

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

### **Meeting of Development Control Committee**

**Date: Wednesday, 8th January, 2020**

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

**Present:** Councillor  
Councillors M Borton (Vice-Chair, in the Chair), B Ayling, J Beck, A Chalk, D Cowan, F Evans, S Habermel, A Jones, H McDonald, C Mulroney, A Thompson, S Wakefield, C Walker, D Garne\*, D McGlone\* and I Shead\*

\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** K Waters, P Keyes, S Mouratidis, C Galforg, M Warren, T Row, P Jenkinson, T Hartley, T Smyth and G Gilbert

**Start/End Time:** 2.00 - 4.30 pm

#### **640 Apologies for Absence**

Apologies for absence were received from Cllr Dear (Substitute: Cllr McGlone), Cllr Jarvis (Substitute: Cllr Garne) and Cllr Ward (Substitute: Cllr Shead).

#### **641 Declarations of Interest**

The following declarations were made at the meeting:

1. Councillor Cowan – Agenda Item No. 12 (19/02023/TPO - Land at Junction of Four Sisters Way and fronting Rayleigh Road) Non-Pecuniary Interest: Has connections to the school adjacent to site.
2. Councillor Jones Agenda Item Nos. 6 (19/01807/BC3 - North Shoebury Open Space, Shoebury Common Road) and 12 (19/02023/TPO - Land at Junction of Four Sisters Way and fronting Rayleigh Road) – Disqualifying Non-Pecuniary Interest: Cabinet Member
3. Councillor McGlone – Agenda Item Nos. 5 (19/01924/FULM - 277 Prince Avenue, Westcliff-on-Sea) and 12 (19/02023/TPO - Land at Junction of Four Sisters Way and fronting Rayleigh Road) – Non-Pecuniary Interest: Residents in vicinity known to him.
4. Councillor Mulroney – Agenda item Nos. 7 (19/01646/FUL - West Leigh Baptist Church, Lymington Avenue) and 9 (19/02074/FULH - 52 Tattersall Gardens) – Non-Pecuniary Interest: Member of Leigh Town Council (Non-Planning)
5. Councillor Mulroney – Agenda Item Nos. 6 (19/01807/BC3 - North Shoebury Open Space, Shoebury Common Road) and 12 (19/02023/TPO - Land at Junction of Four Sisters Way and fronting Rayleigh Road) – Disqualifying Non-Pecuniary Interest: Cabinet Member

6. Councillor Thompson – Agenda Item No. 7 (19/01646/FUL - West Leigh Baptist Church, Lymington Avenue) – Non-Pecuniary Interest: Lives in the vicinity
7. Councillor Wakefield – Agenda Item No. 8 (19/01908/FUL - 6A Clifton Terrace) – Non-Pecuniary Interest: The person in the Coachouse is known to him

**642 Minutes of the Meeting held on Wednesday 6th November 2019**

Resolved:-

That the Minutes of the Meeting held on Wednesday 6<sup>th</sup> November 2019 be confirmed as a correct record and signed.

**643 Supplementary Report**

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

**644 19/01924/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 (Amended Proposal)**  
**Applicant: Dove Jeffrey Homes and Estuary HA**  
**Agent: Phase 2 Planning**

Resolved:-

That PLANNING PERMISSION be GRANTED subject to completion of a PLANNING AGREEMENT UNDER SECTION 106 of the Town and Country Planning Act 1990 (as amended) and all appropriate legislation to secure the following:

- Affordable housing including 8 x affordable rent (8 x 2 bed units) , 4 x social rent 4 (4 x 2 bed units) and 8 x shared ownership (1 x 2 bed and 7 x 3 bed units)
- Residential Travel Packs – to be agreed prior to occupation

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

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

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

02 The development shall be carried solely out in accordance with the approved plans: 200-P4, 201-P5, 202-P4, 203-P5, 204, 205, 206, 207, 6861-D-AIA-B

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

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition and construction up to ground floor slab level shall take place until product details of the materials to be used on all the external elevations, including roof, walls including brick patterning, fascia and soffits, windows and doors, balconies, bays and entrance porches, car port and refuse store have been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details before it is brought into use.

