

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 9th December, 2020

Place: Virtual Meeting via MS Teams

Present: Councillor N Ward (Chair)
Councillors M Borton (Vice-Chair), B Ayling, K Buck*, A Chalk,
D Cowan, A Dear, F Evans, N Folkard*, D Garston, A Jones,
K Mitchell*, C Mulroney, A Thompson, S Wakefield and C Walker
(*Substitute in accordance with Council Procedure Rule 31.)

In Attendance: Councillor D Burzotta
G Gilbert, K Waters, C Galforg, P Keyes, S Mouratidis, C White,
M Warren, T Row, E Cook, J Girnary, M Mercer, A Wate and
A Smyth

Start/End Time: 2.00 pm - 6.25 pm

655 Apologies for Absence

Apologies for absence were received from Councillors Beck (substitute: Councillor Mitchell), Dent (no substitute), Habermel (substitute: Councillor Folkard) and Jarvis (substitute: Councillor Buck).

656 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillors Borton, Cowan, Jones and Mitchell – Application Ref. No. 19/02255/FULM - 245 Sutton Road, Southend-on-Sea – Non-pecuniary interest: The Labour Party office is located opposite the application site;

(b) Cowan – Application Ref. No. 20/01227/OUTM - Land Between Barge Pier Road and Ness Road – Non-pecuniary interest: Has given advice to residents on the planning process;

(c) Councillor Cowan – Application Ref. No. 20/01180/FUL - St Stephens Church, Alton Gardens – Non-pecuniary interest: Donated/shared fundraising details for St Stephens Church prior to being elected as local ward Councillor;

(d) Councillor Jones – Application Ref. No. 20/01227/OUTM - Land Between Barge Pier Road and Ness Road – Non-pecuniary interest: Cabinet Member with the responsibility for school placements;

(e) Councillor Jones and Mulroney – Application Ref. No. 20/01641/BC3 - Garages Rear Of 40, 42, 44 and 46 Anson Chase, Shoeburyness – Non-pecuniary interest: Cabinet Member;

(f) Councillor Mulroney – Application Ref. No. 20/01332/FUL - Flat 1, 1 Leigh Park Road, Leigh-on-Sea and Application Ref. No. 20/01362/FULH - 13 Fairleigh Drive, Leigh-on-Sea – Non-pecuniary interest: Non-Planning Member of Leigh Town Council; and

(g) Councillor Walker – Application Ref. No. 20/01180/FUL - St Stephens Church, Alton Gardens – Non-pecuniary interest: Used to attend the Church Hall regularly for LCM meetings

657 **Supplementary Report**

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

658 **20/01227/OUTM - Land Between Barge Pier Road and Ness Road (Shoeburyness Ward)**

Proposal: Erect up to 214 residential units (Use Class C3), provision of a new health centre up to 1000sqm (Use Class D1), up to 400sqm of retail floorspace (Use Class A1-A3), land raising, all associated car parking, new foot and cycle paths, public open space, landscaping and ancillary works and infrastructure, install vehicular access off Barge Pier Road, New Garrison Road and Magazine Road (Outline Application)

Applicant: Mr Paul Denney Wilkinson

Agent: Mrs Claire Wilkinson of Lanpro Services

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

Resolved:-

(a) That the Interim Director of Planning or Group Manager of Planning & Building Control be DELEGATED to GRANT PLANNING PERMISSION subject to the following conditions and following the completion of a PLANNING AGREEMENT under SECTION 106 of the TOWN AND COUNTRY PLANNING ACT 1990 (as amended) to secure the provision of:

- 30% units of affordable housing on site (65 units) – with a 60/40 tenure split (39 social/affordable rent and 26 intermediate units).
- £493,000.40 contribution towards secondary education.
- Essex RAMS payment of £26,874.12 to mitigate the potential disturbance to European designated sites.
- £30,000 highways contribution towards Campfield Road/Ness Road junction improvements.
- Monitoring fee £10,000

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

General Conditions

01 Details of the appearance, layout and scale (hereinafter called the "reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved under the reserved matters. Application for approval of the

reserved matters shall be made to the Local Planning Authority not later than 3 (three) years from the date of this permission. The development hereby permitted shall begin not later than 2 (two) years from the date of approval of the last of the reserved matters to be approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended) and because the application is for outline planning permission only and the particulars submitted are insufficient for consideration of details mentioned.

02 No development, other than site preparation works and any works required to comply with requirements of other conditions on this permission, shall take place on site until a phasing plan has been submitted to and approved in writing by the local planning authority. Following approval of the plan, each phase shall be completed in accordance with the plan before the next phase commences.

Reason: To ensure a coordinated development that complies with the National Planning Policy Framework (NPPF) and the requirements of the local development plan.

03 The development shall be carried out in accordance with the approved parameter plans which set out the parameters for the heights and levels of the development, the locations of the different uses across the site, the landscaping and the access and movement arrangements for the site: 032-S2-P403-E, 032-S2-P402-E, 032-S2-P401-D, 032-S2-P001-C, 2166-00-20-B.

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

04 The development hereby approved shall include no more than 214 dwellings, no more than 1,000sqm health centre (Use Class D1) and no more than 400sqm of commercial floorspace (Use Classes A1, A2 or A3).

Reason: To define the scope of the permission and to ensure that the development meets the requirements of the Development Plan.

Design and Heritage related conditions

05 Notwithstanding the details shown on the plans submitted and otherwise hereby approved the development hereby permitted shall not commence, other than for groundworks and site preparation works, unless and until full details and appropriately sized samples of the materials to be used for all the external surfaces of the proposed buildings at the site including facing materials, roof detail, windows (including sections, profiles and reveals), doors, balustrading, fascia and balconies have been submitted to and approved in writing by the local planning authority. The works must then be carried out in full accordance with the approved details before the dwellings or non-residential parts of the development hereby approved are first occupied or brought into use.

Reason: To safeguard character and appearance of the area and the visual 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).

06 Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the buildings hereby granted planning permission shall be occupied unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify the size, design, obscenity, materials and location of all privacy screens to be fixed to the proposed buildings. Before a building hereby approved is occupied the building shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.

Reason: In the interests of the residential amenity of adjoining residents and the character and appearance of the area and to ensure that the development complies with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Design and Townscape Guide (2009).

07 Notwithstanding the information submitted with the application, no development other than moving of on-site spoil heaps, shall be undertaken, unless and until a field investigation including a programme of archaeological recording and analysis, a watching brief and details of the measures to be taken should any archaeological finds be discovered, has been submitted to and approved in writing by the local planning authority. The approved recording/watching brief and measures are to be undertaken throughout the course of the works affecting below ground deposits and are to be carried out by an appropriately qualified archaeologist. The subsequent recording and analysis reports shall be submitted to the local planning authority before the development is brought into first use.

Reason: Required to allow the preservation by record of archaeological deposits and to provide an opportunity for the watching archaeologist to notify all interested parties before the destruction of any archaeological finds in accordance with the National Planning Policy Framework (2019) and Policy DM5 of the Development Management Document (2015).

08 No development above ground level shall be undertaken unless and until details of existing and proposed site levels at and surrounding the site have been submitted to and approved in writing by the local planning authority. The development shall be undertaken and completed at the levels indicated on the approved drawing.

Reason: In the interests of the residential amenity of adjoining residents and the character and appearance of the area and to ensure that the development complies with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Design and Townscape Guide (2009).

Construction related conditions

09 No development shall take place, including any works of demolition, unless and until a Demolition and Construction Management Plan and Strategy to include Noise and Dust Mitigation Strategies has been submitted to, and approved in writing by the local planning authority. The approved Demolition and Construction

Management Plan and Strategy 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, dirt and noise 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) a dust management plan to include mitigation and boundary particulate monitoring during demolition and construction.
- viii) details of the duration and location of any noisy activities.

