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SOUTHEND-ON-SEA BOROUGH COUNCIL

**Development Control Committee**

**Date: Wednesday, 6th January, 2021**

**Time: 5.00 pm**

**Place: Virtual Meeting via MS Teams**

**Contact: Tim Row - Principal Democratic Services Officer**

**Email: [committeesection@southend.gov.uk](mailto:committeesection@southend.gov.uk)**

**A G E N D A**

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**TO: The Chair & Members of Development Control Committee:**

Councillor N Ward (Chair),

Councillors M Borton (Vice-Chair), B Ayling, J Beck, A Chalk, D Cowan, A Dear, M Dent, F Evans, D Garston, S Habermel, D Jarvis, A Jones, C Mulroney, A Thompson,

S Wakefield and C Walker

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# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of Development Control Committee

**Date: Wednesday, 4th November, 2020**

**Place: Virtual Meeting via MS Teams**

# 3

**Present:** Councillor N Ward (Chair)  
Councillors M Borton (Vice-Chair), B Ayling, J Beck, K Buck\*,  
A Chalk, D Cowan, A Dear, M Dent, M Flewitt\*, S Habermel,  
D Jarvis, A Jones, C Mulrone, S Wakefield and C Walker

\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** K Waters, C Galforg, P Keyes, C White, M Warren, T Row, T Hartley,  
E Cook, A Smyth and G Gilbert

**Start/End Time:** 5.00 - 7.30 pm

### 530 Apologies for Absence

Apologies for absence were received from Cllr Evans (Substitute: Cllr Flewitt) and Cllr Garston (Substitute: Cllr Buck).

### 531 Declarations of Interest

The following declarations of interest were declared at the meeting:

- (a) All Committee Members – Agenda Item Nos. 9 (20/01309/FUL - Development Land Underwood Square), 10 (20/01324/FUL - Development Land Underwood Square) and 13 (19/00207/BRCN-B - Britannia Public House, Eastern Esplanade) – Non-Pecuniary Interest: The architect is known to them.
- (b) Cllr Ayling – Agenda Item No. 13 (19/00207/BRCN-B - Britannia Public House, Eastern Esplanade) – None Pecuniary Interest: Has been in contact with the applicant regarding this matter
- (c) Cllr Buck – Agenda Item No. 8 (20/01294/FUL - 271 Southbourne Grove, Westcliff-on-Sea) – Non-Pecuniary Interest: Has been in contact with the neighbour regarding the application.
- (d) Cllr Buck – Agenda Item No. 9 (20/01309/FUL - Development Land Underwood Square) – A close friend lives near the application site
- (e) Cllr Buck – Agenda Item No. 13 (19/00207/BRCN-B - Britannia Public House, Eastern Esplanade) – Disqualifying Non-Pecuniary Interest: Many seafront traders are good friends with him.
- (f) Cllr Chalk – Agenda Item No. 6 (20/00823/BC3M - Land South of Campfield Road) – Non-Pecuniary Interest: Has been involved in an application on this site previously.
- (g) Cllr Chalk – Agenda Item No. 11 (20/01368/FUL - Second and Third Floors, 23 High Street) – Non-Pecuniary Interest: Lives in close proximity to the application site.

- (h) Cllr Dear – Agenda Item No 7 (20/01276/FUL - Elmsleigh Hall, Elmsleigh Drive) – Non-Pecuniary Interest: Has had several conversations with the neighbour to the application site.
- (i) Cllr Jarvis – Agenda Item No. 6 (20/00823/BC3M - Land South of Campfield Road) – Non-Pecuniary Interest: Lives close to the application site.
- (j) Cllr Jones – Agenda Item No. 6 (20/00823/BC3M - Land South of Campfield Road) – Disqualifying Non-Pecuniary Interest: This is a Council application and Cllr Jones is a Cabinet Member of the Council.
- (k) Cllr Mulroney – Agenda Item No. 6 (20/00823/BC3M - Land South of Campfield Road) – Disqualifying Non-Pecuniary Interest: This is a Council application and Cllr Mulroney is a Cabinet Member of the Council.
- (l) Cllr Mulroney – Agenda Item Nos. 7 (20/01276/FUL - Elmsleigh Hall, Elmsleigh Drive), 9 (20/01309/FUL - Development Land Underwood Square), 10 (20/01324/FUL - Development Land Underwood Square) and 12 (20/01395/FUL - 1335 London Road) – Non-Pecuniary Interest: Non-Planning Member of Leigh Town Council.
- (m) Cllr Walker – Agenda Item No. 9 (20/01309/FUL - Development Land Underwood Square), 10 (20/01324/FUL - Development Land Underwood Square) – Non-Pecuniary Interest: A friend lives close to the application site.
- (n) Cllr Ward – Agenda Item Nos. 9 (20/01309/FUL - Development Land Underwood Square), 10 (20/01324/FUL - Development Land Underwood Square) and 13 (19/00207/BRCN-B - Britannia Public House, Eastern Esplanade) – Non-Pecuniary Interest: The company he works for has done some work on these addresses in the past.

**532 Minutes of the meeting held on Wednesday 9th September 2020**

Resolved:-

That the Minutes of the Meeting held on Wednesday 9<sup>th</sup> September 2020 be confirmed as a correct record and signed.

**533 Minutes of the Meeting held on Wednesday 7th October 2020**

Resolved:-

That the Minutes of the Meeting held on Wednesday 7<sup>th</sup> October be confirmed as a correct record and signed.

**534 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.

**535 20/00823/BC3M - Land South of Campfield Road, Shoeburyness**

Proposal: Temporary storage of soil at New Barge Pier Road  
 Applicant: Southend Borough Council  
 Agent: Mr Neil Hoskins



Cllrs Jones and Mulronev withdrew from the meeting for this item.

Resolved: -

That PLANNING PERMISSION be GRANTED subject to the following conditions:

01 The development hereby permitted shall be for a limited period of 3 years from the date of this decision. At the end of this period the development hereby permitted shall cease and all material and equipment brought on to, or erected on the land, or works undertaken to it in connection with the development hereby approved, shall be removed and the land restored to its condition before the development took place. Details of the use of the material following its removal from the site shall be submitted to and approved in writing by the local planning authority before the end of the 3 year period.

Reason: For the avoidance of doubt and in the interests of amenity in accordance with the National Planning Policy Framework (2019) and Policies KP1 and KP2 of the Core Strategy (2007).

02 The development hereby permitted shall be carried out in accordance with the following approved plans: Spoil Retention Plan, Site Location Plan

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

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

Informatives:

01 You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) for further details about CIL.

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 reminded that this permission does not bestow compliance with other regulatory frameworks. In particular, your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as

amended) and the noise provisions within the Control of Pollution Act 1974. Applicants should contact the Council's Regulatory Services Officer in Environmental Protection for more advice on 01702 215005 or at Regulatory Services, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend SS2 6ER'.

04 In terms of waste permitting, the Environment Agency require further information. An exemption might cover the process, depending on tonnages and timescales. Alternatively a permit might be required for deposit or recover unless you can comply with the conditions listed at: <https://www.gov.uk/government/collections/waste-exemptions-using-waste> and <https://www.gov.uk/guidance/waste-recovery-plans-and-permits#waste-recovery-activities>.

**536 20/01276/FUL - Elmsleigh Hall, Elmsleigh Drive**

**Proposal: Erect single storey rear extension and form side doorway.**  
**Applicant: Gill Pedler**  
**Agent: Gill Pedler of Church Growth Trust**

A written submission from Mr Lowes was read to the committee.  
A written response from Mr Heaney was read to the committee.

Cllr Dent joined the meeting at this agenda item.

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 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: S168-01, S168-02, S168-03, S168-04, S168-05, S168-06.

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) Policy DM1 and advice contained within the Design and Townscape Guide (2009).

04 The roof of the single storey rear 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.

Informative

1. You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) for further details about CIL.

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.

**537 20/01294/FUL - 271 Southbourne Grove, Westcliff-on-Sea**

**Proposal: Demolish existing side extension to 271 Southbourne Grove and erect two storey dwellinghouse with associated parking and amenity space (Amended Proposal)**

**Applicant: Mark Harding of Harding Group**

**Agent: Jack Baron DAP Architecture Ltd**

Resolved: -

(a) That the Interim Director for Planning or Group Manager of Planning and Building Control be delegated authority 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) That 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 no later than 3 (three) years from the date of this decision.

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

02 The development hereby permitted shall be carried out in accordance with the approved plans: 001\_00, 00\_00, 200\_02 201\_01, 202\_01 & Transport Technical Note

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

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

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (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 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of noise, dust and dirt during construction
- vii. A scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: To minimise the environmental impact and disturbance to existing residents, during construction of the development in accordance with National Planning Policy Framework, Core Strategy (2007) policies KP2 and CP4; and Development Management Document (2015) policies DM1 & DM3.

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

- i. means of enclosure, of the site including any gates or boundary fencing;
- ii. car parking layouts;
- iii. other vehicle and pedestrian access and circulation areas;
- iv. hard surfacing materials;
- v. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification including 'pollinator friendly' plant species
- vi. Details of measures to enhance biodiversity within the site including the installation of a bird box.

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

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

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

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

07 Prior to the first occupation of the development hereby approved full details of refuse, recycling and secure, covered bicycle storage facilities at the site 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).

08 Prior to the occupation of the dwelling hereby approved the garages and car parking spaces shall be provided and made available for use in accordance with the details shown on approved plan 200\_02. The garages and car parking spaces shall be kept available solely for the parking of motor vehicles of occupiers of the dwelling hereby approved and their visitors and shall be permanently retained as such thereafter.

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

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

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

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

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

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

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

12 Notwithstanding the provisions of Classes A, B and E of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order 2015 (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force), no extensions or detached buildings shall be

erected at the site unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the design and appearance of the proposed development in the interest of visual amenities of the locality and in order to protect the amenities of surrounding occupiers in accordance with the National Planning Policy Framework, (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009).

13 Notwithstanding the details shown on the approved plans, the proposed south facing windows in the flank elevation at first floor level and the first floor window in the north facing elevation at first floor level hereby approved shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level of the room they serve and shall be retained as such in perpetuity thereafter.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).

(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 5th November 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.

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

#### Informatives

01. Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not

received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact [S106andCILAdministration@southend.gov.uk](mailto:S106andCILAdministration@southend.gov.uk) to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters can be found on the Planning Portal.

([planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_in\\_frastructure\\_levy](http://planningportal.co.uk/info/200136/policy_and_legislation/70/community_in_frastructure_levy)) or the Council's website ([www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)).

02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.

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.

**538 20/01309/FUL - Development Land Underwood Square, Leigh-on-Sea**

**Proposal: Erect No.1 5 bedroom detached dwellinghouse, layout parking to front with associated crossover onto Underwood Square (Amended Proposal)**

**Applicant: Mr G Newton**

**Agent: Steven Kearney of SKArchitects**

Mr Moore spoke as an objector.

Resolved: -

(a) That the Interim Director for Planning or Group Manager of Planning and Building Control be delegated authority 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) That 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 385-P800A, 385-P801, 385-P802, 385-P803, 385-P804  
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 385-P801 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 The first floor and second floor windows in the north and south elevations of the approved dwelling 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 that has been previously submitted to and agreed in writing by the local planning authority) and fixed shut up to a height of not less than 1.7m above first floor level before the occupation of the dwellings hereby approved and shall be retained as such in perpetuity. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

Reason: To protect the privacy and environment of people in 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 The hard and soft landscaping and boundary treatments at the site shall be carried out in full accordance with the proposed landscaping scheme including street tree planting as shown on plans ref 385-P801 and 385-P802 prior to occupation of the dwelling hereby approved, or any other details that have previously been submitted to and approved in writing by the local planning authority. 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).

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

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

08 The two car parking spaces and the associated vehicular access for the spaces to access the public highway, shown on approved plan 385-P801 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 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).

09 The tree and tree root protection measures as set out in Sections 3 and 4 of the submitted Arboricultural Impact Assessment and Method Statement by Owen Allpress reference 1971 Rev-02 dated 20/09/20 and associated Tree Protection Plan reference 1974-02-P1 dated 20/09/20, Ground Protection Plan reference 1953-02-P1 dated 21/09/20, Cellular Confinement Plan reference 1953-02-P2 dated 25/05/20 and Tree Works Plan reference 1935-02-P3 dated 25/05/20 in relation to the trees identified as T1-T10 in this statement including the mitigation measures in relation to construction within the root protection areas of the trees denoted as T8, T9 and T10, shall be implemented in full prior to commencement of the development and be retained throughout the construction phase of the

development. Implementation of the development shall be undertaken only in full accordance with British Standard 3998 and British Standard 5837 including supervision of works by a qualified arboriculturalist. The tree works to trees identified as T8 and T9 shall be restricted to that set out in Section 3.4 of the above report.

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 Southend Design and Townscape Guide (2009).

10 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).

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 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).

13 The development hereby approved shall be carried out in full accordance with the recommendation set out in table 4.1 and Section 5 of the submitted Ecological Appraisal by The Ecology Consultancy version 3.0 dated 21.09.20 and plan reference 385-P803 showing proposed habitat measures.

Reason: A condition is justified to ensure any protected species and habitats utilising the site are adequately protected during building works in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM2.

14 The construction management of the site shall be carried out in full accordance with the submitted Construction Method Statement by SKArchitects reference 385-08-16 Rev A and plan reference 385-P805 showing the proposed site layout plan during construction.

Reason: A condition is justified in the interests of visual amenity and the amenities of neighbours pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

15 Before it is occupied the finished levels at the site shall be as set out on plan reference 385-P804.

Reason: A condition is required to safeguard the visual amenities of the site and wider area as set out in Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice contained within the Southend Design and Townscape Guide (2009).

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).

17 No external lighting shall be installed on the rear elevations of the dwellings hereby approved other than in accordance with details that have previously been submitted to and approved in writing by the local planning authority.

Reason: A condition is justified to ensure any protected species and habitats utilising the site are adequately protected in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM2.

(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 5th November 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](mailto: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 reminded that they are required to adhere to the Conservation (Natural Habitats &c.) (Amendment) Regulations 2007 and the Wildlife and Countryside Act (1981) in relation to development works close to protected species including badgers and bats. A Protected Species Licence may be required.

04 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 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.

**539 20/01324/FUL - Development Land Underwood Square, Leigh-on-Sea**

**Proposal: Erect 2No. two storey semi-detached dwellings and 2No. two and a half storey semi-detached dwellings, layout boundary planting and landscaping to front and layout parking spaces to front with associated vehicle accesses on to Underwood Square (Amended Proposal)**

**Applicant: Mr G Newton**

**Agent: Steven Kearney of SKArchitects**

Mr Moore spoke as an objector.

Resolved: -

(a) That the Interim Director for Planning or Group Manager of Planning and Building Control be delegated authority 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 £502.32 (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) That 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 385-P702A, 385-P704A, 385-P900A, 385-P901A, 385-P903A, 385-P905, 385-P906, 385-P907, 385-P908A, GBU 2113A

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

03 Before they are occupied the materials for the external surfaces of the dwellings hereby approved shall be as set out on plan reference 385-P704A and email from SKArchitects dated 14.09.20 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 The first floor windows in the north and south elevations of the approved dwellings 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 first floor level before the occupation of the dwellings hereby approved and shall be retained as such in perpetuity. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

Reason: To protect the privacy and environment of people in 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 The hard and soft landscaping and boundary treatments at the site shall be carried out in full accordance with the proposed landscaping scheme including street tree planting as shown on plans ref 385-P903A and GBU 2113A prior to occupation of the dwellings hereby approved, or any other details that have previously been submitted to and approved in writing by the local planning authority. 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)

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

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

08 The eight car parking spaces and the associated vehicular accesses for the spaces to access the public highway, shown on approved plan 385-P903A shall

be provided and made available for use at the site prior to the first occupation of the dwellings hereby approved. The car parking spaces and the associated vehicular accesses to and from the public highway shall thereafter be permanently retained solely for the parking of vehicles and the accessing of the car parking spaces in connection with the occupiers of the dwellings 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).