Reason: To safeguard character and appearance of the area and amenities of neighbouring occupiers in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition above 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. hard surfacing materials including for the vehicular areas and amenity areas;
- iv. details of the number, size and location of the trees, shrubs and plants to be planted together with a planting specification

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

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

05 The development shall not be occupied until and unless 35 car parking spaces, of which not less than 3 shall be for disabled users, have been provided at the site

and made available for use solely for occupiers of the residential units hereby approved and their visitors all in accordance with the details shown on drawing 200-P5, together with properly constructed vehicular access to the adjoining highway, in full 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 The development shall not be occupied until and unless the store containing 12 secure, covered cycle parking spaces and the refuse and recycling store to serve the flatted development as shown on drawings 202P4 and 203P5 have been provided at the site in full accordance with the approved plans and made available for use for the occupiers of the residential flats hereby approved. The approved scheme shall be permanently retained for the storage of cycles and waste and recycling thereafter.

Reason: To ensure that adequate refuse and recycling storage cycle parking is provided and retained to serve the development in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policies DM8 and DM15 of the Development Management Document (2015).

07 The east facing first and second floor windows on the flatted block hereby approved shall only be 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 before occupation of the dwellings served by those windows 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. Prior to the occupation of the flats the privacy screens as detailed on drawing references 203P5 and 202P4 shall be installed in accordance with details on those drawings and shall thereafter be and retained in perpetuity

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).

08 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 hereby approved. This provision shall be made for the lifetime of the development.

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).

09 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).

10 Before any of the residential units hereby approved are first occupied or brought into use, the development hereby approved shall be carried out in a manner to ensure that 10% (2) of the units hereby approved comply with building regulation M4 (3) 'wheelchair user dwellings' standard and the remaining 18 units comply with building regulation standards part M4(2) 'accessible and adaptable dwellings upon occupation.

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 DM2 and the Design and Townscape Guide (2009).

11 With the exception of below ground investigation work and removal of the previous structures on site, no development shall take place until and unless the remediation measures as set out in the Remediation Method Statement for 277 Prince Avenue reference JAH/18.478/RMS dated 8.4.19 and drawing reference 18.478/RMS/02 have been carried out in full and the site remediated in accordance with those approved measures. A Validation Report for the Site Remediation Strategy shall be submitted to, and agreed in writing by the local planning authority before completion of the development or first occupation of the premises (whichever comes first). If, during the development, land contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further works shall be carried out until a method statement detailing a scheme for dealing with the suspected contamination has been submitted to and agreed in writing with the Local Planning Authority. The dwellings shall not be occupied until any further contaminated land mitigation has been completed in full and a validation report confirming the completion of the remediation has been submitted to the local planning authority and approved in writing.

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

12 Prior to commencement of development other than demolition, detailed design of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme shall be implemented prior to the first occupation of the development. The scheme shall address the following matters:

- a. Provide an assessment of suitability for infiltration, accounting for the presence of constraints on infiltration SuDS, drainage potential, and the potential for ground instability or contamination as a result of infiltration. The applicant needs to include evidence that infiltration testing has been undertaken for the site and that they are compliant with BRE365 guidance.
- b. Provide calculations to demonstrate the hydraulic performance of the entire proposed SuDS system, including the pipe network, for the 1 in 1 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change.
- c. Provide an updated drainage layout plan to include pipe diameters and gradients, manhole cover and invert levels and volume of storage to be provided by all SuDS features on the site in accordance with the submitted calculations. Engineering plans to be provided for each of the SuDS and critical drainage elements, including the flow control features.
- d. Provide information regarding the management of health and safety risks in relation to the feature design.
- e. Provide a system valuation (including capital costs, operation and maintenance costs, and cost contributions) and a demonstration of long term economic viability.
- f. Provide a method statement regarding the management of surface water runoff arising during the construction phase of the project.
- g. Provide evidence of consent from Anglian Water to discharge at the proposed rate and connection point.
- h. Provide a site specific management and maintenance plan for the site to include all elements of the proposed SuDS.

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 Policy DM2 of the Development Management Document (2015).

13 Notwithstanding the Tree Survey, Arboricultural Assessment, Preliminary Arboricultural Method Statement and Tree Protection Plan by Hayden's Arboricultural Consultants Ltd reference 6861 dated 11.1.19 submitted with the application, prior to the commencement of the development a suitably detailed arboricultural method statement and tree protection plan which provides full details of protection measures including ground protection measures, pruning details including access facilitation, details of the services in relation to the trees, project phasing and monitoring shall be submitted to and approved in writing by the local planning authority. Throughout its implementation and completion the approved development shall then be undertaken in full accordance with the approved details.

Reason: A pre commencement condition is justified to ensure the trees on and close to the site are adequately protected during building works in the interests of visual amenity and 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).