Reason: This is required in the interests of the amenities of nearby and surrounding occupiers pursuant to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

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

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

Landscaping and ecology conditions

11 Notwithstanding the details shown on the plans hereby approved no development shall take place, other than ground and site preparation works, 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 and a landscaping phasing plan setting out the timescales for the implementation of the hard and soft landscaping.

This shall include full details of the number, size and location of the trees and shrubs to be planted together with a planting specification, details of measures to enhance biodiversity within the site; details of the treatment of all hard and soft surfaces, including any earthworks to be carried, all means of enclosing the site and full details of the play equipment, benches and associated facilities proposed.

All landscaping in the approved landscaping scheme shall be carried out in accordance with the timescales specified in the approved landscaping phasing plan. 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.

Reason: In the interests of visual amenity, biodiversity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 of the

Development Management Document (2015) and the Design and Townscape Guide (2009).

12 All of the landscaped areas and open space including play equipment, benches and associated facilities hereby approved shall be provided prior to the first occupation of any part of the phase of the development hereby approved they fall within and shall be retained and maintained in perpetuity for the occupants of the development and the wider community.

Reason: in the interests of amenity in accordance with the National Planning Policy Framework (2019) and Policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

13 The development hereby approved shall be implemented and operated thereafter in strict accordance with the biodiversity mitigation measures outlined at paragraph 8.7.2 of the Environmental Statement which includes mitigation in relation to habitats, rare plants, amphibians, reptiles, breeding birds, badgers, mammals and bats. Prior to the commencement of the development, other than for demolition and site preparation works, a timescale for the implementation of these measures shall be submitted to the Local Planning Authority and approved in writing. The measures shall be implemented in accordance with the approved timescale.

Reason: In the interest of biodiversity in accordance with National Planning Policy Framework (2019) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

14 The development hereby approved shall be implemented and operated thereafter in strict accordance with the findings, recommendations and mitigation measures of the Breeding Bird Survey by D F Clark Bionomique Ltd dated 23 July 2020 ref. DFCEP 3398 including the mitigation measures outlined at paragraph 6.5 of the report.

Reason: In the interest of biodiversity in accordance with National Planning Policy Framework (2019) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

15 The development hereby approved shall be implemented and operated thereafter in accordance with the findings, recommendations and mitigation measures of the Great Crested Newt and Mammal Report by D F Clark Bionomique Ltd dated 23 July 2020 ref. DFCEP 3398 including the mitigation measures outlined at Chapter 6 of the report.

Reason: In the interest of biodiversity in accordance with National Planning Policy Framework (2019) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

16 The development hereby approved shall be implemented in strict accordance with the ecological enhancement measures outlined at paragraphs 8.7.6, 8.7.7 and 8.7.8 of the Environmental Statement. Prior to the commencement of the development, other than for demolition and site preparation works, a timescale for the implementation of these measures shall be submitted to the Local Planning

Authority and approved in writing. The measures shall be implemented in accordance with the approved timescale.

Reason: In the interest of biodiversity in accordance with National Planning Policy Framework (2019) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

17 The development hereby approved shall be implemented and operated thereafter in strict accordance with the findings, recommendations and mitigation measures contained within the Botany reports submitted, including the mitigation at paragraph 5.2 of the Botany Survey by D F Clark Bionomique Ltd dated 8 June 2020 ref. DFCP 3398 and the mitigation and avoidance measures outlined in chapter 5 of the Botanical Survey by The Landscape Partnership dated 28 July 2020 ref. E20841.

Reason: In the interest of biodiversity in accordance with National Planning Policy Framework (2019) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

Trees

18 The development hereby approved shall be undertaken in strict accordance with the findings, recommendations and conclusions of the Arboricultural Impact Assessment by D F Clark Bionomique Ltd dated 27 May 2020 ref DFCP 3398 including the mitigation outlined within Chapter 5 and the Tree Protection Plans included in Appendix 5 of the report ref. DFCP 3398 TPP (1 of 5, 2 of 5, 3 of 5, 4 of 5 and 5 of 5).

Reason: In the interests of the character and appearance of the area and to ensure that the development complies with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Design and Townscape Guide (2009).

Parking and highway conditions

19 The onsite car parking spaces comprising 210 spaces for the flats, and 198 spaces for houses hereby approved shall be provided and made available for use in full accordance with drawing 032- S2-P003 Rev. H, prior to first occupation of any part of the phase of the development hereby approved they fall within, together with properly constructed vehicular access to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently maintained thereafter solely for the parking of occupiers of and visitors to the development.

19a The onsite car parking spaces comprising 16 spaces for the commercial (Class A1, A2 and A3) uses and 78 spaces for the Health Centre (Class D1) use hereby approved shall be provided and made available for use in full accordance with drawing 032- S2-P003 Rev. H, prior to first occupation of any part of the phase of the development hereby approved they fall within, together with properly constructed vehicular access to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently maintained thereafter solely for the parking of occupiers of and visitors to the development.

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

20 The development shall not be first occupied or brought into first use unless and until full details of the covered and secure cycle parking to serve the health centre, commercial and residential parts of the development hereby approved have been submitted to and approved in writing by the local planning authority. Each building in the development shall be carried out in accordance with those approved details before the building is first occupied or brought into first use and the development shall be retained as such in perpetuity.

Reason: To ensure that adequate cycle parking is provided and retained to serve the commercial development in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policies DM1 and DM15 of the Development Management Plan (2015).

21 The approved Travel Plan (ref. Travel Plan dated July 2020 ref. IT1971TPF_22.07.20_Issued) shall be fully implemented prior to first use of the development hereby approved and be maintained thereafter in perpetuity. 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 and recommendations.

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).

22 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby permitted shall not be first occupied unless and until a car park management plan has been submitted to and approved in writing by the local planning authority. The car park management plan must be implemented in full accordance with the details approved under this condition prior to first occupation of any part of the phase of the development hereby approved they fall within and shall be maintained as such in perpetuity.

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

23 Prior to the first occupation of any dwelling, details for the Residential Travel Packs shall be submitted to and approved in writing by the local planning authority. The approved travel packs shall then be provided to each dwelling within 1 month of occupation.

Reason: In the interests of sustainability 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).

Waste Management

24 No part of the commercial (Classes A1-A3) or Health Centre (Class D1) uses hereby approved, shall be brought into first use unless and until a waste management plan which includes full details of refuse and recycling storage and servicing arrangements has been submitted to and agreed in writing by the Local Planning Authority. The waste management and servicing of the development shall be carried out solely in accordance with the approved details from the first use 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) and Design and Townscape Guide (2009).

25 The residential dwellings hereby approved shall not be first occupied unless and until full details of the refuse and recycling stores have been submitted to and approved in writing by the local planning authority. The approved refuse and recycling stores shall be provided in accordance with the approved plans and details and shall be made available for use prior to the first occupation of the dwelling to which they relate and shall be retained as such in perpetuity.

Reason: To ensure that the development provides adequate refuse and recycling facilities 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) and Design and Townscape Guide (2009).

Flood and Drainage conditions

26 Before any phase of the development hereby approved is occupied or brought into use that phase shall have been implemented and undertaken in strict accordance with the findings, recommendations and mitigation measures, including within Chapter 5, and including the minimum floor levels as set out within Chapter 5 (no habitable accommodation below 6.50m Above Ordinance Datum (AOD)) and the resilience measures as outlined within parts 5.30, 5.31, 5.32 and 5.33 of the submitted Flood Risk Assessment by Ardent ref.185320-01B dated July 2020. All less vulnerable uses (non-living residential apartment space and commercial) finished floor levels, to be set at a minimum level of 3.0m AOD. For more vulnerable uses (living and sleeping accommodation – residential and health centre) minimum finished floor levels to be set at 6.5m AOD.