09 The tree and tree root protection measures as set out in Section 4 of the submitted Arboricultural Impact Assessment and Method Statement by Owen Allpress reference 1971 Rev-02 dated 20/09/20 and associated tree protection plan reference 1974-02-P1 dated 20/09/20 in relation to the trees identified as T1-T10 in this statement including the mitigation measures in relation to construction within the root protection areas of the trees denoted as T8, T9 and T10 shall be implemented in full prior to commencement of the development and be retained throughout the construction phase of the development. Implementation of the development shall be undertaken only in full accordance with British Standard 3998 and British Standard 5837 including supervision of works by a qualified arboriculturalist.

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 Southend Design and Townscape Guide (2009).

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

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

11 A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources shall be submitted to, agreed in writing by the Local Planning Authority and implemented in full in accordance with the approved details prior to the first occupation of the dwellings 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 dwellinghouses 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).

13 The development hereby approved shall be carried out in full accordance with the recommendation set out in table 4.1 and Section 5 of the submitted Ecological Appraisal by The Ecology Consultancy version 3.0 dated 21.09.20 and plan reference 385-P907 showing proposed habitat measures.

Reason: A condition is justified to ensure any protected species and habitats utilising the site are adequately protected during building works in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM2.

14 The construction management of the site shall be carried out in full accordance with the submitted Construction Method Statement by SKArchitects reference 385-08-16 rev A and plan reference 385-P908A showing the proposed site layout plan during construction.

Reason: A condition is justified in the interests of visual amenity and the amenities of neighbours pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

15 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).

16 The finished levels at the site shall be as set out on plan reference 385-P906 before the dwellings are occupied.

Reason: A condition is required to safeguard the visual amenities of the site and wider area as set out in Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice contained within the Southend Design and Townscape Guide (2009).

17 No external lighting shall be installed on the rear elevations of the dwellings hereby approved other than in accordance with details that have previously been submitted to and approved in writing by the local planning authority.

Reason: A condition is justified to ensure any protected species and habitats utilising the site are adequately protected in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM2.

(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 5th November 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](mailto: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 reminded that they are required to adhere to the Conservation (Natural Habitats &c.) (Amendment) Regulations 2007 and the Wildlife and Countryside Act (1981) in relation to development works close to protected species including badgers and bats. A Protected Species Licence may be required.

04 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 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.

**540 20/01368/FUL - Second and Third Floors, 23 High Street, Southend-on-Sea**

**Proposal: Replace windows, french doors and timber balcony to rear second and third floors (retrospective)**

**Applicant: Mr M Guler**

**Agent: Mr T Ay of Delta Tech Ltd**

Resolved: -

That PLANNING PERMISSION be GRANTED subject to the following conditions:

01 The development hereby permitted shall be carried out in accordance with the following approved plans: 23b/P/02, 23b/P/03.

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

02 Within 4 months of the date of this permission a privacy screen of not less than 1.7m high above the balcony floor level shall be installed on the south side of the second floor balcony hereby approved, in accordance with details which have been submitted and previously agreed in writing with the local planning authority. The screen shall be retained for the lifetime of the development in accordance with the approved details.

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

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

Informatives:

01 You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) for further details about CIL.

02 The applicant is informed that that the residential use of the upper floors of the building does not benefit from planning consent and therefore it is advised that a

planning application or certificate of lawful use (existing) is submitted to the Council for consideration. For the avoidance of any doubt this permission relates solely to the works set out in the description of development. It does not grant permission for any change of use at the site.

**541 20/01395/FUL - 1335 London Road, Leigh-on-Sea**

**Proposal: Erect single storey rear extension to form additional floor space to existing commercial unit, use of ground floor commercial space as use class A2, erect rear extensions at first floor and roof level, and erect roof extension to front, in association with the conversion of the first floor and loft space into one self-contained flat (Class C3), install balconies to front, lay out garden space with associated bin and cycle stores (Amended Proposal)**

**Applicant: Property Point - Mr M Saunders**

**Agent: iArch Consulting**

Cllr Wakefield withdrew from the rest of the meeting

A written objection from Mrs Bailey was read out to the committee  
A written response from Mr Whitten was read out to the committee.

A written submission from Councillor Ayles was read out to the committee.

Resolved: -

(a) That the Interim Director for Planning or Group Manager of Planning and Building Control be delegated authority 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) That 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:

1 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.

2 The development shall be carried out solely in accordance with the approved plans:

001 Option D, 002 Option D, 003 Option D, 004 Option D 005 Option D

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

3 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 appropriately sized samples of the materials on the external elevations 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 materials before the development hereby approved is first occupied.

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

4 Prior to the first occupation of the development hereby approved water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (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 installed in the development hereby approved and be retained in perpetuity thereafter.

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

5 Prior to the first occupation of the dwellings hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority identifying the provision of covered and secure cycle parking and refuse and recycling storage for the existing and proposed commercial and proposed residential unit on the site.

6 The approved cycle parking and refuse and recycling storage shall be provided in full and made available for use by the occupiers of the ground floor development prior to the first use of the ground floor unit and made available for use by the occupiers of the first development prior to the first occupation of the dwelling hereby approved and shall be retained as such in perpetuity.

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

7 Hours of works associated with this consent shall be only between 8am - 6pm Monday to Friday, 8am - 1pm Saturday. No works shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the residential amenity of the adjoining residents 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 advice in the Design and Townscape Guide (2009).

8 The ground floor areas shall only be occupied for purposes falling within Use Classes A1 and A2 as defined under the Town and Country Planning (Use Classes) Order 1987 on the date this application was submitted. The ground floor area must not be used for a Class A3 use or Class E (b) use, 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: In the interests of the residential amenity of the adjoining residents 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 advice in the Design and Townscape Guide (2009).

9 The roof of the rear 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 Design and Townscape Guide (2009).

10 Prior to the first occupation of the proposed flat hereby approved, glazing to specification RW35 with adequate ventilation shall be provided for all habitable rooms so as to meet BS 8233 :2014 internal noise levels.

Reason: In the interests of the residential amenity of the adjoining residents 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 advice in the Design and Townscape Guide (2009).

(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 5th November 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.

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 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact [S106andCILAdministration@southend.gov.uk](mailto:S106andCILAdministration@southend.gov.uk) to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended).

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.

#### **542 19/00207/BRCN-B - Britannia Public House, Eastern Esplanade**

**Breaches of Control: Unauthorised development in respect of the widening of the main front door, the installation of glass doors and metal shutters, the application of gold coloured cladding to the parapet and unauthorised signage affixed to the south elevation.**

Cllr Buck withdrew from the meeting for this item.

Resolved: -

That ENFORCEMENT ACTION be AUTHORISED to:

- a) secure the removal of the unauthorised steel shutters
- b) secure removal of the gold cladding to the parapet
- c) secure the removal of unauthorised signage to the south elevation
- d) remove from site all materials resulting from compliance with a) above

The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Act and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of the Enforcement Notice and any proceeding instituted under the provisions of the Advertisement Regulations.

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case a compliance period of 3 months is considered reasonable for the removal of the shutter, cladding and signage.

Taking enforcement action in this case may amount to an interference with the owners' and/or occupiers' Human Rights. However, it is necessary for the local planning authority to balance the rights of the owners and/or occupiers against its legitimate aims to regulate and control land within its area. In this particular case it is considered reasonable, expedient, and proportionate and in the public interest to pursue enforcement action on the grounds set out in the formal recommendation.

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



**DEVELOPMENT CONTROL COMMITTEE**

**AGENDA: 06th January 2021**

<b>WARD</b>	<b>APP/REF NO.</b>	<b>ADDRESS</b>
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<b>Main Plans Report</b>		
<b>Chalkwell</b>	20/01612/OUT	6 Crosby Road And 121 - 123 Crowstone Road Westcliff-On-Sea
<b>Leigh</b>	20/01467/FUL	Scout Hall 52 High Street
<b>Leigh</b>	20/01518/AMDT	Scout Hall 52 High Street
<b>Westborough</b>	20/01511/FUL	266 Westborough Road Westcliff-On-Sea
<b>Westborough</b>	20/01520/FUL	266 Westborough Road Westcliff-On-Sea
<b>Thorpe</b>	19/01687/FUL	Camelia Hotel 176 - 178 Eastern Esplanade
<b>Prittlewell</b>	20/01619/FUL	6 Lavender Grove Westcliff-On-Sea

## DEVELOPMENT CONTROL COMMITTEE

## DEVELOPMENT CONTROL COMMITTEE

### INTRODUCTION

- (i) **Recommendations in capitals at the end of each report are those of the Deputy Chief Executive and Executive Director Growth and Housing, are not the decision of the Committee and are subject to Member consideration.**
- (ii) All plans have been considered in the context of the Borough Council's Environmental Charter. An assessment of the environmental implications of development proposals is inherent in the development control process and implicit in the reports.
- (iii) Reports will not necessarily be dealt with in the order in which they are printed.
- (iv) The following abbreviations are used in the reports:-

BLP	- Borough Local Plan
DAS	- Design & Access Statement
DEFRA	- Department of Environment, Food and Rural Affairs
DPD	- Development Plan Document
EA	- Environmental Agency
EPOA	- Essex Planning Officer's Association
DCLG	- Department of Communities and Local Government
NPPF	- National Planning Policy Framework
NPPG	- National Planning Practice Guidance
SPD	- Supplementary Planning Document
SSSI	- Sites of Special Scientific Interest. A national designation. SSSIs are the country's very best wildlife and geological sites.
SPA	- Special Protection Area. An area designated for special protection under the terms of the European Community Directive on the Conservation of Wild Birds.
Ramsar Site	- Describes sites that meet the criteria for inclusion in the list of Wetlands of International Importance under the Ramsar Convention. (Named after a town in Iran, the Ramsar Convention is concerned with the protection of wetlands, especially those important for migratory birds)

### **Background Papers**

- (i) Planning applications and supporting documents and plans
- (ii) Application worksheets and supporting papers
- (iii) Non-exempt contents of property files
- (iv) Consultation and publicity responses
- (v) NPPF and NPPG
- (vi) Core Strategy
- (vii) Borough Local Plan

**NB** Other letters and papers not taken into account in preparing this report but received subsequently will be reported to the Committee either orally or in a supplementary report.

## DEVELOPMENT CONTROL COMMITTEE

### Use Classes

(Generally in force from 1st September 2020)

Class B1	Business
Class B2	General industrial
Class B8	Storage or distribution
Class C1	Hotels
Class C2	Residential institutions
Class C2A	Secure residential institutions
Class C3	Dwellinghouses
Class C4	Houses in multiple occupation
Class E	Commercial, Business and Service
Class F.1	Learning and non-residential institutions
Class F.2	Local community
Sui Generis	A use on its own, for which any change of use will require planning permission.

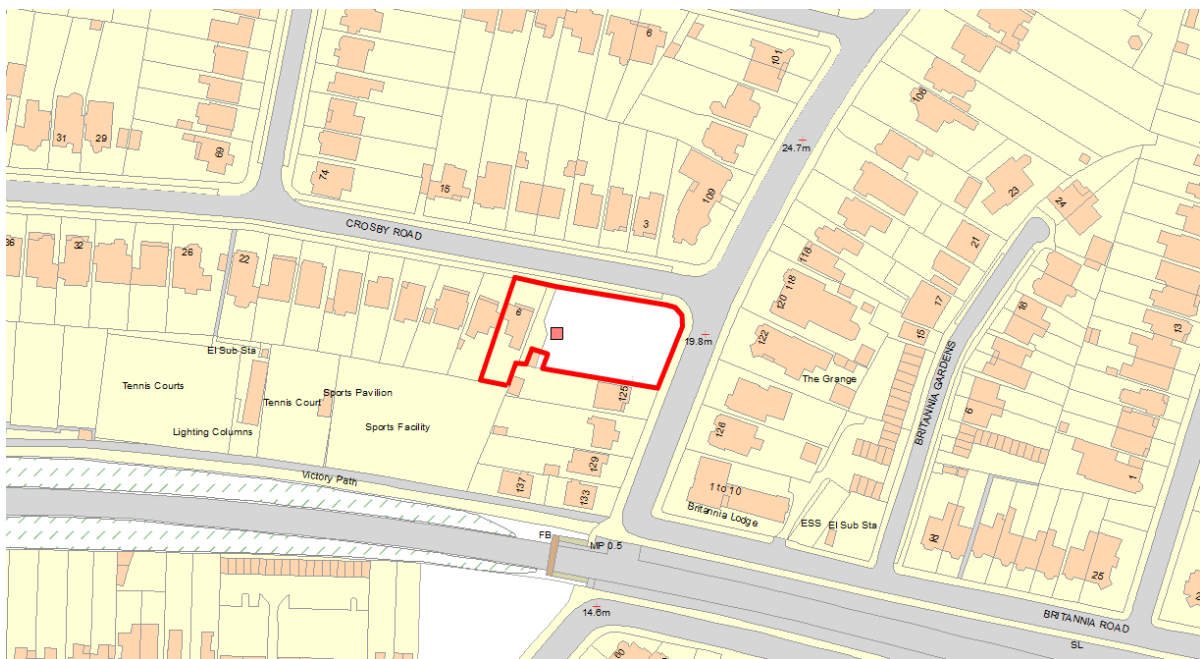
### Deleted Use Classes

(limited effect on applications for prior approval and other permitted development rights until 31st July 2021)

Class A1	Shops
Class A2	Financial and professional services
Class A3	Restaurants and cafes
Class A4	Drinking establishments
Class A5	Hot food takeaways
Class D1	Non-residential institutions
Class D2	Assembly and leisure



<b>Reference:</b>	20/01612/OUT	<b>5</b>
<b>Application Type:</b>	Outline Application	
<b>Ward:</b>	Chalkwell	
<b>Proposal:</b>	Erect five 2.5 storey dwellinghouses, layout parking to front and extend existing vehicular crossover onto Crowstone Road (Outline)	
<b>Address:</b>	6 Crosby Road and Crowstone Preparatory School, 121 - 123 Crowstone Road, Westcliff-On-Sea	
<b>Applicant:</b>	C/o SKArchitects	
<b>Agent:</b>	Steven Kearney of SKArchitects	
<b>Consultation Expiry:</b>	23 <sup>rd</sup> December 2020	
<b>Expiry Date:</b>	8th January 2021	
<b>Case Officer:</b>	Charlotte White	
<b>Plan Nos:</b>	<b>617P101 Rev. A, 617P104 Rev. B, 617P105 Rev. A, 617P102, 617P103 Rev. A, Design and Access Statement Sept 2020</b>	
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION, subject to conditions</b>	



## **1 Site and Surroundings**

- 1.1 This roughly 'L' shaped corner site fronts Crosby Road and Crowstone Road. The site previously contained school buildings and includes No.6 Crosby Road, a single family dwellinghouse.
- 1.2 The area is largely residential in nature and is mainly characterised by large, detached houses, although there are some examples of flats within the vicinity of the site. The scale of the surrounding development is mainly 2 to 2.5 storeys in nature, although anomalous blocks of flats in the vicinity are up to 4 storeys in scale.
- 1.3 The information submitted with the application indicates that the former private primary school use ceased several years ago with the original building demolished in 2018. The school buildings have been lawfully demolished under prior approval (ref. 17/00938/DEM).
- 1.4 The application site has no specific allocation within the Development Management Document proposals map.