14 The development shall be carried out in full accordance with ecology enhancement measures as detailed in Section 2 of the submitted Landscape and Ecology Management Plan by Wild Frontier Ecology dated January 2019.

Reason: To ensure that the development does not have an adverse impact on the biodiversity of the environment in accordance with the wildlife Act, National Planning Policy Framework (2019) and Development Management Document (2015) Policy DM3.

15 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition and construction up to ground floor slab level shall take place until and unless a noise report has been submitted and agreed in writing by the local planning authority to demonstrate that the internal noise levels for all habitable rooms will meet the standards set out in BS 8233:2014 (Internal Noise Levels). The development shall then be undertaken and completed in accordance with the agreed details within that report before it is occupied.

Reason: In order to protect the amenities of the occupiers of the dwellings hereby approved from unacceptable traffic noise from in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

16 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, D, 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).

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

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding
- v) measures to control the emission of dust and dirt during construction

- vi) a scheme for recycling/disposing of waste resulting from demolition and construction works that does not allow for the burning of waste on site.
- vii) a method statement regarding the management of surface water runoff arising during the construction phase of the project.
- viii) measures to mitigate noise impacts.

Reason: In the interests the amenities of neighbouring occupiers and to ensure a satisfactory standard of highway safety to Policies CP3 and CP4 of the Core Strategy (2007) and Policies DM1 and DM15 of the Development Management Document (2015).

18 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 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).

In the event that the planning obligation referred to in part (a) above has not been completed by 23rd January 2020 (or an extension of this time as may be agreed by the Director of Planning and Transport or Group Manager Planning & Building Control), the Director of Planning and Transport or Group Manager of Planning and Building Control be authorised to refuse planning permission for the application on the same grounds application reference 19/00086/FULM was refused planning permission.

**The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.**

#### Informatives

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

**645 19/01807/BC3 - North Shoebury Open Space, Shoebury Common Road (West Shoebury Ward)**

**Proposal: Lay out external Children's Play Area, install 3 x retractable bollards, boundary treatment and associated works**

**Applicant: Mr David Giles**  
**Agent: n/a**

Cllrs Mulroney and Jones withdrew from the meeting.

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reason:

The proposed development, by reason of its design, nature and close proximity to other hospitality and tourist attractions, would create significant pedestrian movements around the application site. Due to the location of the developments access, via an existing car parking area, its siting in the vicinity of car traffic generating activities and its proximity to a highway, which carries significant amounts of traffic, the proposal would be detrimental to the safety of its future intended users. The identified harm would materially outweigh other benefits of the proposed development. The proposal would therefore be unacceptable and contrary to the National Planning Policy Framework (2019), policies KP2, CP3 and CP4 of the Core Strategy (2007) and policies DM1, DM3 and DM15 of the Development Management Document (2015).

**646 19/01646/FUL - West Leigh Baptist Church, Lyminster Avenue, Leigh-on-Sea (Leigh Ward)**

**Proposal: Demolish existing rear memorial hall and erect replacement two storey hall with office space in roof linked to existing Church, erect single storey extension to front entrance and install ramp to improve access from London Road, form central courtyard with landscaping and lay out parking spaces**

**Applicant: Mr M M'Clelland**  
**Agent: Mathews Serjeant Architects**

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Site Plan; 2145-EX01; 2145-EX 02; 2145 P-04A; 2145-P-05A; 2145-P-03B.

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

03 Notwithstanding the information submitted with the application, no development above ground floor slab level shall take place until samples of the materials to be used on all the external elevations of the development hereby approved have been submitted to and approved in writing by the local planning authority. The development shall be carried out solely in accordance with the approved details before it is brought into use.

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

04 The use of the development hereby approved shall not commence until and unless the 10 vehicle parking plus cycle parking spaces have been provided in accordance with the approved plan 2145 P03B, together with properly constructed vehicular access to the adjoining highway. The parking areas shall be permanently retained for the parking of vehicles of people using the development.

Reason: To ensure that provision of car and 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 Council's Development Management Document (2015).

05 The development hereby approved shall be carried out and completed in accordance with drawing 2145 P03B in relation to the highways works including alterations to vehicle crossovers and the reinstatement of the pavements along Lymington Avenue before the development is first occupied and the access arrangements shall thereafter be retained in perpetuity.

Reason: To safeguard the character and appearance of the surrounding area and interest of highways management and safety in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and advice contained within the Design and Townscape Guide (2009).

06 The development hereby approved shall not be used other than between the hours of 07:30- 22:30 hours on any day.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, and Policies DM1 and DM3 of the Development Management Document (2015).

