accordance with the approved details and retained in perpetuity thereafter.

Reason: In the interests of residential amenity for future occupants, to ensure the provision of adequate cycle parking and in the interests of visual amenity as set out in the National Planning Policy Framework (2019), Core Strategy (2007) policies KP2 and CP4 and Policies DM1, DM8 and DM15 of the Development Management Document (2015) and the guidance within the Design and Townscape Guide (2009).

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

Reason: To ensure the dwellinghouse 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).

11 No site clearance, preparatory work or development shall take place until a scheme for the protection of the trees within the application site; (the tree protection plan) and the appropriate working methods (the Arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction - Recommendations has been submitted to and agreed in writing by the local planning authority. The approved measures shall be installed before the commencement of works and the development implemented in full accordance with the approved measures.

Reason: A pre-commencement condition is required in the interests of visual amenity and to ensure a satisfactory standard of landscaping, pursuant to Core Strategy (2007) policies KP2 and CP4, Development Management (2015) policies DM1, DM3 and the advice contained in the Design and Townscape Guide (2009).

12 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 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 including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To minimise the environmental impact and disturbance to existing residents, during construction of the development in accordance with National

Planning Policy Framework, Core Strategy (2007) policies KP2 and CP4; and Development Management Document (2015) policies DM1 & DM3

13 Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the buildings hereby granted consent shall be occupied unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify all windows in the proposed dwellings that are to be permanently glazed with obscured glass (to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent) and fixed shut or provided with only a fanlight opening and the manner and design in which these windows are to be implemented. Before the buildings hereby approved are occupied the development shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of occupiers of neighbouring residential properties and the future occupiers of the proposed residential dwellings, in accordance with the National Planning Policy Framework, Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1 and advice contained in The Design and Townscape Guide (2009).

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.

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 notices. 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. 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.

03. Replacement trees must be provided as part of a landscaping scheme to replace those lost as a result of the development.

04. You are advised that the development should follow the recommendations as set out in section 5.2 of the Ecological Appraisal Ref MH800 version 1 dated 14/02/18.

50 19/00675/FUL - The Trinity, 3 Trinity Avenue, Westcliff on Sea (Milton Ward)

Proposal: Change of use from an existing guest house (Class C1) to a supported living establishment (Class C2).

Applicant: Mr David Houghton

Agent: A R Property Designs

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reason:

A local Southend need for the proposed use has not been clearly identified in the submission and it has not been demonstrated that there is no existing capacity for such facilities within Southend. The proposal would result in an over concentration of similar uses that would be detrimental to the character of a residential area and no benefits which outweigh these harms have been advanced. This application is therefore unacceptable and contrary to the National Planning Policy Framework, Policies KP1, KP2, CP4 of the Southend-on-Sea Core Strategy (2007) and Policy DM9 of the Southend-on-Sea 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.

Informatives

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.

51 19/00598/FULH - 67 Branksome Road, Southend-on-Sea (Kursaal Ward)

Proposal: Erect single storey rear extension.

Applicant: Mrs Debbie Curson

Agent: Mr Richard Dean

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

1. The development shall be undertaken solely in accordance with the approved plans Drwg 1, Drwg 2 and Drwg 3.

Reason: In the interests of visual amenities, pursuant to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

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

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

3. 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: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice contained within the Design and Townscape Guide (2009).

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.

Informatives

1. You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace, and does not involve the creation of a new dwelling (Class C3), 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.

2. 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.

52 18/00087/UNAU_B - 81A Silverdale Avenue, Westcliff-on-Sea (Westborough Ward)

Breach of Control: Without planning permission the installation of an external staircase to the rear elevation and erection of rear outbuilding.

Case Officer: Steve Jones

Resolved:-

That ENFORCEMENT ACTION be AUTHORISED for the following reasons:

1. The proposal, by reason of the external staircase's form, excessive size and scale and the rear dormers weak ratio of glazing to solid elevation constitutes poor design that would be excessively prominent and incongruous in appearance, resulting in material harm to the character and appearance of the host building and the wider rear garden scene. This harm is unacceptable and contrary to the National Planning Policy Framework (2019), 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).

2. The proposed external staircase, as a result of its size, siting and proximity to the north and south boundaries with the neighbouring properties would result in an unacceptable level of both actual and perceived overlooking and resultant loss of privacy to the occupants of Nos. 83, 81 and 79 Silverdale Avenue. This material harm to residential amenity is unacceptable and contrary to the National Planning Policy Framework (2019); 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).

3. The Committee resolved that the enforcement notice would include the unauthorised outbuilding which by virtue of its size, design and position appears as an excessively bulky and overbearing feature in the rear garden scene harmful to neighbour amenity which is unacceptable and conflicts with the National Planning Policy Framework (2019), 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).

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.

Informatives

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.

Chairman: _____