## **2 The Proposal**

- 2.1 Outline planning permission is sought to construct 5 dwellings on the site, comprising of 2x pairs of semi-detached dwellings and 1x detached dwelling. The dwellings proposed are 2.5 storeys in height. The proposal includes the laying out of parking to the front as well as extensions to existing vehicular crossovers on Crowstone Road. This outline application seeks to agree details of the development relating to access, appearance, layout and scale with only landscaping reserved for later consideration.
- 2.2 The dwellings proposed comprise:
  - A pair of semi-detached dwellings fronting Crosby Road (labelled as units A1 and A2). The dwellings are linked by ground floor porches, hallways and W.Cs. The dwellings are 2.5 storeys with front gables and feature chimneys and comprise 4-bed, 8 person units. Each dwelling has 2 parking spaces to the front of the site, accessed from Crosby Road with private rear amenity spaces of 60.5sqm (western most dwelling) and 86sqm (eastern dwelling of the pair). The pair have a combined width of 15.5m (excluding the chimneys), ridge heights of 10.3m and depths of 11.7m.
  - The corner plot constitutes a detached dwelling fronting Crowstone Road (labelled unit B). The dwelling is 2.5 storeys with a front gable facing Crowstone Road, it has a return frontage to Crosby Road with features including the entrance door with canopy and a triangle dormer fronting Crosby Road. The dwelling comprises a 4-bedroom, 8 person unit. This unit has 2 tandem parking spaces accessed from Crosby Road and a private rear amenity space of some 45sqm. The dwelling measures some 6.5m in width (excluding the chimney and canopy), 11.8m in depth and has a height to the ridge of some 10.3m.
  - A pair of semi-detached dwellings fronting Crowstone Road (labelled units C1 and C2). The dwellings are 2.5 storey in scale with front gables, front canopies and feature chimneys. The dwellings comprise 3 bedroom, 6 person units. Each of the dwellings also include a small (some 5.2sqm) first floor study which is too small to constitute a bedroom.

Each dwelling is proposed to have 2 parking spaces at the front of the site, accessed via extended vehicular crossovers from Crowstone Road. Each dwelling has a private rear garden area which measures some 37.2sqm (the northern dwelling in the pair) and 51.9sqm (southern dwelling in the pair). The pair has a combined width of some 11.4m (excluding the chimneys), a depth of some 11.5m and a maximum ridge height of some 10m.

- 2.3 Materials proposed include clay roof tiles, powder coated aluminium fenestration, clay hanging tiles and render.

### **3 Relevant Planning History**

- 3.1 20/01080/OUTM - Demolish existing buildings, including No.6 Crosby Road, erect 2no 2.5 storey buildings comprising of 18 self-contained flats, layout parking, hard and soft landscaping and alter existing vehicular access on to Crosby Road (Outline) - application refused.
- 3.2 20/00546/OUT - Demolish existing buildings, erect 4 three storey buildings comprising of 8 dwellinghouses, layout parking, hard and soft landscaping and alter existing vehicular access on to Crosby Road (Outline) – planning permission refused.
- 3.3 19/00534/FULM - Demolish existing buildings, erect part 2.5 storey/part 3.5 storey building comprising of 18 self-contained flats, layout parking including underground parking, hard and soft landscaping and alter existing vehicular access on to Crosby Road (Amended Proposal) – planning permission refused.
- 3.4 18/00899/FULM - Demolish existing buildings including 6 Crosby Road, erect four storey building comprising 20 self-contained flats, layout parking, hard and soft landscaping and extend existing vehicular access on to Crosby Road (Amended Proposal) – planning permission refused.
- 3.5 17/02179/FULM - Demolish existing buildings including 6 Crosby Road, erect three storey building comprising 20 self-contained flats, 6no two storey dwelling houses, layout parking, hard and soft landscaping and extend existing vehicular access on to Crosby Road – planning permission refused 3<sup>rd</sup> April 2018.
- 3.6 17/00938/DEM – Demolish former prep school and associated buildings (application for prior approval for demolition) – prior approval required and prior approval granted.

### **4 Representation Summary**

#### **4.1 Public Consultation**

49 neighbouring properties were consulted and a site notice displayed. 23 letters of objection from 13 households have been received which make the following summarised comments:

- Generally, 5 houses proposed better than previous applications, and houses are preferable than flats, but still concerns.
- Design concerns. Out of keeping with character of surrounding area. Concerns relate to the small footprint of the dwellings, 3 storey scale, height, building lines, prominent forward position, roof design, mass, form, footprint and detailed design.

- Detached houses would be more in-keeping.
- Front and rear gardens too small and not consistent with grain of the area.
- Overdevelopment.
- Concerns relating to access road in design terms and in enabling access to a site to the rear which is protected green space.
- Concerns that No.6 Crosby Road will be demolished and that No.6 is included in the red line site area.
- Inaccuracies with plans and site address as includes No.6 Crosby Road.
- Concerns that front of No.6 will be used for parking for the new dwellings proposed.
- Residential amenity concerns.
- Overlooking, loss of privacy and overshadowing.
- Noise from vehicular access road.
- Highways safety concerns, including from crossovers close to the junction and traffic and congestion concerns.
- Concerns relating to widening the crossovers, including the loss of on street parking in Crowstone Road and impact on street trees. No visitor parking provided.
- Lack of garden space for new dwellings.
- Environmental impact. No consideration for trees.
- Increase flooding issues in area.
- Legal rights for access to garages at rear.
- Concerns future applications could be submitted for a different scheme, using this application as a benchmark, should this be approved.
- Concerned badgers use the site.
- Contrary to planning policy.
- Sets a precedent.
- Contrary to covenants.
- Still have concerns regarding description and plans following amended plans being submitted and consultation process.

*Officer Clarification:* The concerns relating to whether No.6 Crosby Road is included in the site have been addressed by reason of a revised application form and subsequent re-consultation. For clarity, the proposal does not seek to provide parking to the front of No.6 Crosby Road to serve the new dwellings proposed. This proposal does not seek to demolish No.6 Crosby Road.

*Officer Comment:* These concerns are noted, and they have been taken into account in the assessment of the application at Section 7. It is considered that the scheme satisfactorily deals with the issues raised and therefore they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.

2 letters of support have been received making the following summarised comments:

- Now acceptable.
- Welcome application.
- No objection.

#### 4.2 **Environmental Health**

No objection. Conditions requested relating to construction hours and a waste management plan.



*Officer comment: Given the scale and nature of the development, a condition requiring a waste management plan is not considered necessary or reasonable in this instance.*

**4.3 Sport England**

The proposed development does not fall within either our statutory, or non-statutory remit, therefore Sport England has not provided a detailed response in this case.

**4.4 Fire Authority**

Access for Fire Services purposes appears to be acceptable subject to satisfactory compliance with Building Regulations. More detailed observations on access and facilities for the Fire Service will be considered at Building Regulations Stage.

The applicant is reminded that additional water supplies for fire-fighting may be necessary for this development.

**4.5 Parks Team**

Request a condition that details of soft landscaping and biodiversity enhancing measures be approved before development occurs.

**4.6 Design Team**

Initially raised some concerns regarding the detailed design of the development. As a result of these concerns, amended plans have been received and the Design Team have subsequently confirmed that the house designs are better resolved and of an appropriate scale and are acceptable, subject to a condition requiring full details of the materials.

**4.7 Highways Team**

There are no highway objections to this proposal. Off street parking spaces have been provided and are acceptable. The applicant will be required to apply to highways to amend and install the vehicle crossovers. The applicant may also be required to relocate any street furniture which will include lamp columns. It is not considered that the proposal will have a detrimental impact on the public highway network.

**4.8 Committee Call In**

This application was referred to the Development Control Committee by Cllr Folkard.

**5 Planning Policy Summary**

5.1 The National Planning Policy Framework (NPPF) (2019)

5.2 National Technical Housing Standards (2015)

5.3 National Design Guide (2019)

5.4 Core Strategy (2007) Policies KP1 (Spatial Strategy); KP2 (Development Principles); KP3 (Implementation and Resources); CP3 (Transport and Accessibility); CP4 (The Environment and Urban Renaissance); CP6 (Community Infrastructure) and CP8 (Dwelling Provision)

- 5.5 Development Management Document (2015): Policies DM1(Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM7 (Dwelling Mix, Size and Type), DM8 (Residential Standards), and DM15 (Sustainable Transport Management)
- 5.6 Design & Townscape Guide (2009)
- 5.7 Vehicle Crossing Policy & Application Guidance (2014)
- 5.8 Community Infrastructure Levy (CIL) Charging Schedule (2015)
- 5.9 Essex Coast Recreational Disturbance Avoidance mitigation Strategy (RAMS) Supplementary Planning Document (SPD) (2020)

## **6 Planning Considerations**

- 6.1 The main considerations in relation to this application include the principle of the development, design, impact on the street scene, residential amenity for future and neighbouring occupiers, traffic and parking implications, sustainability, RAMS and CIL (Community Infrastructure Levy). The planning history is a material consideration of significant weight in the determination of this application.

## **7 Appraisal**

### **Principle of Development**

- 7.1 *Loss of a School and the principle of residential development:*
- 7.2 Paragraph 117 of the NPPF states *'Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.'*
- 7.3 The site is located within a residential area and largely constitutes previously developed land. Amongst other policies to support sustainable development, the NPPF requires development to boost the supply of housing by delivering a wide choice of high-quality homes.
- 7.4 Policy KP1 of the Core Strategy identifies a need to deliver 6,500 net additional dwellings in the period 2001-2021 within Southend. Policy KP2 of the Core Strategy requires all new development to *make the best use of previously developed land; to ensure sites and buildings are put to best use.* Policy CP8 of the Core Strategy requires the *'provision of not less than 80% of residential development on previously development land (brownfield sites).'*
- 7.5 Paragraph 94 of the NPPF states that *'It is important that a sufficient choice of school places is available to meet the needs of existing and new communities.'*
- 7.6 Policy CP6 of the Core Strategy states that developments should support *'improvements to existing, and the provision of new, facilities to support the needs of education, skills and lifelong learning strategies...[and] safeguarding existing and providing for new leisure, cultural, recreation and community facilities...'*

- 7.7 Unlike certain the previous applications submitted to redevelop this site, limited information has been submitted with this application to justify the loss of the school. However, in this respect the constraints of the site are noted; it is a small site for a school and surrounded by residential development. The school was closed some time ago and this was a private, preparatory school and as such would have served only a very limited part of the community. It is also noted that prior approval was granted for the demolition of the school buildings and that the school buildings have been lawfully demolished. No objection is therefore raised to the principle of the loss of the school use and its redevelopment for housing. It is also noted that no objection was previously raised to the principle of the loss of the school site and its redevelopment for residential purposes under the previous applications; references 17/02179/FULM, 18/00899/FULM, 19/00534/FULM or 20/00546/OUT.
- 7.8 There is an identified need within the Borough for family-sized dwellings. This proposal would provide 3x 4-bedroom, 8 person dwellings and 2x 3-bedroom, 6 person units which is positive and is factored into the planning balance although the weight to be afforded is limited by the modest number of new dwellings involved.
- 7.9 The principle of the development is acceptable and policy compliant.

### **Design and Impact on the Character of the Area**

- 7.10 This proposal is considered in the context of the Borough Council policies relating to design. Also, of relevance are National Planning Policy Framework, National Design Guide and Core Strategy Policies KP2, CP4 and CP8.
- 7.11 Paragraph 124 of the NPPF states *‘The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.’*
- 7.12 Policy KP2 of the Core Strategy requires that new development contributes to economic, social, physical and environmental regeneration in a sustainable way through securing improvements to the urban environment through quality design and respecting the character and scale of the existing neighbourhood. Policy CP4 requires that new development be of appropriate design and have a satisfactory relationship with surrounding development.
- 7.13 Policy DM3 states that *“The Council will seek to support development that is well designed and that seeks to optimise the use of land in a sustainable manner that responds positively to local context and does not lead to over-intensification.”* Moreover, policy DM1 states that development should *“Add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features”*.
- 7.14 The surrounding area is mainly characterised by fairly large detached houses, set within generous plots with deep frontages, generally of individual styles but with similar characters, that are characteristically 2 to 2.5 storeys in scale, the majority of which have hipped roofs, providing a spacious character to the area.

There are two buildings in the area which stand out from this established character; Sunningdale Court which is a 4 storey block of flats to the north of the site and Britannia Lodge to the south-east of the site which is a three storey block of flats. The land levels slope in two directions; north to south and more gently east to west. The existing properties have stepped floor levels which is part of the character of the area. Building lines are consistent. Overall, the area has an attractive and cohesive character.

- 7.15 In terms of siting, the building lines in the area are strong and consistent. The building line in Crowstone Road is staggered. The dwellings fronting Crowstone Road are similarly proposed to have a staggered building line. This siting is considered acceptable and would not be out of keeping with the area. The pair of dwellings fronting Crosby Road and the detached dwelling on the corner of the two roads would project slightly beyond the front building line of Crosby Road. However, on balance and given the siting of the previous school buildings on the site, coupled with the overall size and design of the dwellings proposed, it is considered that the siting of the dwellings would not result in an unacceptable impact on the character and appearance of the streetscene and would not result in the dwellings appearing overly prominent or out of keeping. The development would not appear cramped or incongruous. On balance, the siting of the dwellings is considered acceptable.
- 7.16 Whilst the private rear gardens proposed are smaller than those in the surrounding area, which is at odds with the grain of the area, this would not be particularly evident in the streetscene. On balance, it is considered that the 5 dwellings proposed would not materially detract from the existing grain of the area. The development is acceptable in this respect.
- 7.17 The 2.5 storey scale of the dwellings proposed and the overall heights of the proposed dwellings, are considered to be in keeping with the scale and heights of the surrounding dwellings. Unlike the previous applications for the site (see planning history section 3 above), the proposed detached and semi-detached dwellings break up the development and are akin to the other developments in the area in terms of form and scale. The development is acceptable in this respect.
- 7.18 The design detailing proposed is also acceptable. The design includes features that are common within the surrounding area, including gables and feature chimneys. Whilst the pair of semi-detached dwellings fronting Crowstone Road retain an element of a crown roof, this is relatively small, and given its position would not be overly prominent or incongruous in the area. The corner plot has been designed to 'turn the corner' with architectural features and interest on both streetscene elevations which is positive. The fenestration design is acceptable and well proportioned. The materials proposed which include render, tile hangings and clay roof tiles are appropriate and a condition can be imposed on any grant of consent requiring full details of the materials.
- 7.19 Landscaping is a reserved matter for later consideration. However, it is apparent that the scheme would retain areas of frontage for soft landscaping. The frontages of the dwellings would not be overly dominated by parked cars or hardsurfacing. It is also proposed to reuse the existing crossovers (and extend those on Crowstone Road) which would not result in the loss of street trees or the planted verge, which are characteristics of the area, which is positive. Subject to a condition requiring hard and soft landscaping details, the development is acceptable in this respect.

7.20 Subject to conditions, the development is considered acceptable and policy compliant in the above regards. The revised scheme has overcome the previous design concerns in raised in respect of the previous proposals to redevelop this site (see history section above).