07 The building and parking area hereby approved shall only be used for purposes falling within Class D2 of the Town and Country Planning (General Permitted Development) Order 2015 directly associated with use of the existing site as a place of worship. The building hereby permitted shall not be used as a planning unit which is independent of the main church site.

Reason: To safeguard the impact on residential amenity and highway safety in accordance with policies KP2 and CP4 of the Core Strategy (2007), policies DM1, DM3 and DM15 of the Development Management Document (2015) and advice contained within the Design and Townscape Guide (2009).

08 Notwithstanding the details shown on the plans submitted and otherwise hereby approved the development shall not be first occupied unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping for the site. This shall include details of the number, size and location of the trees and shrubs to be planted together with a planting specification, details of the treatment of all hard and soft surfaces and all means of enclosing the site.

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

09 All planting in the approved landscaping scheme shall be carried out within the first available planting season following first occupation of the development. Any shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority. Hard landscaping and means of enclosure shall be implemented in full accordance with the approved scheme prior to first occupation of any part 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 pursuant to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

10 Prior to use of the development hereby approved, a scheme detailing windows to be obscure glazed within the development shall be submitted and approved in writing by the local planning authority. The development shall be undertaken solely in full accordance with those approved details and they shall be retained thereafter for the lifetime of the development.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with 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).

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 and agreed in writing by the Local Planning Authority and implemented in full prior to the first occupation of the building. 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), Policy DM2 of the Development Management Document (2015), and the Design and Townscape Guide (2009).

12 Notwithstanding the information submitted with the application, the development hereby approved shall not be brought into first use unless and until a Travel Plan including a comprehensive survey of all users, targets to reduce car journeys to and from the site, and identifying sustainable transport modes including cycling and modes of public transport and measures to reduce car usage has been submitted to and agreed in writing by the local planning authority. The approved Travel Plan shall be fully implemented prior to first use of the development hereby approved and shall be maintained thereafter in perpetuity and shall be reviewed after 12 months of the development being occupied. For the first three years at the end of each calendar year a document setting out the monitoring of the effectiveness of the Travel Plan and setting out any proposed changes to the Plan to overcome any identified issues and timescales for doing so must be submitted to and approved in writing by the local planning authority. The agreed adjustments shall be implemented in accordance with the agreed conclusions, recommendations and timescales.

Reason: In the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policy DM15, and Design and Townscape Guide (2009).

13 Hours of construction related to 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 the amenities of neighbouring residents in accordance with the National Planning Policy Framework (2019), Policy DM1 of the Development Management Document (2015) and advice contained in the Design and Townscape Guide (2009).

14 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 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 and access routes
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding
- v) measures to control the emission of dust and dirt during construction
- vi) a scheme for recycling/disposing of waste resulting from construction works that does not allow for the burning of waste on site
- vii) measures to minimise noise disturbance impacts.

Reason: A pre-commencement condition is needed in the interests highway safety, visual amenity and the amenities of neighbouring occupiers pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM15 of the Development Management Document (2015).

15 Prior to first occupation of the development hereby approved details of how the development will minimise the use of water and maximise the use of recycled water through efficient design measures for example: rainwater harvesting; greywater use; water efficient plumbing and wastewater reuse, shall be submitted to and approved by the Local Planning Authority and the development shall be carried out in accordance with the approved details prior to first use and thereafter maintained and operated in accordance with the approved details in perpetuity.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with National Planning Policy Framework (2019), Core Strategy (2007) policies KP2 and CP4, and Policies DM1 and DM2 of the Development Management Document (2015)

16 Prior to first occupation of the development a Waste Management Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail how the development will provide for the storage and collection of general refuse and re-useable and recyclable waste and what strategies will be in place to reduce the amount of general refuse over time. Waste management at the site shall be carried out in accordance with the approved strategy from first occupation and be retained in perpetuity.

Reason: To ensure that satisfactory waste management is undertaken in the interests of highway safety, visual and general 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) and advice contained within the Design and Townscape Guide (2009).

17 No externally mounted plant equipment for the development hereby approved shall be installed until and unless full details of its location, design and technical specifications and a report detailing any mitigation measures proposed in respect of its noise impacts has been submitted to, and approved in writing by, the Local Planning Authority. With reference to British Standards BS4142 the noise rating level arising from all plant equipment at the site shall be at least 5dB(A) below the prevailing background at 3.5 metres from the ground floor facades and 1m from all other facades of the nearest noise sensitive property. Implement plant only in accordance with details approved under this condition.