Reason: To ensure the approved development is safe and does not increase flood risk elsewhere in accordance with National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2 and KP3..

27 The development hereby approved shall be undertaken and operated in accordance with the Flood Response Plan submitted by Ardent ref. 185320-08B dated July 2020 including its recommendations at Chapter 4.

Reason: To ensure the approved development is safe in flood risk terms in accordance with National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2 and KP3.

28 No drainage infrastructure associated with this consent shall be undertaken at this site unless and until full details of the drainage infrastructure and a drainage strategy have been submitted to and approved in writing by the local planning authority. The strategy submitted shall apply the sustainable drainage principles and the sustainable drainage hierarchy. Where more sustainable methods of drainage are discounted clear evidence and reasoning for this shall be included within the strategy submitted. The approved drainage infrastructure and strategy shall be implemented in full accordance with the approved scheme prior to the first occupation of any part of the phase of the development hereby approved they fall within and be retained as such thereafter.

Reason: To ensure satisfactory drainage of the site in accordance with Policy KP2 of the Core Strategy (2007) and Development Management Document (2015) Policy DM14.

29 Notwithstanding the provisions of the Town and Country Planning Act 1990 (As amended) or the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revising or re-enacting that legislation with or without modification, no garages or undercroft parking areas nor any non-habitable accommodation in the scheme below a level of 6.50m AOD shall be converted into habitable accommodation at any time.

Reason: To ensure the approved development is safe in flood risk terms in accordance with National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2 and KP3.

Noise and odour related conditions

30 No extraction and ventilation equipment for the proposed non-residential uses hereby approved (Classes A1-A3 and D1) shall be installed until and unless full details of their location, design, appearance and technical specifications and a report detailing any mitigation measures proposed in respect of noise and odour impacts has been submitted to, and approved in writing by, the Local Planning Authority. The installation of extraction equipment shall be carried out in full accordance with the approved details and specifications and any noise and odour mitigation measures undertaken in association with the agreed details before the extraction and ventilation equipment is brought into first use. With reference to British Standard BS4142 the noise rating level arising from all plant and extraction/ventilation equipment shall be at least 5dB(A) below the prevailing background at 3.5 metres from the ground floor facades and 1m from all other facades of the nearest noise sensitive property with no tonal or impulsive character.

Reason: To protect the amenities of the 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 Design and Townscape Guide (2009).

31 None of the commercial (Classes A1-A3) or health centre (Class D1) uses hereby approved shall be first occupied or brought into first use unless and until full details of the operating and opening times of that unit have been submitted to and approved in writing by the local planning authority. Each unit shall subsequently be operated only in full accordance with the details approved under this condition.

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).

32 Commercial refuse collection and delivery times for the development hereby approved shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00hours to 13:00hours on Saturdays and at no time on Sundays or Bank Holidays.

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

Use class conditions

33 The commercial (Classes A1-A3) and Health Centre (Class D1) uses hereby approved, as identified on plan number 032-S2-P401 rev. F shall only be used for purposes falling within use classes A1, A2 or A3 or D1 as defined under the Town and Country Planning (Use Classes) Order 1987 (as amended) on the date this application was submitted and shall not be used for any other purpose, including any purpose permitted under amendments to the Town and Country Planning (Use Classes) Order 1987 since the application was submitted nor any change of use permitted under the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or in any provisions equivalent to those in any statutory instrument revoking and re-enacting these Orders, with or without modification.

Reason: To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floorspace within the Use Class specified so that occupation of the premises does not prejudice amenity and wider objectives of the planning system, in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007) and Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015).

Accessibility

34 No development other than site preparation works shall take place until and unless details have been submitted to and approved in writing by the Local Planning Authority to show how at least 10% and a specified number of the dwellings will be built in compliance with the building regulation M4(3) 'wheelchair

user dwellings' standard with all of the remaining dwellings complying with the building regulation part M4(2) 'accessible and adaptable dwellings' standard. Each approved dwelling shall be constructed to comply with either building regulation M4(2) or M4(3) in accordance with the approved details prior to its first 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, (2012), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM8 and Design and Townscape Guide (2009).

Lighting

35 No external lighting shall be installed in the development hereby approved unless it is in accordance with details that have previously been submitted to and approved in writing by the local planning authority. The ditch corridors shall not be illuminated directly or as a result of light spillage.

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

36 No development above ground floor level shall be undertaken unless and until a Light Assessment has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details in perpetuity.

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

Sustainability

37 Prior to construction of the development hereby approved above ground floor slab level 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. A building in the scheme shall not be occupied until it has been implemented in accordance with the details approved under this condition. This provision shall be made for the lifetime of the development.

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

38 Prior to construction of the development hereby approved above ground floor slab level details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be included

within the development and shall be submitted to and agreed in writing by the Local Planning Authority. A building in the scheme shall not be occupied until it has been implemented in accordance with the details approved under this condition and shall be retained as such in perpetuity.

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

39 No part of the non-residential development hereby approved shall take place above ground floor slab level until evidence that the development is registered with a BREEAM certification body and a pre-assessment report (or design stage certificate with interim rating if available) has been submitted indicating that the development can achieve Very Good BREEAM level.

Reason: This condition is required in the interests of providing a sustainable development, in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015).

40 No part of any non-residential building hereby approved shall be first occupied unless and until a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating "Very Good" has been achieved for that building.

Reason: In the interests of providing a sustainable development, in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015).

Contamination and associated conditions

41 A. Site Characterisation

No development other than site preparation works shall take place, on any of the phase of the development hereby approved they fall within, until and unless an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site.

Moreover, it must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to: human health, property, existing or proposed, including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments;

B. Submission of Remediation Scheme

No development other than site preparations works shall take place, on any part of the phase of the development hereby approved they fall within, until and unless a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and

approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 3 months of the completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation carried out must be submitted to the Local Planning Authority.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 2. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 3.

E. Long Term Monitoring and Maintenance

E1) No development shall take place, on any part of the phase of the development hereby approved they fall within, until a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years, and the provision of reports on the same must both be submitted to and approved in writing by the Local Planning Authority.

E2) Following completion of the measures identified in that scheme and when the remediation scheme is complete, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be submitted to the Local Planning Authority.

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) policy KP2 and Policies DM1 and DM14 of the Development Management Document (2015).

42 The development hereby approved shall be implemented and undertaken in strict accordance with the findings and recommendations and mitigation, as outlined in Section 10 of the Unexploded Ordnance Assessment by MACC ref. 6503 V.1.0 dated 11/05/2020.

Reason: In the interests of the residential amenity of the area in accordance with Core Strategy (2007) policy KP2 and Policies DM1 and DM14 of the Development Management Document (2015).

CCTV

43 NO CCTV shall be installed in the development hereby approved unless in accordance with details that have previously been submitted to and approved in writing by the local planning authority.

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).

Air Quality

44 The development hereby approved shall be implemented and undertaken in strict accordance with the findings and recommendations and mitigation, as outlined in Tables 6.1 and 6.2 of the Air Quality Assessment by WYG ref. A117624. Prior to the commencement of the development, other than for demolition and site preparation works, a timescale for the implementation of these measures and mitigation shall be submitted to the Local Planning Authority and approved in writing. The measures shall be implemented in accordance with the approved timescale.

Reason: In the interests of the residential amenity of the area in accordance with Core Strategy (2007) policy KP2 and Policies DM1 and DM14 of the Development Management Document (2015).