### **Living Conditions**

7.21 Paragraph 127 of the NPPF states *'Planning policies and decisions should ensure that developments...create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users...It is considered that most weight should be given to the Technical Housing Standards that have been published by the Government which are set out as per the below table:*

- Minimum property size for residential units shall be as follow:
  - 4 bedroom, 8 person units over 3 storey: 130sqm.
  - 3 bedroom, 6 person units over 3 storey: 108sqm.
- Bedroom Sizes: The minimum floor area for bedrooms to be no less than 7.5m<sup>2</sup> for a single bedroom with a minimum width of 2.15m; and 11.5m<sup>2</sup> for a double/twin bedroom with a minimum width of 2.75m or 2.55m in the case of a second double/twin bedroom.
- Floorspace with a head height of less than 1.5 metres should not be counted in the above calculations unless it is solely used for storage in which case 50% of that floorspace shall be counted.
- A minimum ceiling height of 2.3 metres shall be provided for at least 75% of the Gross Internal Area.

7.22 The following is also prescribed:

- Provision of a storage cupboard with a minimum floor area of 1.25m<sup>2</sup> should be provided for 1-2 person dwellings. A minimum of 0.5m<sup>2</sup> storage area should be provided for each additional bed space.
- Amenity: Suitable space should be provided for a washing machine and for drying clothes, as well as private outdoor amenity, where feasible and appropriate to the scheme.
- Storage: Suitable, safe cycle storage with convenient access to the street frontage.
- Refuse Facilities: Non-recyclable waste storage facilities should be provided in new residential development in accordance with the Code for Sustainable Homes Technical Guide and any local standards. Suitable space should be provided for and recycling bins within the home.
- Refuse stores should be located to limit the nuisance caused by noise and smells and should be provided with a means for cleaning, such as a water supply.

- Working: Provide suitable space which provides occupiers with the opportunity to work from home. This space must be able to accommodate a desk and filing/storage cupboards.
- 7.23 All of the dwellings proposed exceed the minimum size requirements of the technical space standards and all of the bedrooms exceed the minimum size requirements. The pair of semi-detached dwellings facing Crowstone Road include a first floor study which is below the minimum size required for a bedroom, however, this is shown as a study on the plans and no objection is therefore raised on this basis.
- 7.24 All habitable rooms will be provided with windows to provide sufficient light, outlook and ventilation. There would be a degree of overlooking and interlooking between the proposed houses on the site, however this can be largely overcome with the imposition of conditions requiring side windows to be obscure glazed and is not considered to result in material harm and is considered to be within acceptable limits in this instance, as discussed below.
- 7.25 The amenity areas proposed range from some 37.2sqm to 51.9sqm for the 3-bedroom, 6 person units and from some 45sqm to 86sqm for the 4-bedroom, 8 person units. On balance, whilst on the smaller size the amenity spaces proposed are of a usable shape, and the garden areas proposed would meet the outside requirements for the future occupiers, noting that different people have different requirements for outside space. On balance, no objection is therefore raised on this basis.
- 7.26 Policy DM8 states that developments should meet the Lifetime Homes Standards unless it can be clearly demonstrated that it is not viable and feasible to do so. Lifetime Homes Standards have been dissolved, but their content has been incorporated into Part M of the Building Regulations and it is considered that these standards should now provide the basis for the determination of this application.
- 7.27 The applicant's agent has confirmed that all of the dwellings are designed to be Building Regulations M4(2) compliant. Subject to a condition in this respect, the development is acceptable and policy compliant in this regard.
- 7.28 Unlike some of the previous applications, this application has not been submitted with a noise impact assessment. Given the site's location, close to the railway line, this is necessary to ensure any future residents are provided with acceptable living conditions. Subject to such a condition no objection is raised on this basis.
- 7.29 No contaminated land assessment has been submitted with this application; however, a condition can be imposed in this respect.
- 7.30 Subject to conditions, the development would therefore provide acceptable living conditions for future occupiers and the development is acceptable and policy compliant in the above regards.

### **Impact on Residential Amenity**

- 7.31 Policies DM1 and DM3 of the Development Management Document and CP4 of the Core Strategy refer to the impact of development on surrounding occupiers. High quality development, by definition, should provide a positive living environment for its occupiers whilst not having an adverse impact on the amenity of neighbours.

Protection and enhancement of amenity is essential to maintaining people's quality of life and ensuring the successful integration of proposed development into existing neighbourhoods.

- 7.32 Amenity refers to well-being and takes account of factors such as privacy, overlooking, outlook, noise and disturbance, the sense of enclosure, pollution and daylight and sunlight. Policy DM1 of the Development Management requires that all development should (inter alia):

*“Protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight;”*

- 7.33 In terms of overlooking, the additional windows facing Crosby Road and Crowstone Road would overlook the public realm and are sufficiently removed from the adjacent dwellings and would not therefore result in any material overlooking or loss of privacy.

- 7.34 The pair of semi-detached dwellings fronting Crosby Road (Units A1 and A2) would be located some 6m from an existing garage to the rear of the site and between 8.3m and 10m from the rear boundary of the site and the flank boundary of the garden of No.125 Crowstone Road. Given the different orientation of the dwelling at No.125 Crowstone Road, it is not considered that these dwellings would result in any material loss of privacy to the dwelling. Whilst there would be some overlooking of the garden of No.125, given the separation distances provided, the positions of the dwellings towards the rear part of the garden of No.125 and the angle of the dwellings away from the dwelling and the most private garden area to the immediate rear of No.125, on balance, this relationship is considered acceptable and would not result in any material overlooking or loss of privacy to No.125 Crowstone Road. The side windows proposed to these dwelling serve non-habitable rooms or are secondary windows and therefore any overlooking in this respect can be mitigated with the imposition of a condition requiring the side windows to be obscure glazed with limited openings.

- 7.35 The detached, corner plot proposed (Unit B) is significantly removed from the existing dwellings in the surrounding area and would be largely screened from the immediate neighbours by the pairs of semi-detached dwellings proposed on the wider plot. In terms of interlooking within the development, this dwelling would be opposite the flank wall of plot A.2. A distance of some 7.3m is provided between the rear elevation of Unit B and the flank elevation of unit A.2. The flank windows to plot A.2 will be required to be obscure glazed with limited openings, as outlined above. As such the rear windows proposed would not result in any material interlooking. The southern flank windows to this plot serve non-habitable rooms and are secondary windows and can be conditioned to be obscure glazed with limited openings to prevent any material overlooking or loss of privacy to Unit C1 to the south.

- 7.36 The semi-detached pair fronting Crowstone Road (Units C1 and C2) would be located some 7m from the rear boundary of the dwellings, facing the gardens of plot A.2. On balance, it is considered that this relationship is acceptable and would not result in any material interlooking within the development. Any overlooking from the rear windows of these proposed dwellings to No.125 Crowstone Road would be oblique and is not considered materially harmful or unusual in a residential area of this nature. The flank windows proposed serve non-habitable rooms and can be conditioned to be obscure glazed with limited openings to prevent any material overlooking.

- 7.37 Subject to conditions relating to flank windows, it is considered, on balance, that the development would not result in any material harm in terms of overlooking, loss of privacy or interlooking within the site.
- 7.38 In terms of dominance, the nearest dwelling proposed (unit A1) would be located some 4.7m from the boundary with No.6 Crosby Road and would be located some 6.2m from the flank wall of No.6 Crosby Road. Given this degree of separation and given the nature of the dwellings and the design of unit A1 which has a roof that slopes away from No.6, it is considered that the development would not result in any material harm to the nearest dwellings to the west in Crosby Road in terms of dominance, an overbearing impact, loss of light and outlook, overshadowing or material sense of enclosure.
- 7.39 The nearest proposed dwelling (plot C2) would be located some 3m from the flank wall of No.125 Crowstone Road and would extend some 3.5m beyond the front wall of No.125 and some 2.7m beyond the rear wall of No.125 Crowstone Road. Such a relationship is considered acceptable and would not result in any material harm to the residential amenity of No.125 Crowstone Road, or other dwellings to the south in terms of dominance, an overbearing impact, loss of light and outlook, overshadowing or material sense of enclosure.
- 7.40 All other dwellings are considered too remote to be materially affected by the proposal in terms of dominance, an overbearing impact, loss of light and outlook, overshadowing or material sense of enclosure or overlooking and loss of privacy.
- 7.41 Whilst the relationship between the proposed dwellings and the existing neighbouring dwellings is considered acceptable, given the nature of the proposal and the location of the neighbours, it is necessary in this instance to restrict the permitted development rights at the dwellings in respects of extensions (class A), developments within the roof (class B), outbuildings (class E) and, in the interests of the character of the area, hardsurfacing (class F). Subject to such a condition no development is raised in this respect.
- 7.42 In terms of noise and disturbance, the site is located within a residential area and the proposal to develop the site for residential purposes would not result in any material harm to the adjoining residents in this respect. A condition requiring a construction method statement is required in this instance, given the nature and location of the development in the interests of residential amenity.
- 7.43 The development is therefore considered acceptable and policy compliant in the above regards.

### **Traffic and Transportation Issues**

- 7.44 Policy DM15 of the Development Management Document seeks a minimum of 2 car parking space per 2+ bedroom dwelling.
- 7.45 The proposal provides 2 parking spaces per unit in accordance with Policy DM15. The parking spaces will all be accessed via existing crossovers with the 2 crossovers in Crowstone Road extended in width. The highways team have raised no objection to the proposal, commenting that the parking proposed is acceptable and concluding that the development would not have a detrimental impact on the public highway network.



- 7.46 The development is acceptable and policy compliant in the above regards.
- 7.47 It is considered that there is sufficient space within the site to provide covered and secure cycle parking and refuse and recycling stores, details of which can be secured via conditions.

### **Trees and Landscaping**

- 7.48 There are no trees subject to Tree Preservation Orders (TPOs) on the site. The application has not been submitted with an Arboricultural Impact Assessment. Landscaping is a reserved matter for later consideration. As discussed above, a condition can be imposed on any grant of consent requiring full details of the landscaping proposed. It is considered that there is sufficient space on the frontage of each dwelling to provide some soft landscaping which is positive. Part of the distinctive and attractive character of this part of Crosby Road and Crowstone Road is its street trees and planted verges, which this development would not adversely impact with no alterations proposed to the vehicle crossovers and therefore the existing planted verges in Crosby Road. A condition can be imposed on any grant of consent requiring details of tree protection for the street trees.
- 7.49 Subject to such a condition, the development is acceptable and policy compliant in the above regards.

### **Sustainability**

- 7.50 Policy KP2 of the Core Strategy states; “*All development proposals should demonstrate how they will maximise the use of renewable and recycled energy, water and other resources*” and that “*at least 10% of the energy needs of a new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources)*”. The provision of renewable energy resources should be considered at the earliest opportunity to ensure an integral design
- 7.51 Whilst no details have been submitted in this respect, this requirement could be controlled via condition should the application be otherwise found acceptable.
- 7.52 Policy DM2 of the Development Management Document part (iv) requires water efficient design measures that limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption). Such measures will include the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting. Subject to a condition in this respect no objection is raised on this basis.

### **Drainage**

- 7.53 National policy requires that any development is safe from flooding and does not increase the risk of flooding elsewhere. Adequate drainage should be installed to ensure that there is no increased risk of flooding on site or elsewhere, including any undue discharge of surface water on the highway. Details of drainage arrangements incorporating principles of Sustainable Drainage Systems can be secured by condition should the proposal otherwise be acceptable. Subject to such a condition, the development is acceptable and policy compliant in these regards.

## **Ecology**

- 7.54 Paragraph 170 of the NPPF states that *'Planning policies and decisions should contribute to and enhance the natural and local environment by...protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils...recognising the intrinsic character and beauty of the countryside...minimising impacts on and providing net gains for biodiversity...'*
- 7.55 A number of neighbours have raised concerns relating to biodiversity and impact on badgers. However, given the nature of the existing site, the fact that no concerns have been raised in this respect to previous applications on the site (see section 3 above) with no changes in circumstances or policy in this period and given that the Council's Parks team have raised no objection in this respect, the development is considered acceptable and policy compliant in this respect. It is also noted that the grant of planning permission would not override the developer's duties under other legislation, including the Wildlife and Countryside Act 1981.

## **RAMS**

- 7.56 The site falls within the Zone of Influence for one or more European designated sites scoped into the emerging Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS). It is the Council's duty as a competent authority to undertake a Habitats Regulations Assessment (HRA) to secure any necessary mitigation and record this decision within the planning documentation. Any new residential development has the potential to cause disturbance to European designated sites and therefore the development must provide appropriate mitigation. This is necessary to meet the requirements of the Conservation of Habitats and Species Regulations 2017. The RAMS Supplementary Planning Document (SPD), which was adopted by Full Council on 29<sup>th</sup> October 2020, requires that a tariff of £125.58 (index linked) is paid per dwelling unit. This will be transferred to the RAMS accountable body in accordance with the RAMS Partnership Agreement. A tariff of £627.90 is therefore required in this case. This tariff has been paid.

## **Community Infrastructure Levy (CIL)**

- 7.57 This application is CIL liable and there will be a CIL charge payable. In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is being reported as a material 'local finance consideration' for the purpose of planning decisions. As this is an outline application, the CIL amount payable will be calculated on submission of a reserved matters application when the floorspace figures will be confirmed.

## **8 Conclusion**

- 8.1 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The proposal is acceptable in principle, would, on balance, have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site, street scene and the locality more widely.

There would be no materially adverse traffic, parking or highways impacts caused by the proposed development. The provision of new dwellings factors in the planning balance although this is afforded limited weight due to the modest number involved. This application is therefore recommended for approval subject to conditions.

## **9 Recommendation**

### **9.1 MEMBERS ARE RECOMMENDED TO: GRANT PLANNING PERMISSION subject to the following conditions:**

- 01 Details of the landscaping (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 The development hereby permitted shall be carried out only in accordance with the following approved plans 617P101 Rev. A, 617P104 Rev. B, 617P105 Rev. A, 617P102, 617P103 Rev. 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 full product details of the materials to be used on all the external elevations, including walls, roof, windows and doors and rainwater goods have been submitted to and approved in writing by the local planning authority. The development shall only be carried out and completed 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 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. 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 number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification and tree management plan.**
- v) 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 All flank windows above ground floor (with the exception of the flank windows on the northern elevation of the detached dwelling proposed (plot B)) shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or equivalent) and be permanently fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal finished floor level of the room that the window serves. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4. The windows shall be retained in line with these details in perpetuity.**

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).

- 06 The use of the new dwellings hereby approved shall not commence unless and until the two parking spaces per dwelling (10 in total) as shown on the approved plan 617P101 Rev. A have been provided and made available for use on site. The parking spaces shall be retained in perpetuity for the purposes of car parking solely for residents of the approved new dwellings on site and their visitors.**

Reason: To ensure the provision of adequate parking in accordance with Policy CP3 of the Core Strategy (2007) and Policies DM3, DM8 and DM15 of Development Management Document (2015).