Reason: To protect the amenities of nearby residential occupiers from undue noise and disturbance in order to protect their amenities in accordance with Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and advice contained within the Design and Townscape Guide (2009).

18 Prior to commencement above ground floor of the development hereby approved a scheme of noise mitigation measures to protect adjoining and nearby residents from noise generated within the development shall be submitted to and

approved in writing by the local planning authority. The agreed measures shall be implemented in full prior to first use of the development hereby permitted and shall be retained thereafter for the lifetime of the development.

Reason: To protect the amenities of nearby residential occupiers from undue noise and disturbance in order to protect their amenities in accordance with Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and advice contained within the Design and Townscape Guide (2009).

Informatives:

1 Community Infrastructure Levy Liability Notice: You are advised that in this instance the chargeable amount for the Community Infrastructure Levy (CIL) has been calculated as zero under the CIL Regulations 2010 (as amended) due to the specific nature of the use. However, should the nature of the use change then you are advised to contact the Planning and Building Control Group to discuss the requirement for planning permission and CIL liability.

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 Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays. If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required. All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to. Email: [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com) Tel: **0800 688 588**

**647 19/01908/FUL - 6A Clifton Terrace, Southend-on-Sea (Milton Ward)**

**Proposal: Erect timber outbuilding and timber decking to rear**  
**Applicant: Ms Victoria Morgan**  
**Agent: Mr Mark Morgan**

Cllr Wakefield Withdrew from the meeting

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reasons:

The proposed development, by reason of its siting, scale, form and design would conflict with the historic grain of the conservation area and have a detrimental impact on the setting of the adjacent listed building and its relationship with the coach house to the rear. The proposal would cause less than substantial but still significant harm, rather than preserving or enhancing the special character of the Conservation Area and neither the harm to the setting of the listed building or to the Conservation Area, which is also less than substantial but still significant has been outweighed by any other public benefit. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM5 of the Development Management Document (2015), Policy PA6 of the Southend Central Area Action Plan (2018) and the advice contained in the Southend Design and Townscape Guide (2009).

Informative

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

**648 19/02074/FULH - 52 Tattersall Gardens, Leigh-on-Sea (West Leigh Ward)**

**Proposal: Erect first floor extension to convert bungalow into two storey dwellinghouse, erect porch to front, install raised decking to rear, alter elevations**

**Applicant: Mr And Mrs Watts**

**Agent: Trudy's Architectural Consultants**

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

01 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.

02 The development shall be undertaken solely in accordance with the approved plans 103/19/A Rev 1, 103/19/B Rev 2, 103/19/C, 103/19/D and Location Plan.

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

03 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance.

This applies unless differences are shown on the drawings hereby approved or are required by conditions to this permission.

Reason: 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).

04 The roof of the single storey rear projection shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless express planning permission has been previously obtained. 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 (2019), Policies KP2 and CP4 of the 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).

05 Notwithstanding the details shown in the plans submitted and otherwise hereby approved the raised decking hereby approved shall not be brought into use unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify the size, design, materials and location of privacy screens to be fixed on its southern side. Before the decking is first brought into use 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 protect the privacy and environment of people in neighbouring residential properties, in accordance 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).

06 Notwithstanding the details shown on the approved plans and prior to the first use of the extensions hereby approved, all first floor windows in the north elevation and the ground floor window in the northern elevation of the single storey rear projection shall only be 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, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level and shall be retained as such in perpetuity.

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).



07 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 development hereby approved provides a high quality and flexible internal layout 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).

**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 (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable.

If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact [S106andCILAdministration@southend.gov.uk](mailto:S106andCILAdministration@southend.gov.uk) to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters can be found on the Planning Portal ([www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy](http://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy)) or the Council's website ([www.southend.gov.uk/cil](http://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.

**Proposal: Erect part single/part two storey side and rear extension**  
**Applicant: Kweku Welsing-Quacoe**  
**Agent: DK Building Designs Ltd**

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reasons:

1 The proposal would by reason of its size, design, mass and scale result in a contrived, incongruous, dominant and obtrusive form of development out of keeping with and harmful to the character and appearance of the dwelling and the rear garden scene. This is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and advice contained within the Design and Townscape Guide (2009).

2 The proposed development by reason of its form, depth and proximity to the shared boundary would result in an increased sense of enclosure for the setting of the rear garden of No. 146 Carlton Avenue materially harmful to the rear garden enjoyment and amenity of the occupiers of that dwelling. This is unacceptable and contrary to 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 with the Design and Townscape Guide (2009).