(c) In the event that the planning obligation or other means of securing the financial contribution referred to in part (a) above has not been completed by 8th January 2021 or an extension of this time as may be agreed, the Interim Director of Planning or Group Manager Planning & Building Control be authorised to refuse planning permission for the application on the grounds that the development would not provide adequate mitigation for the potential disturbance to European designated site, would not provide adequate levels of affordable housing, would not provide any secondary education contributions to mitigate the development, or the necessary highways contribution contrary to National and Local planning policy.

INFORMATIVES

01 Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). The amount of levy due will be calculated at the time a reserved matters application is submitted. Further information about CIL can be found on the Planning Portal:

(www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy) or the Council's website (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 Should the applicant require roads within the development adopted the Council's highways team should be contacted.

04 Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

05 The development site is within 15m of a sewage pumping station which requires access for maintenance and will have sewage infrastructure leading to it and cannot be easily relocated. The site layout should take this into account and accommodate this infrastructure type through a necessary cordon sanitaire, through public space or highway infrastructure to ensure that no development within 15 metres from the boundary of a sewage pumping station if the development is potentially sensitive to noise or other disturbance or to ensure future amenity issues are not created.

06 If the developer wishes to connect to the Anglian Water sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. Anglian Water will then advise them of the most suitable point of connection. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

07 Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

08 A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

09 Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

10 The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the

sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

11 Given the scale of the development, a Prior Consent under Section 61 COPA (1974) shall be required with Regulatory Services at Southend Borough Council. Construction and Demolition shall also be undertaken in accordance with London Good Practice Guide.

12 The additional SuDS and drainage information that will need to be submitted as part of condition 25 includes

- i. Adoptable SuDS and drainage by Anglian Water need to be in line with the 'Design and Construction Guidance'. Evidence of the agreement in principle with Anglian Water is required to ensure that the SuDS/drainage systems will be maintained in perpetuity.
- ii. A plan showing the SuDS/drainage elements managed by the different parties (SBC, Anglian Water, Management Company) to be provided.
- iii. Catchment plan showing impervious and pervious areas (positively and non-positively drained) to be provided.
- iv. Greenfield runoff rates are calculated for all the site area. Greenfield runoff rates should be calculated for areas positively drained (pervious or impervious). It is unclear if all areas are positively drained (pervious and pervious) into the system, but calculations and modelling suggest that only impervious areas are positively drained. Greenfield runoff will need to be re-calculated. Also, the greenfield runoff rate for the 100 year should be reduced to take into account the extra discharge of Long-Term Storage. This could have an impact on the storage requirements.
- v. Long Term Storage is estimated, but it is not clear how this is going to be provided in the site (i.e. part of main attenuation feature or separate storage area).
- vi. The SuDS/drainage strategy should consider the effects of submerged outfalls in the Barge Pier Ditch.
- vii. Consideration should be given to un-lining system in areas of less risk of high groundwater table and pollution (incl. consideration of land contamination).
- viii. Exceedance routes to be shown on plan.
- ix. Phasing Plan to be provided as part of the Drainage Strategy.
- x. Management of Health and Safety Risks to be provided as part of the Drainage Strategy.
- xi. Construction details (including flow controls) to be provided.
- xii. Management of groundwater and land drainage (from external areas and from pervious areas within the development) to be provided
- xiii. Additional information in line with Detailed Drainage Design Checklist (Essex County Council).

13 Max development height in this area is 161.46m AOD. All aspects of the development must comply with CAP168 and EASA regulations including lighting, landscaping and renewable energy sources.

14 The applicant is encouraged to provide electric vehicle charging points at the site in accordance with Policy DM15 which encourages their provision wherever practical and feasible.

15 The applicant is advised that refuse stores should not be prominently located within the development. As such it is recommended that the refuse stores are not located to the front of the dwellings.

16 The Council will need to retain access across the site to maintain its land and infrastructure in perpetuity.

17. No waste as part of the development shall be burnt on site.

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

659 19/02255/FULM - 245 Sutton Road, Southend-on-Sea (Victoria Ward)
Proposal: Demolish existing building, erect five storey building comprising 22 self-contained flats with balconies to all elevations, terrace to rear at ground floor level and layout parking at lower ground floor level
Applicant: Argent Developers
Agent: Mr Lewis Cullerton of DAP Architecture

Resolved:-

(a) That the Interim Director of Planning or Group Manager of Planning & Building Control be DELEGATED to GRANT PLANNING PERMISSION subject to the following conditions following the completion of a PLANNING AGREEMENT under SECTION 106 of the TOWN AND COUNTRY PLANNING ACT 1990 (as amended) and any other appropriate legislation to secure the provision of:

- a financial contribution of £2,762.76 (index linked) to mitigate the potential for disturbance to European designated sites in accordance with the Essex Coast Recreational disturbance Avoidance Mitigation Strategy or the securing of this same payment by other suitable means

(b) The Interim Director of Planning 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, where it is used, 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 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 200.03, 201.03, 202.03, 203.04, 204.03, 205.03, 206.02, 001.02

Reason: To ensure that 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 full product details of the materials to be used on all the external elevations, including walls, roof, windows and doors, balconies and terraces, ramp, brise soleil, rainwater goods and boundaries 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 the visual amenities of the area, in accordance with the National Planning Policy Framework (2019) 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 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition of the existing building 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;
- iv) Full details of the amenity deck including associated structures (e.g. benches, planters, lighting etc.);
- v) Full details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification and tree management plan.
- vi) Full details of tree protection fencing to protect the existing trees to be retained adjacent to the rear boundary of the site.
- 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 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)

05 The 22 car parking spaces (including 2 disabled spaces) shown on approved plan 202.03 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 access to and from the public highway shall thereafter be permanently retained solely for the parking of vehicles and the accessing of the car parking spaces in connection with the occupiers of the dwelling hereby approved and their visitors.

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).

06 The development shall not be occupied or brought into use until the refuse and recycling storage facilities are provided and made available for use by the occupiers in full accordance with the details shown on approved drawing number 201.03. The refuse and recycling facilities shall be permanently retained as such thereafter.

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).

07 Prior to the first occupation of the dwellings hereby approved an updated waste management plan shall be submitted to and approved by the local planning authority. The development shall only be implemented in accordance with the approved details from first occupation for the proposed use and be maintained as such in perpetuity.

Reason: To ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding conservation area, in accordance with Policies KP2, CP3 and CP4 of the Core Strategy (2007) and Policies DM1, DM5 and DM15 of the Development Management Document (2015).

08 The development shall not be occupied or brought into use until the cycle storage facilities are provided in full and made available for use by the occupiers in accordance with the details shown on drawing number 202.03. The cycle storage facilities shall be permanently retained as such thereafter.

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

09 Prior to the first occupation of any dwelling, details of the Residential Travel Packs shall be submitted to and approved in writing by the local planning authority. The approved travel packs shall then be provided to each dwelling within 1 month of occupation.

Reason: In the interests of sustainability 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).

10 The development hereby approved shall be carried out in a manner to ensure that a minimum of two of the dwellings comply with building regulations M4(3) 'wheelchair user dwellings' and the remaining 20 dwellings comply with building regulation M4 (2) 'accessible and adaptable dwellings' before they are occupied.

Reason: To ensure the residential units hereby approved provides a high quality and flexible internal layout 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).

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 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).

12 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).