- 07 Notwithstanding the information submitted and details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition and excavation works shall take place unless and until a drainage and surface water management strategy incorporating principles for Sustainable Drainage Systems (SuDS) has been submitted to and approved in writing by the Local Planning Authority. The drainage and surface water management strategy shall 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.**

- 08 Construction works for the approved development on site shall only be undertaken between 8am to 6pm 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).**

- 09 Prior to occupation of the development hereby approved details of energy efficiency and other sustainability measures to be included in the scheme, including the provision of at least 10% of the energy needs of the development hereby approved being provided from onsite renewable sources, shall be submitted to, agreed in writing by the Local Planning Authority and implemented on site in accordance with the agreed details.**

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

- 10 The new dwellings hereby approved shall incorporate 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 before they are occupied.**

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

- 11 Notwithstanding the details submitted and otherwise hereby approved, the development hereby approved shall be constructed to ensure that all new residential units comply with building regulation M4(2) “accessible and adoptable dwellings” prior to their first occupation.**

**Reason: To ensure the development hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM8 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).**

- 12 Prior to the first occupation of the development hereby approved, details shall be submitted to and approved in writing by the local planning authority identifying the provision of covered and secure cycle parking and refuse and recycling storage facilities. The approved refuse and recycling and cycle parking facilities shall be provided in full and made available for use prior to the first occupation of the dwellings hereby approved and shall be retained as such in perpetuity.**

**Reason: To ensure the provision of adequate cycle parking and refuse stores in accordance with Policies DM3, DM8 and DM15 of Development Management Document.**

- 13 A. Site Characterisation No development other than site preparation works shall take place 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 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 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).**

- 14 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no development above ground floor slab level shall be undertaken unless and until a noise assessment that includes an assessment of railway noise and full details of any necessary acoustic mitigation to be provided within the development, including all glazing and ventilation have been submitted to and approved in writing by the local planning authority. The development must be completed in accordance with the approved details prior to the first occupation of the development and thereafter retained as such in perpetuity.**

**Reason: To safeguard the residential amenity of the future occupiers from noise generated by the nearby railway in accordance with policy DM1 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).**

- 15 No development shall be undertaken unless and until full details of the tree protection measures to be provided to any off-site trees that are adjacent to the site or which could be affected by their proximity to the proposed development have been submitted to and approved in writing by the local planning authority. The development shall only be undertaken in accordance with the approved tree protection measures.**

**Reason: This pre-commencement condition is required 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 92007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Design and Townscape Guide (2009).**

- 16 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 noise, 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).**

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

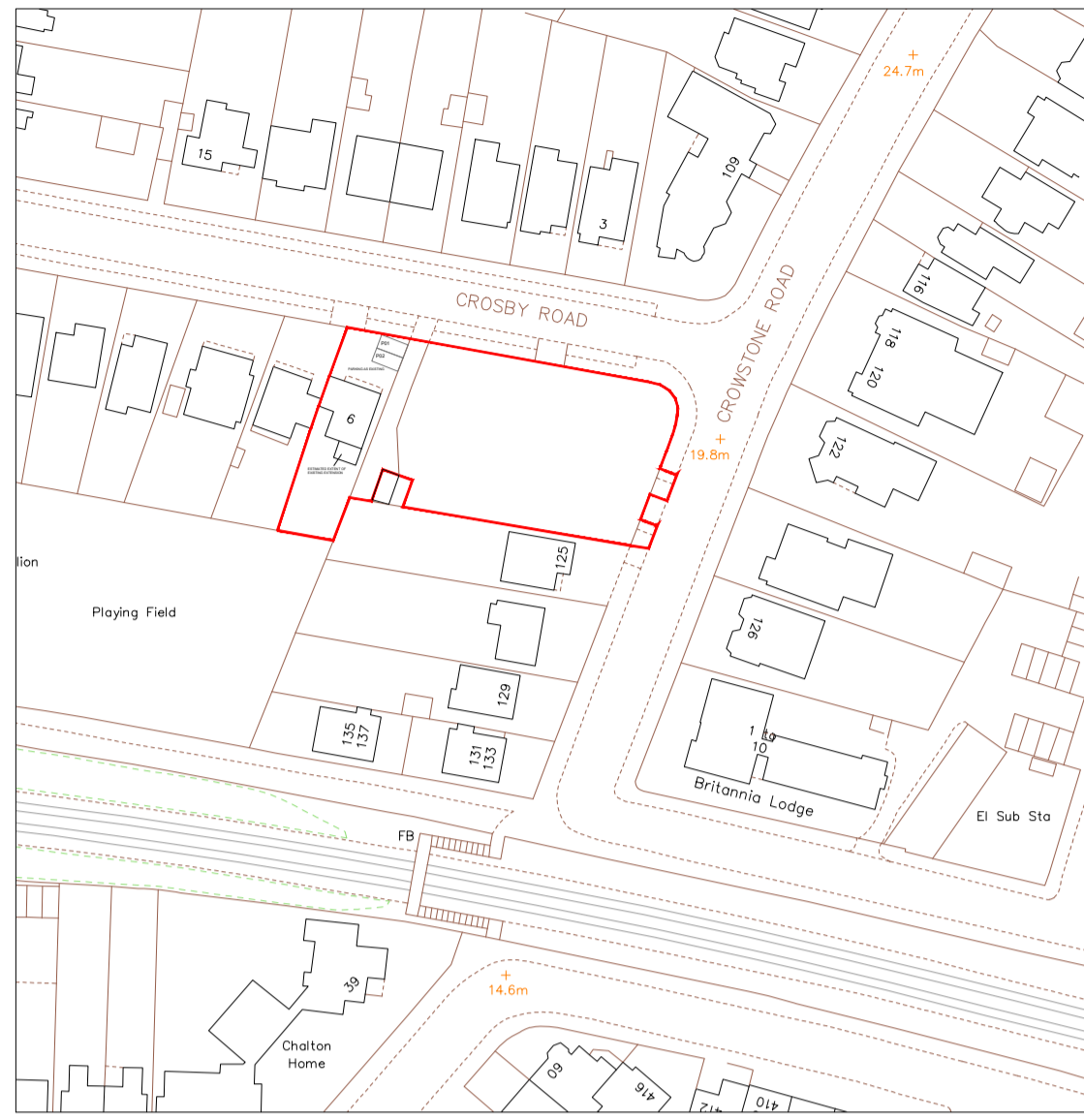
**Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development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



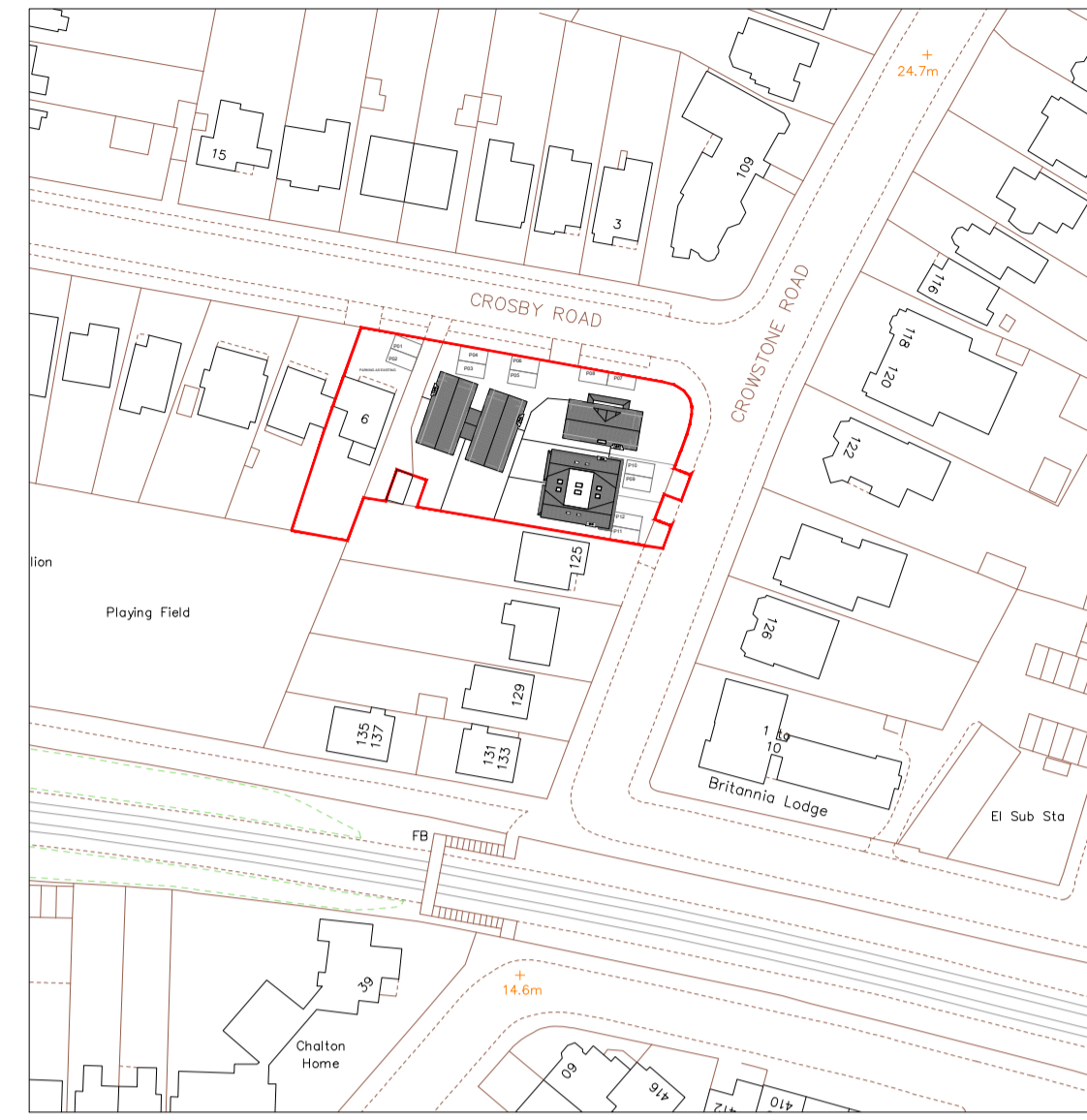
**Informatives:**

- 01** Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact [S106andCILAdministration@southend.gov.uk](mailto:S106andCILAdministration@southend.gov.uk) to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended).
- 02** You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.
- 03** The applicant is advised that they will be required to apply to highways to amend and install the vehicle crossovers and that they may also be required to relocate any street furniture such as lamp columns.

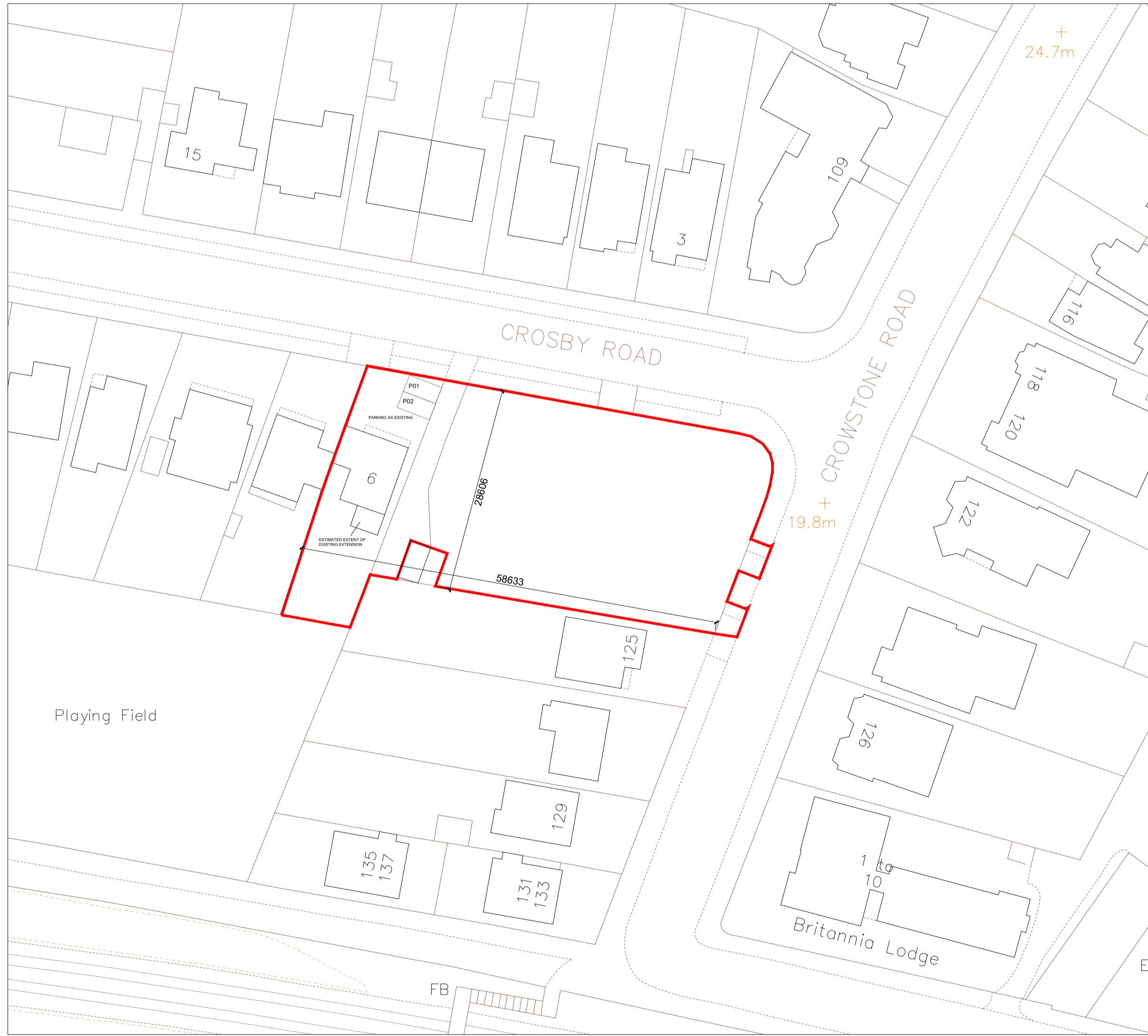
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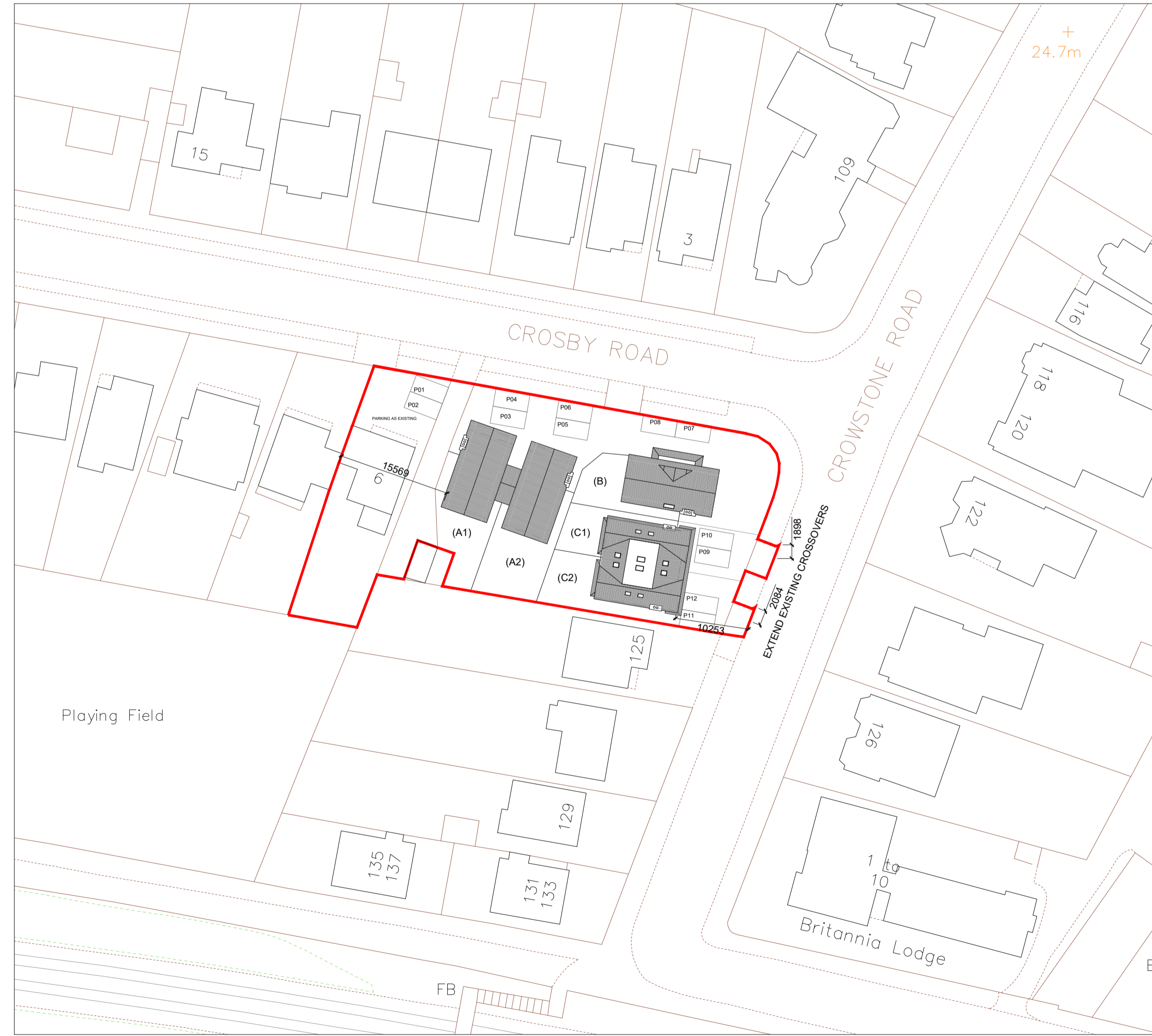
EXISTING LOCATION PLAN 1:1250 NORTH