**650 19/01997/FULH - 22 Hayes Barton, Shoeburyness (West Shoebury Ward)**

**Proposal: Erect two storey front extensions and new front porch and glazed landing, alter roof form by extending width of main roof, install new flat roof and pitched roof to the front and part gabled, part hipped roof extension to side, remove existing dormers to side and install new dormer and window to side, convert roofspace into habitable accommodation and alter elevations (Amended Proposal).**

**Applicant: Miss L Wheeler**

**Agent: APS Design Associates Ltd.**

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reasons:

01 The proposed development by reason of its size, scale, height, siting and design would be discordant, incongruous and overly dominant and to the detriment of the character and appearance of the host property and the streetscene more widely. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Policies KP2 and CP4 of the Core Strategy (2007); Policies DM1 and DM3 of the Development Management Document (2015); and advice contained within 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. 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.

#### 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.

02. The applicant is advised that there are a number of inconsistencies in the submitted plans including the roof form and windows shown in the floor plans and elevations

**651 19/02023/TPO - Land at Junction of Four Sisters Way and fronting Rayleigh Road, Eastwood (St Laurence Ward)**

**Proposal: Fell to ground level and grind stump 1 Cherry and 1 Bird Cherry Tree, Maintenance prune, reduce crown to previous points, grind stump various trees at land adjacent 9 and 10 Four Sisters Close and 1, 3, 5 and 7 Four Sisters Way (Works to Trees covered by a Tree Preservation Order).  
Applicant: Rick Milsom, Southend-On-Sea Borough Council  
Agent: n/a**

Resolved:-

That CONSENT FOR WORKS TO PRESERVED TREES be GRANTED subject to the following conditions.

01 The works covered by this consent must be begun not later than the expiration of two years beginning with the date of this consent.

Reason: To enable the circumstances to be reviewed at the expiration of the period if the consent has not been implemented, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policy KP2 and CP4, Development Management Document (2015) Policy DM1 and Southend Design and Townscape Guide (2009).

02 The works shall be carried out in accordance with BS 3998 (2010) Tree Work by a suitably qualified person.

Reason: In the interests of visual amenity in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policy KP2 and CP4, Development Management Document (2015) Policy DM1 and Southend Design and Townscape Guide (2009).

03 The pruning works to trees at the land fronting Four Sisters Way covered by TPO 5/94 shall be restricted to: T2 Pilar Apple (TPO 5/94 T26) Crown reduction to previous points, T4 Norway Maple (TPO 5/94 T24 ) Maintenance and prune including crown lift to a maximum height of 4.5m and remove basal and epicormic growth, T5 Norway Maple (TPO 5/94 T23) Maintenance, prune crown lift to a maximum height of 4.5m and remove basal and epicormic growth and to reduce canopy by 2m from property on the east side and balance into upper canopy, T7 Norway Maple (TPO 5/94) remove epicormic growth, T8 Norway Maple (TPO 5/94 ) Maintenance and prune including crown lift to a maximum height of 4.5m and remove basal and epicormic growth, T11 Red Horse Chestnut (TPO 5/94 T20) Maintenance and prune including crown lift to a maximum height of 4.5m and remove basal and epicormic growth, T12 Red Horse Chestnut (TPO 5/94 T19) Maintenance and prune including crown lift to a maximum height of 4.5m and remove basal and epicormic growth, T13 Red Horse Chestnut (TPO 5/94 T21) Maintenance and prune including crown lift to a maximum height of 4.5m and remove basal and epicormic growth, T14 Norway Maple (TPO 5/94) Maintenance and prune including crown lift to a maximum height of 4.5m and remove basal and epicormic growth, T15 Cherry (TPO 5/94 T17) Fell to ground level and grind stump, T16 Norway Maple (TPO 5/94 T15) Reduce crown all round by approx. 1.5m, T18 White Willow (TPO 5/94 T12) Reduce to crown to previous reduction points, T20 White Willow (TPO 5/94 T10) Reduce crown to previous reduction points, T21 Bird Cherry stump (TPO 5/94 T8) grind stump, T22 Bird Cherry (TPO 5/94 T9) grind stump and T23 Bird Cherry (TPO 5/94 T7) fell to ground and grind stump.

Reason: In the interests of visual amenity in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policy KP2 and CP4, Development Management Document (2015) Policy DM1 and 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.

Informative

01. The applicant is informed that tree numbers 7, 8, and 14 are not covered by TPO 5/94.

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