13 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 following details have been submitted to and approved in writing by the local Planning Authority.

i) An instructive investigation (Phase II Site Investigation) must be undertaken in order to quantify the risks identified by the Phase 1 Site Investigation. The investigation must be undertaken in accordance with the scope of work outlined in the Phase 1 Contamination Assessment, by MLM Consulting Engineers reference 775649-REP-ENV-001 dated 13 Oct 2017. The Phase II report must be submitted to the Local planning authority for approval. The assessment must be undertaken by a competent person in accordance with British Standards 10175:2011 (Investigation of potentially contaminated sites – Code of Practice) and the Environment Agency/DEFRA 'Model Procedures for the Management of Land Contamination.

ii) Where the Phase II Investigation Report identifies any unacceptable risk or risks, a detailed Site Remediation Strategy to deal with land contamination and /or pollution of controlled waters affecting the site shall be submitted and approved by the local planning authority. With the exception of below ground investigation work and removal of the previous structures on site, no development shall take place until and unless this Site Remediation Strategy has been approved in writing by the local planning authority.

iii) The site shall be remediated in accordance with the approved Site Remediation Strategy before the construction of the development hereby approved begins. 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 occupation of the premises (whichever comes first).

iv) 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 suspect contamination has been submitted to and agreed in writing with the Local Planning Authority

The remediation of the site shall incorporate the approved remediation measures and shall be carried out in full before the building is occupied.

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

14 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, and in accordance with the Flood Risk and Surface Water Strategy by Ardent Consulting Engineers reference 172880-02 dated December 2019, the development hereby permitted shall not be commenced other than for demolition works unless and until a detailed design of a surface water drainage scheme and surface water management strategy has been submitted to and approved in writing by the local planning authority. The details submitted shall include, but not limited to: -

i) An updated drainage layout plan confirming the manholes, downstream defender and hydro-brake flow control device cover and invert levels if a rising main is required to achieve the proposed connection point to the Anglian Water surface water sewer. Engineering plans should be updated accordingly along with supporting surface water calculations provided for each of the SuDS and critical drainage elements, including the flow control features, connection and discharge rates.

ii) Calculations to demonstrate the hydraulic performance of the entire pipe network, including the proposed pipe network, for the 1 in 1 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus 40% climate change.

iii) An indication of exceedance overland flow routes, including provision for failure of a pump, should it be required.

iv) Provide a method statement regarding the management of surface water runoff during the construction phase of the project.

- v) Evidence of consent from Anglian Water for the proposed discharge rate and connection location to the public sewer.
- vi) surface water management strategy including evidence to demonstrate that the surface water hierarchy has been followed as stipulated in Building Regulations Part H.
- vii) A maintenance plan for the SuDS and corresponding drainage infrastructure with details on the accessibility of the SuDS for future maintenance, and for a pump, should it be required.

The drainage strategy and SuDS design statement must be implemented in full accordance with the details approved under this condition before the development hereby approved is first occupied or brought into first use.

Reason: To ensure the approved development does not increase flood risk elsewhere in accordance with National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2 and KP3 and Development Management Document (2015) Policies DM6 and DM14.

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 hoarding including measures to ensure the retention of trees to the rear of the site
- 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.

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).

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

(c) In the event that the planning obligation or other means of securing the financial contribution referred to in part (a) above has not been completed by 10th December 2020 or an extension of this time as may be agreed, the Interim Director of Planning or Group Manager Planning & Building Control be authorised to refuse planning permission for the application on the grounds that the development would not provide adequate mitigation for the potential disturbance to European designated site, contrary to the National Planning Policy Framework

(2019), Core Strategy (2007) Policy KP2 and Development Management Document (2015) Policy DM2.

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 to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended).

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 the appropriate highways licences should be obtained prior to the commencement of the development.

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

660 20/01180/FUL - St Stephens Church, Alton Gardens (St Laurence Ward)
Proposal: Demolish existing Church and Church Hall building and erect replacement Church and community building with associated cycle parking, car parking spaces, landscaping and children's playground.
Applicant: Mr Colin Baldwin
Agent: Mr Paul Taylor of Cottrell & Vermeulen Architecture

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 0422-PL01-P1, 0422-PL02-P1, 0422-PL07-01, 0422-PL03-P2, 0442-PL05-P2, 0422-PL06-02, 0422-PL08-02, 0422-PL09-P1, 0422-PL10-04, 0422-PL12-02

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

03 The development hereby approved shall be used for purposes falling within use class F.1 as defined under the Town and Country Planning (Use Classes) Order Regulations 2020 or any change of use permitted under the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or in any provisions equivalent to those in any statutory instrument revoking and re-enacting these Orders, with or without modification.

Reason: To ensure the development is implemented in accordance with the permission sought and is retained for the benefit of the wider community 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).

04 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 full product details of the materials to be used on all the external elevations, including exposed frame, roof, rooflights and lantern, tower, walls, windows and doors, rainwater goods, entrance gates and boundaries 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 the visual amenities of the area, in accordance with the National Planning Policy Framework (2019) Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

05 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 detailed design drawings of the tower, rooflight and lantern, external windows and doors, gates, and eaves (including rainwater solution) at scales of 1:20, 1:10 or 1:1 as appropriate have been submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved details before it is brought into use.

Reason: To safeguard the visual amenities of the area, in accordance with the National Planning Policy Framework (2019) Core Strategy (2007) policy KP2 and

CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

06 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition of the existing building 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. car parking layouts;
- iv. other vehicle and pedestrian access and circulation areas;
- v. hard surfacing materials;
- vi. full details of the replacement play equipment and other associated structures (e.g. benches, litter bins, security fencing, bollards, protective surfacing). The play equipment must provide an equivalent level of equipment to the existing playground which includes rocking x 2, swinging, rotate x 2, balance, slide and climb. All equipment and structures must meet British and European Standard for playground equipment BS EN1176;
- vii. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification and tree management plan.
- viii. 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 DM1 of the Development Management Document (2015) and Policy CP4 of the Core Strategy (2007)

07 The area denoted as 'public playground' on plan reference 0422-PL05-02 hereby approved, shall be provided in full, including play equipment, protective surfaces, benches, bins and boundaries, prior to the first occupation of any part of the proposed development and shall be retained and maintained in perpetuity for the wider community.

Reason: In the interests of amenity in accordance with the National Planning Policy Framework (2019) and Policies KP2, CP4 and CP7 of the Core Strategy, Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

08 The tree protection measures as set out in Appendix 4 of the Arboricultural Impact Assessment by A.T. Coombes Associates dated 22nd June 2020 shall be implemented in full prior to commencement of the development and be retained

throughout each construction phase of the development. Implementation of the development shall be undertaken only in full accordance with British Standard 3998 and British Standard 5837.

Reason: A 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 Design and Townscape Guide (2009).

09 No development shall take place, including any works of demolition, until a Phasing and 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 each phase of the construction of the development. The details submitted statement shall include, but not limited to:-

- (i) Full details of the extent of each phase of the development including how it will be left at the end of each phase.
- (ii) Full details of how the wider site will be maintained between phases including safety and access.
- (iii) Full details of the extent of parking provision, cycle parking provision and refuse and recycling storage to be provided at each phase.
- (iv) Full details of construction management for each phase of the build including:
 - (a) Location for the parking of vehicles of site operatives and visitors.
 - (b) Location for loading and unloading of plant and materials.
 - (c) Location of storage of plant and materials used in constructing the development.
 - (d) Details of measures to control the emission of dust and dirt during construction.
 - (e) A scheme for recycling/disposing of waste resulting from demolition and construction works that does not allow for the burning of waste on site.

Reason: A pre commencement condition is justified to ensure that each phase of the development is properly considered in terms of provision of parking and refuse facilities and the impact on neighbours and the wider streetscene. This is in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policies KP2 and KP4, Development Management Document (2015) policies DM1 and DM15 and the Southend Design and Townscape Guide (2009).