PROPOSED LOCATION PLAN 1:1250 NORTH



EXISTING BLOCK PLAN 1:500 NORTH



PROPOSED BLOCK PLAN 1:500 NORTH

Notes:

A	AMENDED DESIGN	DS	24/11/2020
-	Production of drawings	DS	31/08/2020
Rev	Comment	By	Date

Stage:  
3 - Developed Design

Client:  
Private

Project:  
121-123  
Crowstone Road  
Westcliff-on-sea  
Essex  
SS0 8LH

Drawing Title:  
SITE AND BLOCK PLANS

Drawing no:  
**617P101**

Revision: **A** Drawn by: DS

Project no: **617** Chkd by: ABG

Scale: 1:500, 1:1250 @ A1

**SKARCHITECTS**  
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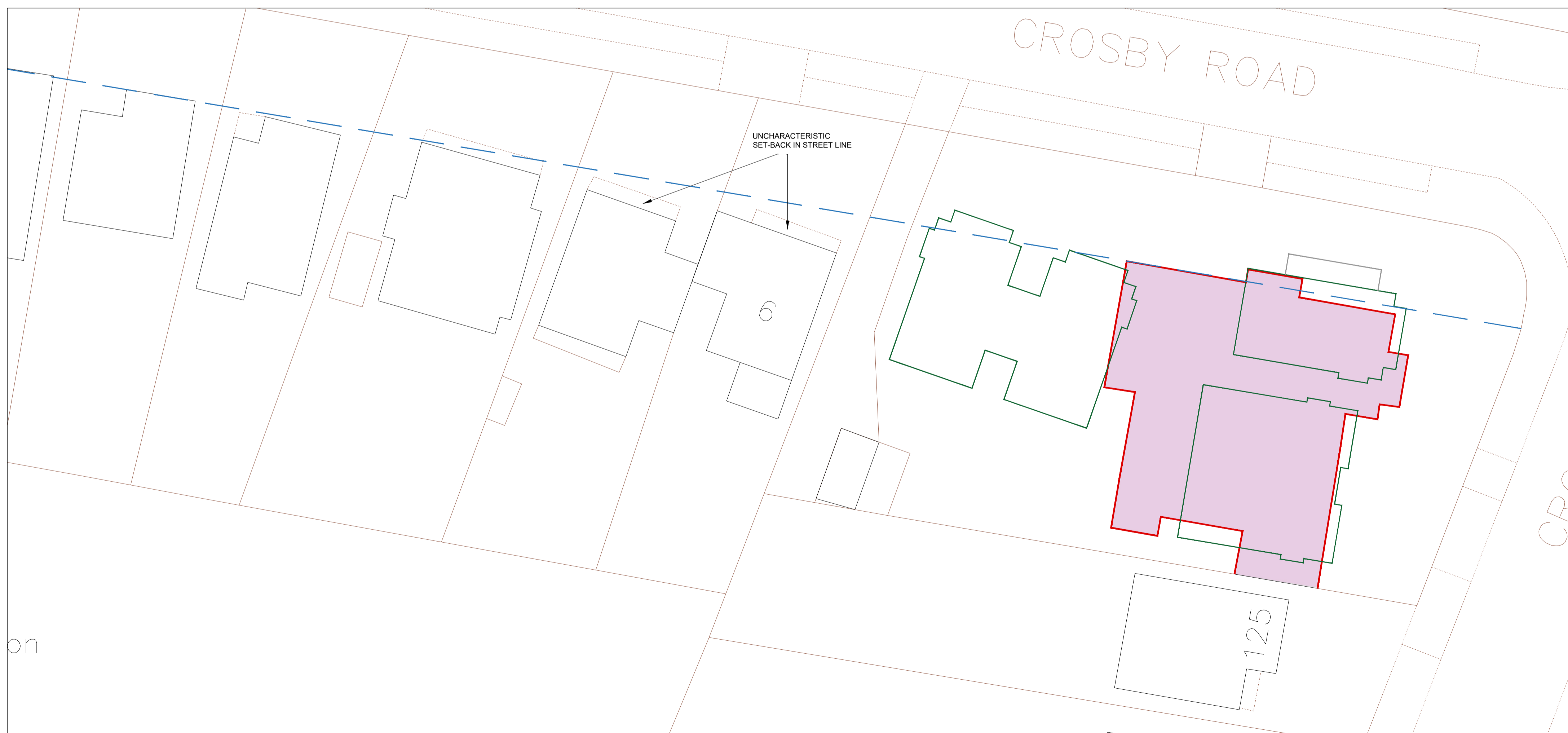
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INDICATIVE STREETSCENE 1:100



- PRE-EXISTING BUILDING - 352 SQM
- PROPOSED BUILDINGS - 380 SQM
- STREET LINE

PRE-EXISTING AND PROPOSED COMPARISON 1:200

NORTH

Notes:

Rev	Comment	By	Date
A	AMENDED DESIGN Production of drawings	DS	24/11/2020 31/08/2020

Stage:  
3 - Developed Design

Client:  
Private

Project:  
121-123  
Crowsstone Road  
Westoff-on-sea  
Essex  
SS0 8LH

Drawing Title:  
PROPOSED INDICATIVE STREETSCENE

Drawing no:  
**617P105**

Revision: **A** Drawn by: DS

Project no: **617** Chkd by: ABG

Scale: 1:100, 1:200 @ A1

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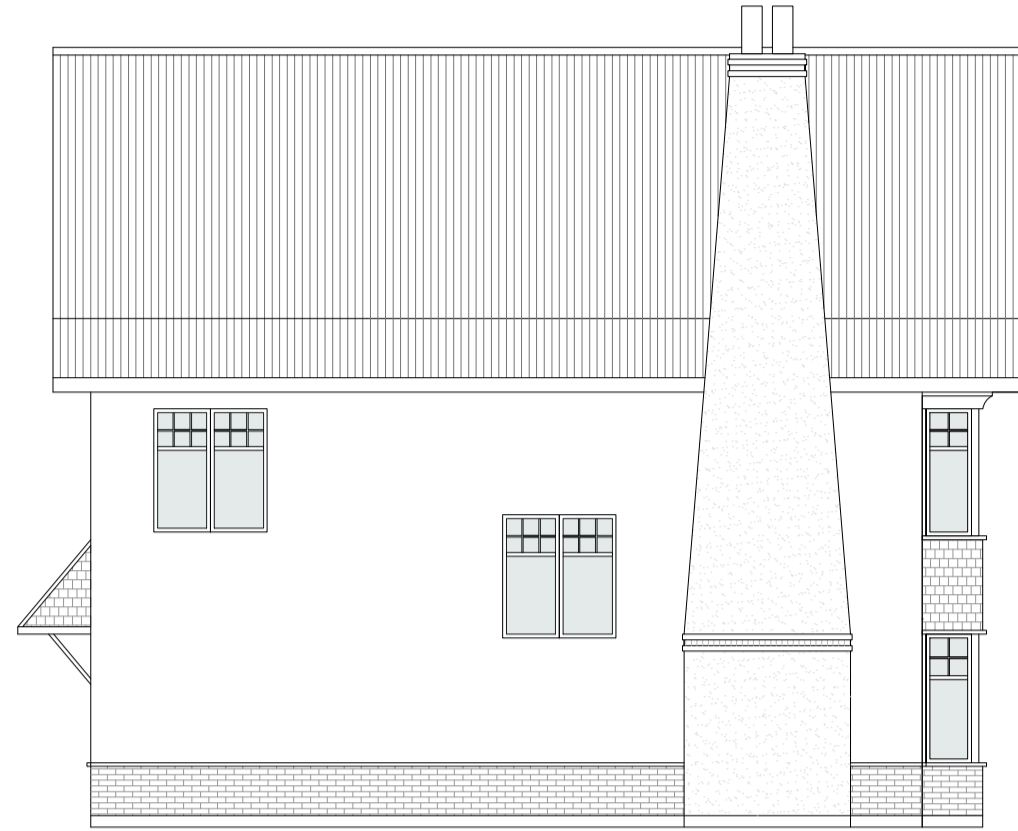
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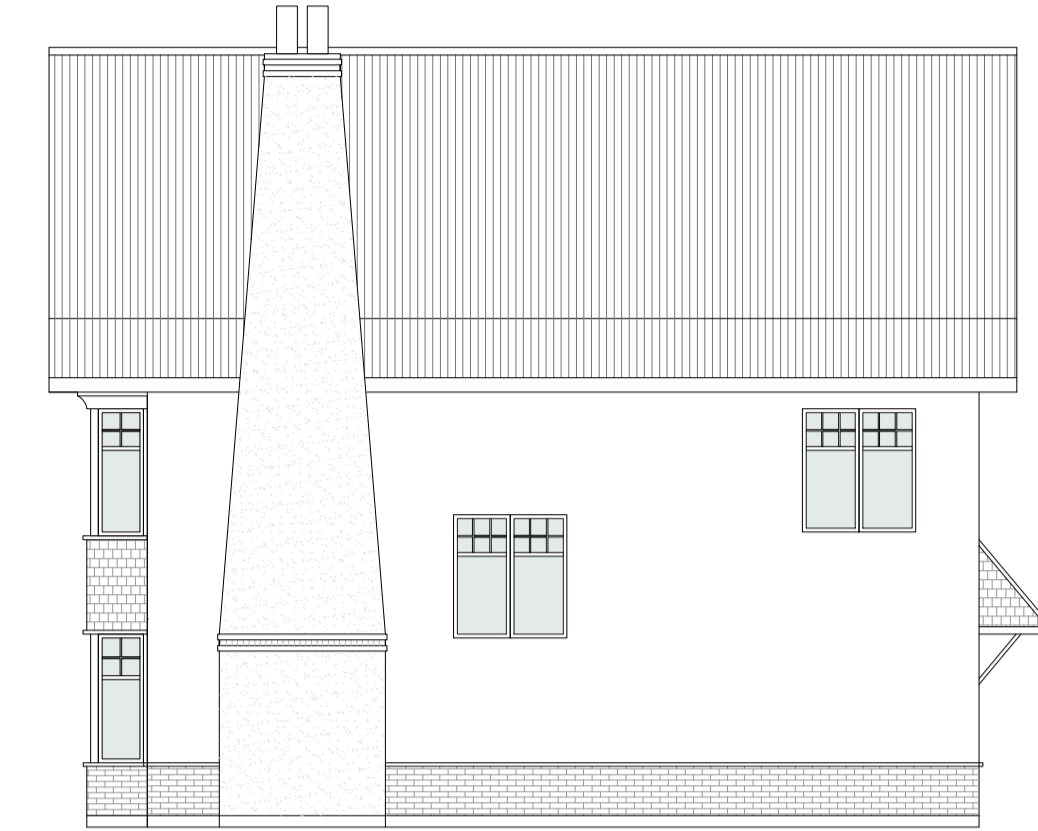
PROPOSED FRONT ELEVATION