10 The 17 car parking spaces (including 2 disabled spaces) and the associated vehicular access for the spaces to access the public highway, shown on approved plan 0422-PL05-P2 shall be provided and made available for use at the site prior to the first occupation of the main worship space hereby approved. The car parking spaces and the associated vehicular access to and from the public highway shall thereafter be permanently retained solely for the parking of vehicles and the accessing of the car parking spaces in connection with the occupiers of the dwelling hereby approved and their visitors.

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).

11 Prior to the first occupation of any part of the building hereby approved, full details including materials, for the refuse and recycling store and cycle storage for staff and visitors at the site and details of the level of provision of refuse storage and cycle storage at each phase of the development shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details before each phase of the development is first occupied for the approved use.

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

12 No drainage infrastructure associated with this development shall be undertaken unless and until details of the design 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.

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 the National Planning Policy Framework (2019), Policy KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015).

13 No extraction and ventilation equipment 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 noise and odour impacts has been submitted to, and approved in writing by, the Local Planning Authority. The installation of extraction equipment shall be carried out in full accordance with the approved details and specifications and any noise and odour mitigation measures undertaken in association with the agreed details before the extraction and ventilation equipment is brought into use. With reference to British Standards BS4142 the noise rating level arising from all plant and extraction/ventilation equipment shall be at least 5dB(A) below the prevailing background at 3.5 metres from the ground floor facades and 1m from all other facades of the nearest noise sensitive property with no tonal or impulsive character.

Reason: To protect the amenities of the 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 Design and Townscape Guide (2009).

14 The development hereby permitted shall not be operational outside the following times: 08:00 hours until 22:00 hours on Monday to Sundays including Bank Holidays. There shall be no deliveries to the site outside of these hours.

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

15 No external lighting shall be installed on the building other than in accordance with details that have previously been submitted to and approved in writing by the local planning authority. No additional external lighting shall be installed on the building or within the site without the prior written consent of the Local Planning Authority.

Reason: In the interest of the visual amenities and character of the conservation area, and to protect the amenities of surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM5 of the Development Management Document (2015).

16 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 worship area 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).

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

18 Prior to the occupation of any part of the development hereby approved details of water efficiency measures to be included in the development, including water efficient fittings and appliances, shall be submitted to and approved in writing by the local planning authority. The measures approved shall then be installed in accordance with the approved details prior to first occupation of the development 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, 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 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 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.

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 following the commencement of the development the playground lease will be out of date and will need to be re-negotiated with the Councils Assets and Parks Teams.

04 The applicant is advised that if a crane or piling rig is required to construct the development a safeguarding assessment will need to be undertaken by the Airport. Applications should be directed to sam.petrie@southendairport.com / 01702 538521.

- 661 20/01314/AMDT & 20/01316/LBC - Carriage and Wagon Shed Warrior Square Road, Shoeburyness (Shoeburyness Ward)**
Proposal: 1. Application to vary conditions 02 (approved plans) and 03 (details of materials) - replace existing timber entrance double doors with glazed aluminium sliding doors with colour and profile to match existing and install square weather louvres to extract outlets - (Minor Material Amendment to planning permission 16/01264/FUL dated 08/06/2018)
2. Replace existing timber entrance double doors with glazed aluminium sliding doors with colour and profile to match existing and install square weather louvres to extract outlets (Listed Building Consent)
Applicant: Mark Hayman
Agent: KLH Architects Ltd

Resolved:-

1. That planning permission be GRANTED subject to the following conditions:

01. The development hereby permitted shall be carried out in accordance with the approved plans: GHC/840/Ex000; GHC/840/Ex110; GHC/840/Ex310; GHC/840/P000; GHC/840/P100; GHC/840/P101; GHC/840/P110 Revision J; GHC/840/P111; GHC/840/P112; GHC/840/P113 Revision C; GHC/840/P114; GHC/840/P115; GHC/840/P210 Revision A; 840GHC/840/P211; GHC/840/P212_01; GHC/840/P212_02; GHC/840/P213; GHC/840/P214; GHC/840/P215; GHC/840/P310 Revision A; GHC/840/P311 Revision A; GHC/840/P312 Revision A; GHC/840/P313; GHC/840/P523; GHC/840/P524 Revision A; M.2046.101 Revision T5 and as updated and revised by 4894 - 0100

P02 Location plan, 4894 P02 Minor Alterations to Approved Fenestration, 4894 - 0401 P02 Elevations as Proposed, 4894 - 0402 P02 End Elevations - Louvre Positions.

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

02. The development shall only be carried out in accordance with the details of materials as detailed on drawings GHC/840/P111; GHC/840/P210 Revision A; GHC/840/P212_01; GHC/840/P212_02; GHC/840/P213; GHC/840/P310 Revision A; GHC/840/P311 Revision A; GHC/840/P312 Revision A; GHC/840/P313; GHC/840/P523; GHC/840/P524 Revision A, and supporting document NBS Specification dated April 2016 and as updated and revised by 4894 P02 Minor Alterations to Approved Fenestration, 4894 - 0401 P02 Elevations as Proposed, 4894 - 0402 P02 End Elevations - Louvre Positions.

Reason: To maintain the character and significance of the Grade II listed building and Shoebury Garrison Conservation Area in accordance with the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM5 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

03. The landscaping shall be carried out in accordance with the approved drawing GHC/840/P115 and shall be carried out within the first planting season following first occupation of the development.

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the local environment and biodiversity in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM5 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

04. Development shall be implemented in full accordance with the mitigation measures and recommendations as set out in the Planning Compliance Report by KP Acoustics (15176.PCR.02 Rev B). The attenuation measures shall then be installed in full accordance with the approved details before the development is brought into use and permanently maintained thereafter.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework, Core Strategy (2007) Policies KP2 and CP4, and Development Management Document (2015) Policies DM1, DM3 and DM5.

05. No plant or equipment shall be installed on the external elevations or roof of the approved development unless and until details of its location, design and specifications have first been agreed in writing with the Local Planning Authority.

Reason: To control the visual and noise impact and the consequent effect on local amenity in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM5 of the Development Management Document (2015) and Design and Townscape Guide (2009).

06. With reference to BS4142, the noise rating level arising from all plant and extraction/ventilation equipment shall be at least 5dB(A) below the prevailing background at 3.5 metres from the ground floor façades and 1m from all other facades of the nearest noise sensitive property with no tonal or impulsive character.

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

07. Construction and demolition shall only take place between 0800 and 1800 Mondays to Fridays, 0800 and 1300 Saturdays and not at all on Sundays or Bank Holidays.

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

INFORMATIVE

1. As this application is for external and internal alterations to the existing building. You are advised that in this instance there will be no CIL charge on this permission as there is no net increase in internal floor space.

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.

2. That Listed Building Consent be GRANTED subject to the following conditions:

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

Reason: Required to be imposed pursuant to Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

02. The development hereby permitted shall be carried out in accordance with the approved plans: GHC/840/Ex000; GHC/840/Ex110; GHC/840/Ex310; GHC/840/P000; GHC/840/P100; GHC/840/P101; GHC/840/P110 Revision J; GHC/840/P111; GHC/840/P112; GHC/840/P113 Revision C; GHC/840/P114; GHC/840/P115; GHC/840/P210 Revision A; 840GHC/840/P211; GHC/840/P212_01; GHC/840/P212_02; GHC/840/P213; GHC/840/P214; GHC/840/P215; GHC/840/P310 Revision A; GHC/840/P311 Revision A; GHC/840/P312 Revision A; GHC/840/P313; GHC/840/P523; GHC/840/P524 Revision A; M.2046.101 Revision T5 and as updated and revised by 4894 - 0100 P02 Location plan, 4894 P02 Minor Alterations to Approved Fenestration, 4894 -

0401 P02 Elevations as Proposed, 4894 - 0402 P02 End Elevations - Louvre Positions.

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

03. The development shall only be carried out in accordance with the details of materials as detailed on drawings GHC/840/P111; GHC/840/P210 Revision A; GHC/840/P212_01; GHC/840/P212_02; GHC/840/P213; GHC/840/P310 Revision A; GHC/840/P311 Revision A; GHC/840/P312 Revision A; GHC/840/P313; GHC/840/P523; GHC/840/P524 Revision A, and supporting document NBS Specification dated April 2016 and as updated and revised by 4894 P02 Minor Alterations to Approved Fenestration, 4894 - 0401 P02 Elevations as Proposed, 4894 - 0402 P02 End Elevations - Louvre Positions.