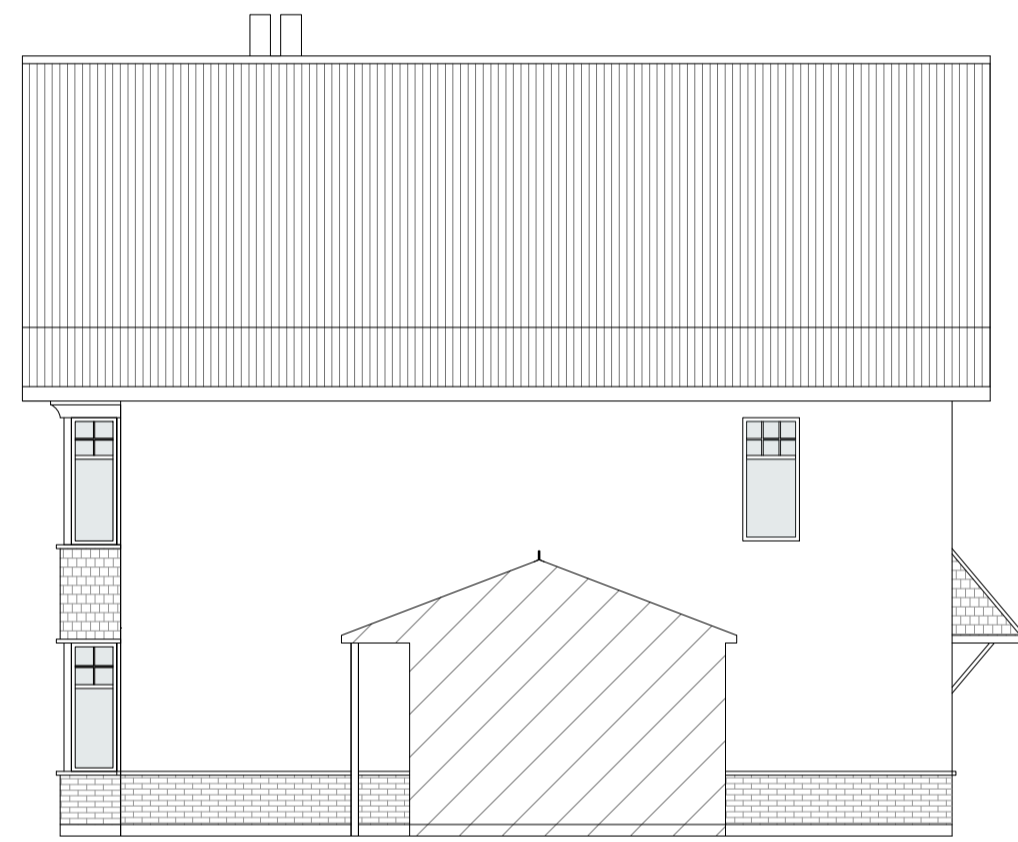
PROPOSED SIDE ELEVATION



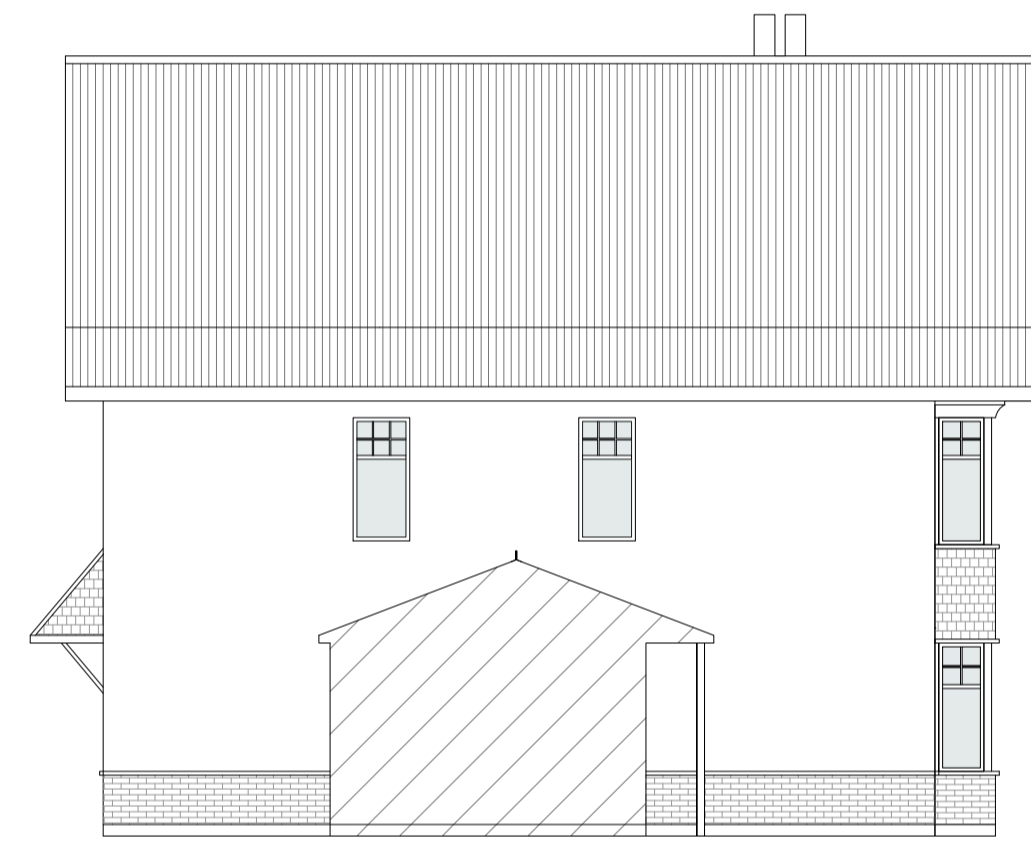
PROPOSED REAR ELEVATION



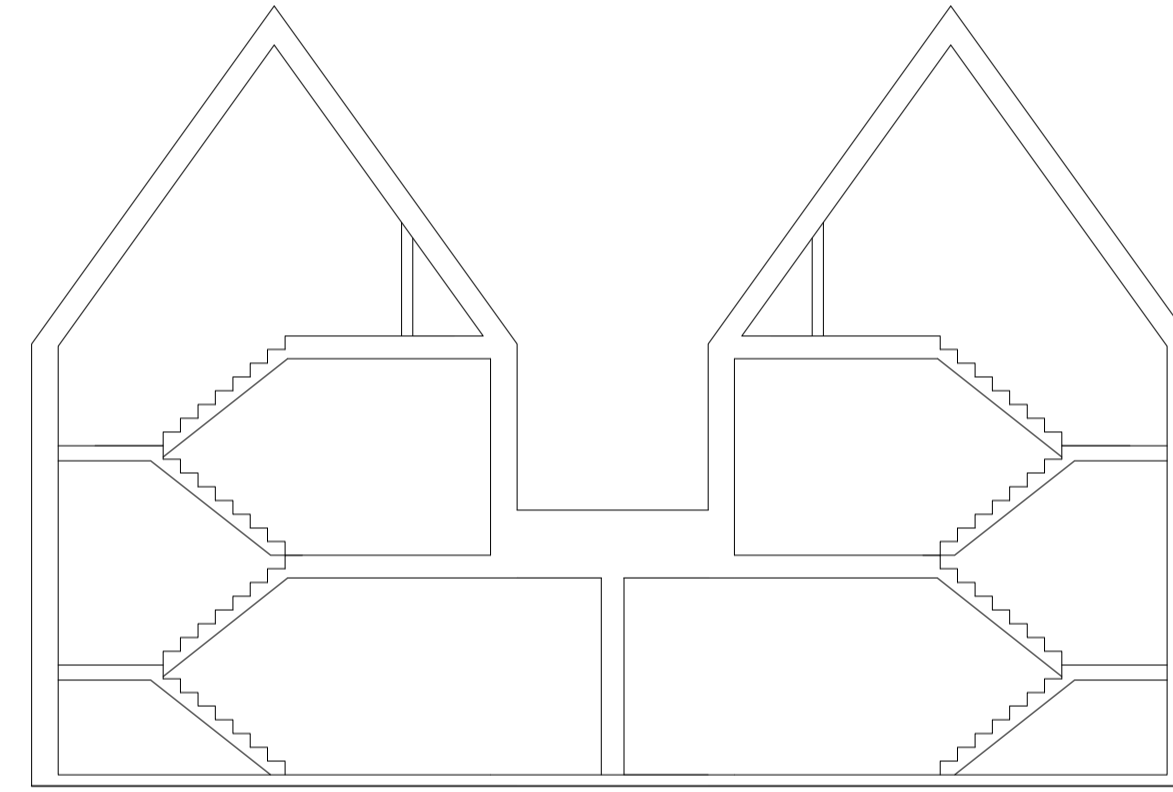
PROPOSED SIDE ELEVATION



PROPOSED INNER SIDE ELEVATION - HOUSE A2

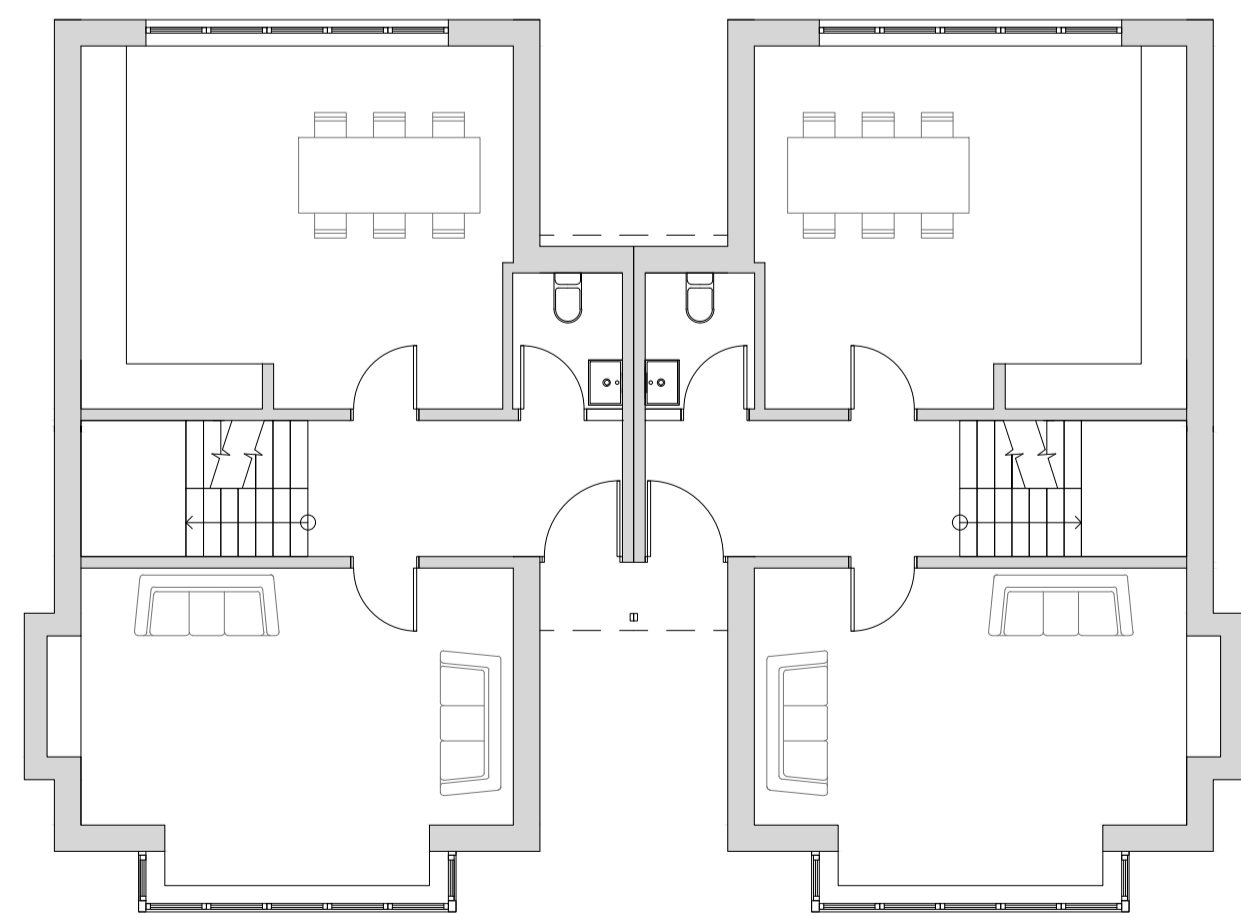


PROPOSED INNER SIDE ELEVATION - HOUSE A1

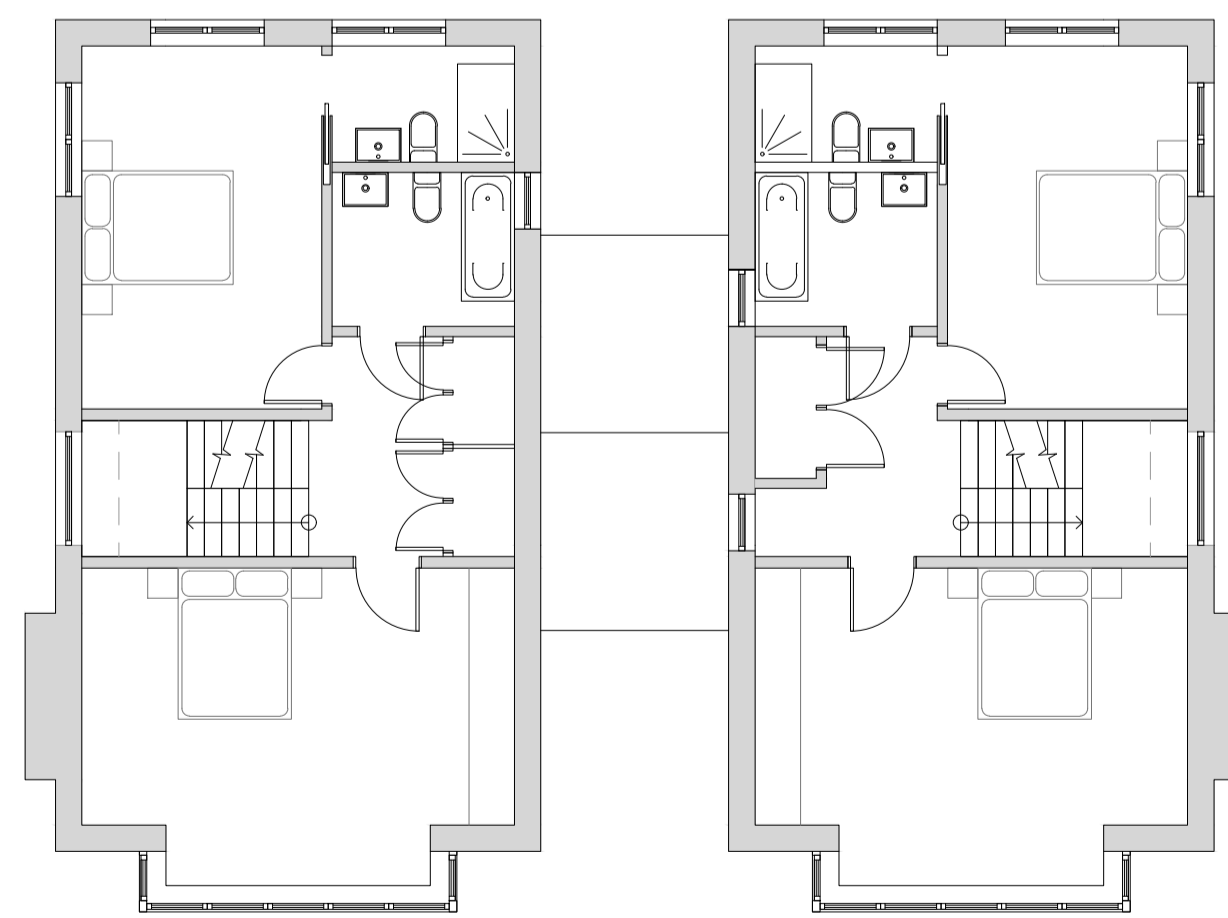


PROPOSED SECTION

PROPOSED ELEVATIONS 1:100  
0 1 2 3 4 5



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN



ROOF PLAN

PROPOSED FLOOR PLANS 1:100  
0 1 2 3 4 5

Notes:	

Production of drawings	DS	31/08/2020
Rev	Comment	By Date

Stage:	3 - Developed Design
Client:	Private
Project:	121-123 Crowstone Road Westcliff-on-Sea Essex SS0 8LH

Drawing Title:	PROPOSED HOUSE A1 AND A2
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Drawing no:	617P102
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Revision:	-	Drawn by:	DS
Project no:	617	Chkd by:	ABG

Scale: 1:100 @ A1

**SKARCHITECTS**  
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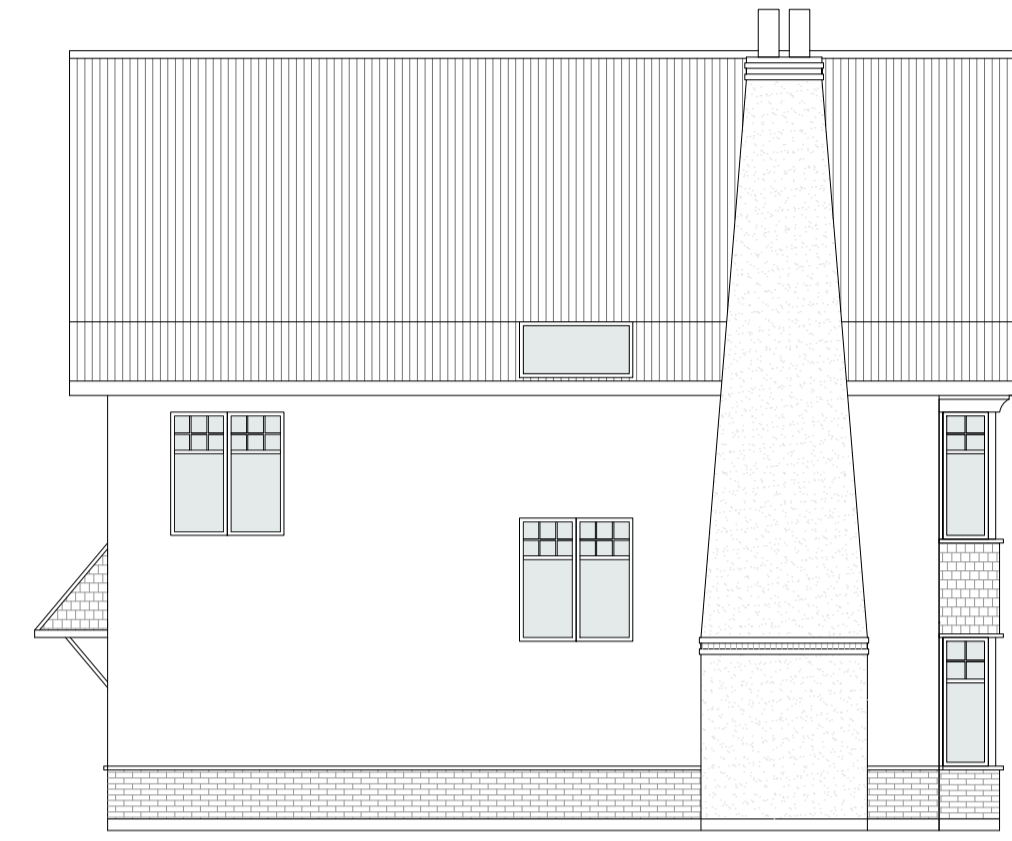
PROPOSED FRONT ELEVATION