Reason: To maintain the character and significance of the Grade II listed building and Shoebury Garrison Conservation Area in accordance with the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM5 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 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.

662 20/01332/FUL - Flat 1, 1 Leigh Park Road, Leigh-on-Sea (Leigh Ward)
Proposal: Erect ground floor side extension and alter elevations
Applicant: M Metson
Agents: Metson Architects Ltd

Resolved:-

That planning permission be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not later than three years from the date of this decision.

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: TP-01-A and TP-02-A.

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

03 All new work to the outside of the building (including the windows, the bay surrounds and the columns) must match existing original work in terms of the choice of materials, method of construction and finished appearance.

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 Conservation Area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, Borough Local Plan 1994 policies C4 and C11, and SPD1 (Design and Townscape Guide).

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

663 20/01450/FUL - 91 - 93 Prince Avenue, Southend-on-Sea (St Laurence Ward)

Proposal: Change of use from retail shop (Class A1) to mixed use restaurant/takeaway (Class A3/A5) at ground floor and self-contained flat (Class C3) to first floor, erect bin store to rear and alter front elevation to provide access to first floor flat

Applicant: Mr Newland - Eclipse Homes Limited

Agent: Knight Gratrix Architects

Resolved:-

That planning permission be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not 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: 010A & 011A.

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

03 Prior to the first occupation of the building for mixed use restaurant / take away purposes details of the means of ventilation for the extraction and dispersal of cooking smells/fumes, including full specification of any installation of odour control measures, noise levels, noise mitigation measures and anti-vibration measures, air conditioning units and other plant and equipment, its appearance and finish shall have been submitted to and shall have been approved in writing by the Local Planning Authority. The approved scheme shall be installed in full accordance with the approved details before the use hereby approved is occupied or brought into first use and thereafter shall be permanently retained in perpetuity.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with Core Strategy (2007) Policies

KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009).

04 Prior to the first occupation of the building for mixed use restaurant / take away purposes, details of the design and materials of the proposed commercial waste storage and an associated waste management plan shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details from first occupation for the proposed use and shall be maintained and managed as such in perpetuity.

Reason: To ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2, CP3 and CP4 of the Core Strategy (2007) and Policies DM1 and DM15 of the Development Management Document (2015).

05 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the flat hereby permitted shall not be occupied until and unless a noise assessment report has first been submitted to and agreed in writing by the local planning authority to demonstrate that the internal noise levels for all habitable rooms within the flat hereby approved will meet the standards set out in British Standard BS 8233:2014 (Internal Noise Levels). The development shall be undertaken and completed in accordance with the agreed details within that report before the flat is occupied and shall be retained as such in perpetuity.

Reason: In order to protect the amenities of the occupiers of the dwelling hereby approved from noise arising from the adjacent uses and plant and equipment in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

06 Prior to the first occupation of the development hereby approved full details of refuse, recycling and secure, covered bicycle storage facilities for the residential dwelling shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the development hereby approved, refuse, recycling and bicycle storage facilities shall be provided and made available for use at the site in accordance with the approved details and retained in perpetuity thereafter for that use.

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).

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 (lppd) (110 lppd 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 The ground floor unit of the development hereby approved shall solely be used as a sui generis mixed restaurant and takeaway use and shall be used for no other purposes including any change of use permitted under the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any revocation, amendment or re-enactment of that order.

Reason: To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to control the impact of the use of the premises within the Use Class specified 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 Southend-on-Sea Design and Townscape Guide (2009).

09 The ground floor premises hereby approved shall not be open for customers outside the following hours: 11:00 hours to 23:00 hours Monday to Sunday and at no other times.

Reason: To protect residential amenity and general environmental quality in accordance with Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and the advice contained in the Design and Townscape Guide (2009).

INFORMATIVES

1 . 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 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 or the Council's website (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. This permission does not convey any form of consent for external advertisement signs, consent for which will separately be required under the provisions of the Town and Country Planning Advertisement Regulations.

4. Essex County Fire and Rescue Service (ECFRS) advise that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. ECFRS therefore uses every occasion to urge building owners and developers to consider the installation of AWSS

664 20/01641/BC3 - Garages Rear Of 40, 42, 44 and 46 Anson Chase, Shoeburyness (Shoeburyness Ward)
Proposal: Demolish existing garages, erect two bed bungalow with associated amenity space and parking
Applicant: Mr Martin Berry of Southend Borough Council
Agent: Mr David Lloyd of AK Design Partnership LLP

Resolved:-

(a) That the Interim Director of Planning or Group Manager of Planning & Building Control be DELEGATED to GRANT PLANNING PERMISSION subject to the following conditions and following the completion of a PLANNING AGREEMENT UNDER SECTION 106 of the Town and Country Planning Act 1990 (as amended) and any other appropriate legislation to secure the provision of a financial contribution of £125.58 (index linked) to mitigate the potential disturbance to European designated sites in accordance with the Essex Coast Recreational disturbance Avoidance Mitigation Strategy or the securing of this same payment by other suitable means.

(b) The Interim Director of Planning or the Group Manager (Planning & Building Control) be authorised to determine the application upon completion of the above requirement, so long as planning permission when granted and, where it is used, 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 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 4760.102 –PL5

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

03 Prior to its occupation the materials for the external surfaces of the dwellings hereby approved shall be as set out on plan reference 4760.102-PL5 or any other

details that have previously been submitted to and approved in writing by the local planning authority.

Reason: To safeguard the visual amenities of the area, in accordance with the National Planning Policy Framework (2019) 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 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above a lower ground floor slab level shall take place until full details of both hard and soft landscape works and proposed boundary treatment have been submitted to and approved in writing by the local planning authority. These details shall include:

- i.) proposed finished levels or contours;
- ii.) Details for the means of enclosure of the amenity area;
- iii.) Details for the soft landscape works shall include the number, size and location of the trees, shrubs and plants to be planted together with a planting specification and the initial tree planting and tree staking details.

The hard landscaping shall be implemented in full accordance with the approved details before the development is occupied or brought into use. The soft landscaping shall be completed before the end of the first planting season following first occupation of the building.

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 policies DM1 and DM3 of the Development Management Document (2015) and advice contained within the Southend Design and Townscape Guide (2009).

05 The four car parking spaces and the associated vehicular access for the spaces to access the public highway, shown on approved plan 4760.102-PL5 shall be provided and made available for use at the site prior to the first occupation of the dwelling hereby approved. The car parking spaces noted on the approved plan as 1 and 2 and the associated vehicular access to and from the public highway shall thereafter be permanently retained solely for the parking of vehicles and the accessing of the car parking spaces in connection with the occupiers of the dwelling hereby approved and their visitors. The remaining two parking spaces to the south of the proposed dwelling shall be permanently retained for public use.

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).

06 No drainage infrastructure associated with this development shall be undertaken until details of the design 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.

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 the National Planning Policy Framework (2019), Policy KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015)

07 Prior to occupation of the dwelling 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).

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 dwelling 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 The development hereby approved shall be carried out in a manner to ensure the dwellinghouse complies with building regulation M4 (2) 'accessible and adaptable dwellings' before it is occupied.

Reason: To ensure the residential unit hereby approved provides a high quality and flexible internal layout 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).

10 With the exception of below ground investigation work and removal of the previous structures on site including the hardstanding, no development shall take place until and unless the following details have been submitted to and approved in writing by the local Planning Authority:

i) Notwithstanding the conclusions of the Combined Phase I and Phase II Site Investigation Report by agb Environmental reference P3220.1.0 dated 20

December 2018, due to the potential for gas migration and made ground at the site as noted in Table 6.18 and Table 12.1 of this report, a detailed Site Remediation Strategy to deal with land contamination and /or pollution of controlled waters affecting the site shall be submitted to and approved in writing by the local planning authority.

ii) The site shall be remediated as necessary in accordance with the approved Site Remediation Strategy before the construction of the development hereby approved begins. 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 occupation of the dwelling hereby approved (whichever comes first).

iii) 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 suspect contamination has been submitted to and agreed in writing with the Local Planning Authority

The remediation of the site shall incorporate the approved remediation measures and shall be carried out in full before the building is occupied.

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

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

(c) In the event that the planning obligation or other means of securing the financial contribution referred to in part (a) above has not been completed by 2nd December 2020 or an extension of this time as may be agreed, the Interim Director of Planning or Group Manager Planning & Building Control be authorised to refuse planning permission for the application on the grounds that the development would not provide adequate mitigation for the potential disturbance to European designated site, contrary to National and Local planning policy.

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 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) or the Council's website (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 encouraged to provide electric vehicle charging points at the site in accordance with Policy DM15 which encourages their provision wherever practical and feasible.

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.

665 20/01698/FUL - 39 Chalkwell Esplanade, Westcliff-on-Sea (Chalkwell Ward)

Proposal: Demolish dwellinghouse, erect detached three storey building to form two self-contained flats and layout parking to rear, amenity areas and landscaping (Amended Proposal)

Applicant: Barron Homes South East Ltd

Agent: Metson of Metson Architects Limited

Mrs Caldwell, a local resident, spoke as an objector to this application. Mr Dagg (Barrister) responded on behalf of the applicants.

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 1830-X-00, 1830-X-01-B, 1830-X-02, 1830-X-03, 1830-TP301-A, 1830-TP302-A

Reason: To ensure that 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 walls, roof, fascia and soffits, windows and doors, balconies, boundary walls and fences, driveway including parking area 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 the visual amenities of the area, in accordance with the National Planning Policy Framework (2019) 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 and second floor windows in the east and west elevations of the approved development 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 fixed shut up to a height of not less than 1.7m above internal finished 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 proposed and 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 Prior to the occupation of the approved development, details of the privacy screens to be installed to the balconies hereby approved shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details before it is occupied and shall be retained as such in perpetuity.

Reason: To protect the privacy and environment of people in proposed and 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).

06 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 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. details of any means of enclosure for all boundaries of the site including any gates, walls or boundary fencing;
- ii. 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 DM1 of the Development Management Document (2015) and Policy CP4 of the Core Strategy (2007)

07 No drainage infrastructure associated with this development shall be undertaken until details of the design 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.

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 the National Planning Policy Framework (2019), Policy KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015)

08 The four car parking spaces and the associated vehicular access for the spaces to access the public highway, shown on approved plan 1830-TP-301-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 access to and from the public highway shall thereafter be permanently retained for the parking of vehicles and the accessing of the car parking spaces in connection with the dwellings hereby approved. The site shall not be occupied until the redundant crossover has been reinstated as footway.

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 development shall not be occupied until full details of the refuse and recycling store and secure, covered cycle parking to serve the residential development have been submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented prior to first occupation of the development and made available for use and shall be permanently retained thereafter.

Reason: To ensure that adequate refuse storage and cycle 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).

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 dwelling 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).

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

Reason: To ensure the residential units hereby approved provide a high quality and flexible internal layout 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 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 Policies DM1 and DM3 of the Development Management Document (2015).

14 The development hereby approved shall be carried out in full accordance with the mitigation and resilience measures identified in Section 6 of the Flood Risk Assessment by Evans reference 2237/RE/02-19/01 Revision A before the dwellings are occupied.

Reason: To ensure the site is protected to the standard that the development is designed and modelled to within the submitted Flood Risk Assessment National Planning Policy Framework and policy KP2 of Core Strategy

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 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) or the Council's website (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 Please note that if you require a crane or piling rig to construct the proposed development, this will need to be safeguarded separately and dependant on location may be restricted in height and may also require full coordination with the Airport Authority.

04 The applicant will be required to apply to highways to amend the vehicle crossover. The maximum width of the vehicle crossover is 4.88m.

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.

666 20/01654/FUL - Penthouse, 33 - 34 The Leas, Westcliff-on-Sea (Chalkwell Ward)

Proposal: Install glazed lift shaft to side of existing building for access to Dwelling (Amended Proposal)

Applicant: Mr M Bilkus

Agent: Mr Paul Seager of APS Design Associates Ltd

Mr Mangham, a local resident spoke as and objector to this application. The applicant, Mr Bilkus, responded.

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 approved shall be carried out in accordance with the approved plans: 3067 01, 3067 02, 3067 03, 3067 04 REV A, 3067 05 REV A, 3067 06 REV A.

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

03 No development above ground level shall take place on site until details of noise and vibration mitigation measures to ensure that the development hereby approved would be inaudible from and would not cause any harmful vibration to any nearby habitable room, have been submitted to and approved in writing by the Local Planning Authority. The measures shall be fully implemented as approved prior to the first use of the development hereby approved.

Reason: To mitigate the noise and vibration from the approved development in the interest of the living conditions of future occupiers 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).

04 No construction above ground floor level shall take place on site until samples and details of the materials to be used on the external surfaces of the development, including roof, walls and fenestration have been submitted to and approved in writing by the Local Planning Authority. The development shall be

carried out in complete accordance with the approved details before it is brought into first use and shall be retained as such for the lifetime of the development.

Reason: In the interest of visual amenity and to avoid any detrimental overlooking in accordance with 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 National Design Guide (2019) and the Design and Townscape Guide (2009).

05 Construction works for the approved development on site shall only be undertaken between 8 am to 6 pm on weekdays, between 8 am and 1 pm on Saturdays and not at any time on Sundays and Public Holidays.

Reason: In the interest of the residential amenity of nearby occupiers 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).

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:

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 the Planning Portal for further details about CIL:

(www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy) or the Council's website (www.southend.gov.uk/cil).

2 As part of Condition 4, details should be submitted to demonstrate that the approved development would not cause materially harmful overlooking towards neighbouring windows and gardens.

667 20/01362/FULH - 13 Fairleigh Drive, Leigh-on-Sea (Leigh Ward)

Proposal: Erect single storey side and rear extension

Applicant: Mrs Gemma Hemmings

Agent: Mr Luis Mulry of Edith Garland Architecture

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 plan: R02, R03, R04/C.

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 extension 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. 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), Core Strategy (2007) Policy CP4, Development Management Document (2015) Policy DM1, 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.

668 20/01650/FULH - 24 The Crossways, Westcliff-on-Sea (Chalkwell Ward)
Proposal: Erect single storey rear extension (amended proposal)
Applicant: Mr N Mullin
Agent: RJB Architect

Ms Farrell, a local resident, spoke as an objector to the application. The applicant, Mr Mullin, responded.

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 following approved plans: 02, 03, 04, 05.

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.

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, 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).

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 the Planning Portal: (www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy) or the Council's website (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 the 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.

Chair: _____