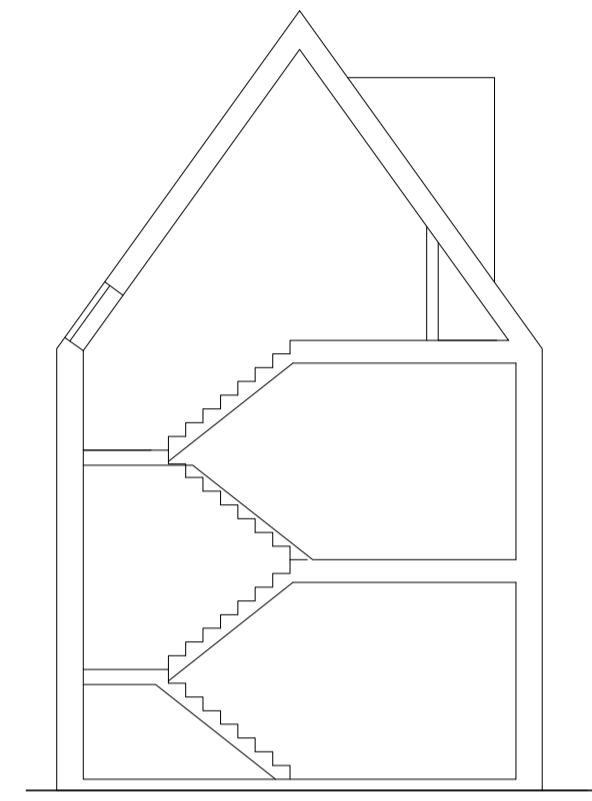
PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION

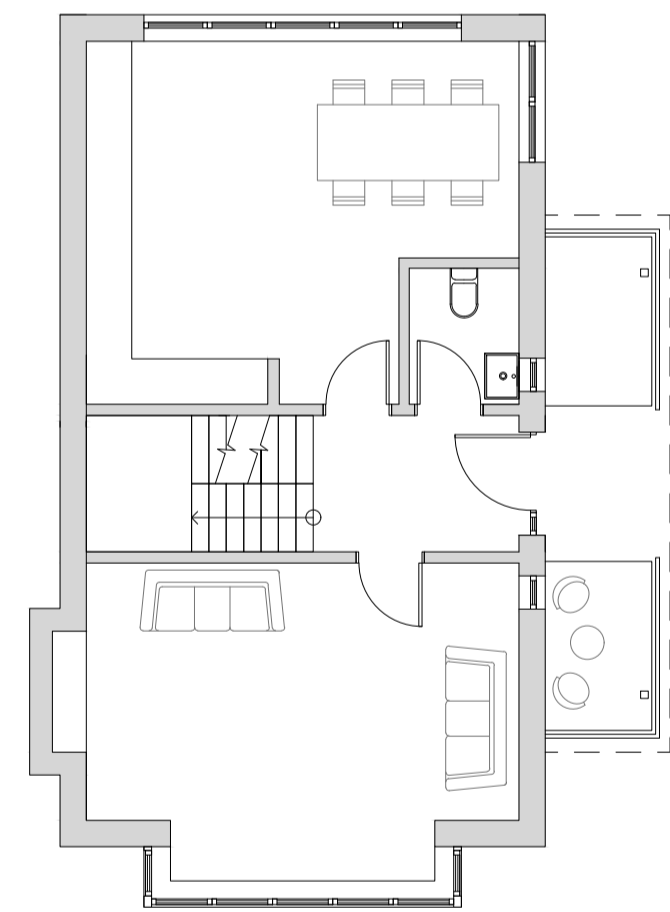


PROPOSED SIDE ELEVATION

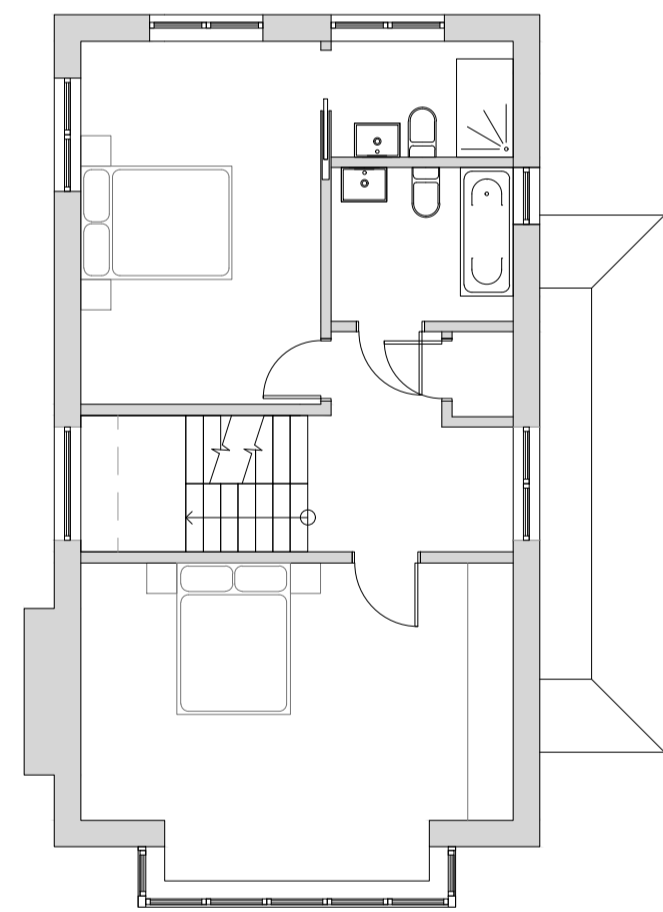


PROPOSED SECTION

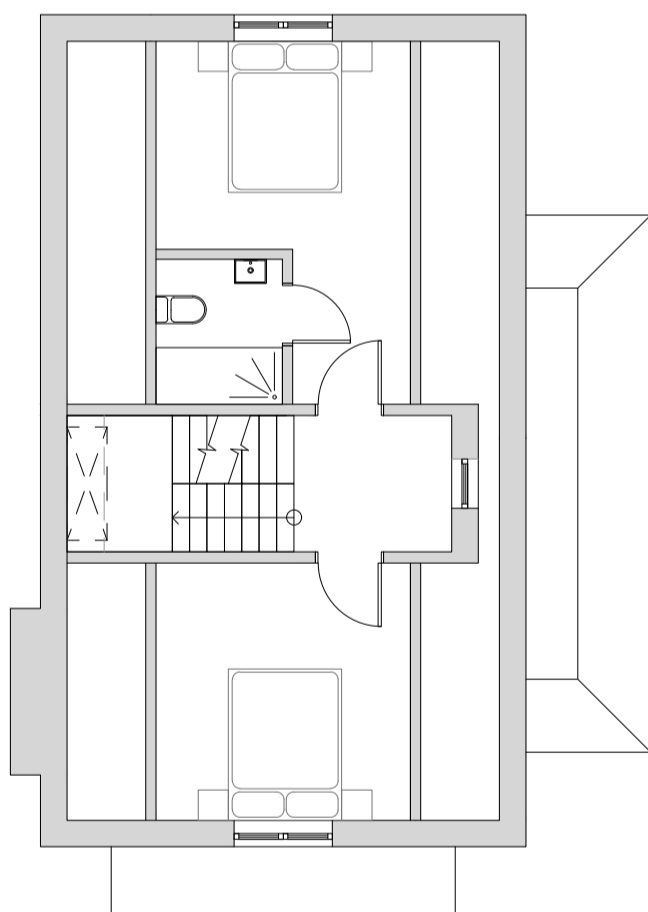
PROPOSED ELEVATIONS 1:100  
0 1 2 3 4 5



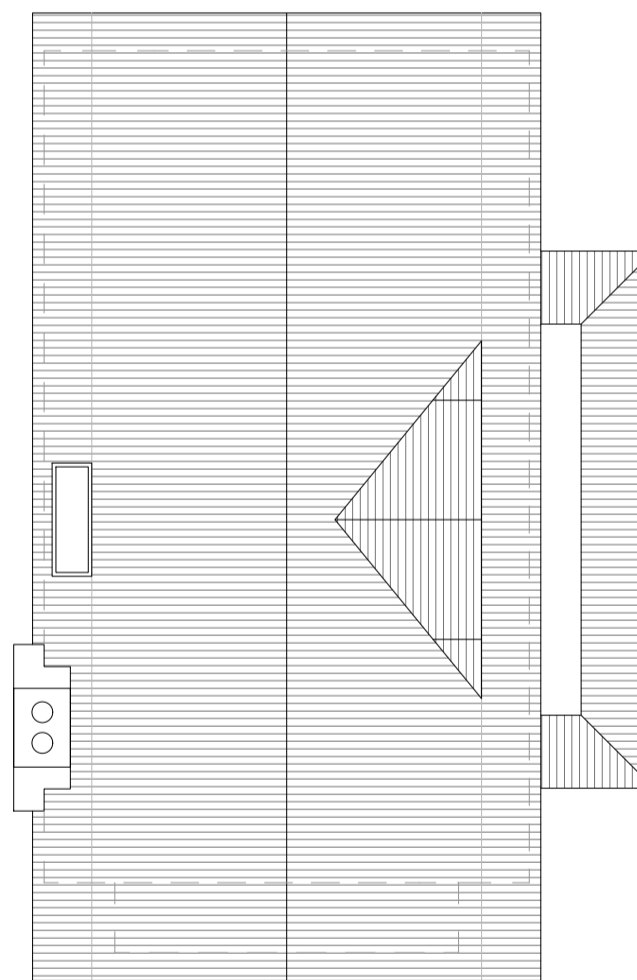
GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN



ROOF PLAN

PROPOSED FLOOR PLANS 1:100  
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Notes:

Rev	Comment	By	Date
A	Planning amendments	DS	07/12/2020
-	Production of drawings	DS	31/08/2020

Stage:  
3 - Developed Design

Client:  
Private

Project:  
121-123  
Crowstone Road  
Westcliff-on-Sea  
Essex  
SS0 8LH

Drawing Title:  
PROPOSED HOUSE B

Drawing no:  
617P103

Revision: A Drawn by: DS

Project no: 617 Chkd by: ABG

Scale: 1:100 @ A1

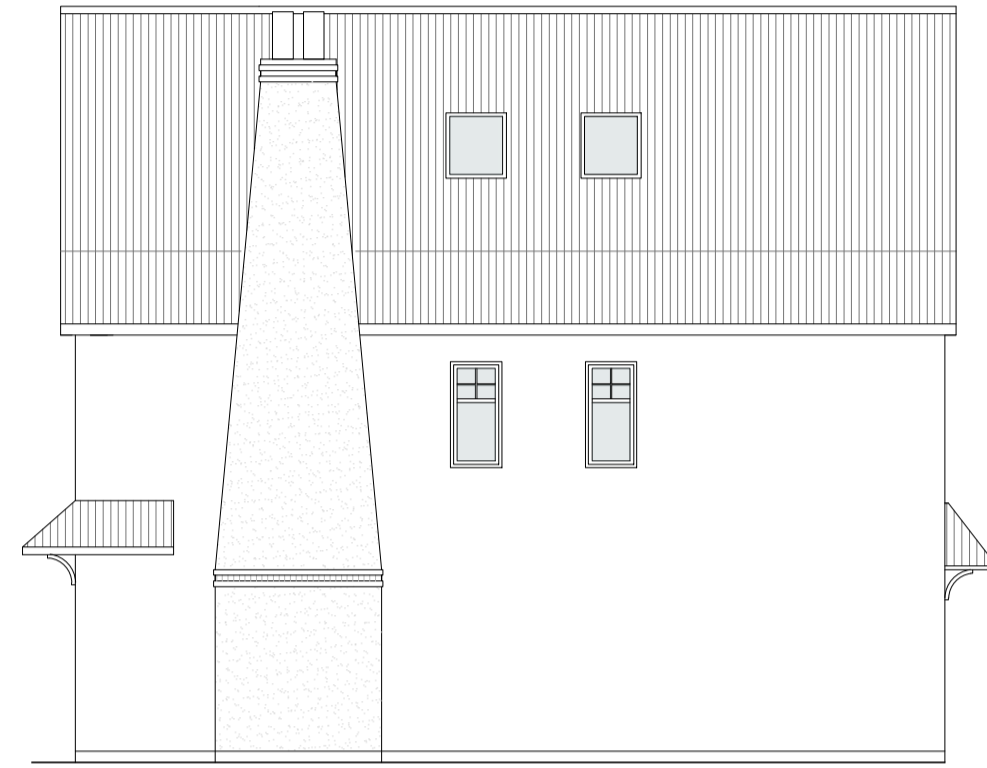
**SKARCHITECTS**  
533-535 London Road  
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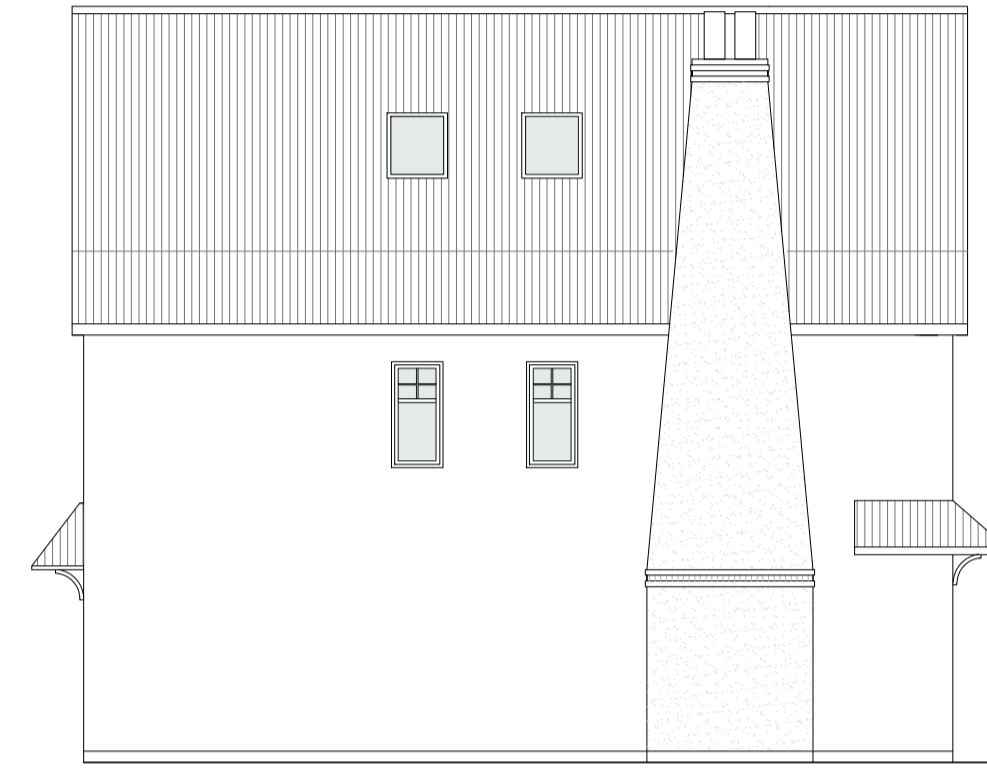
PROPOSED FRONT ELEVATION



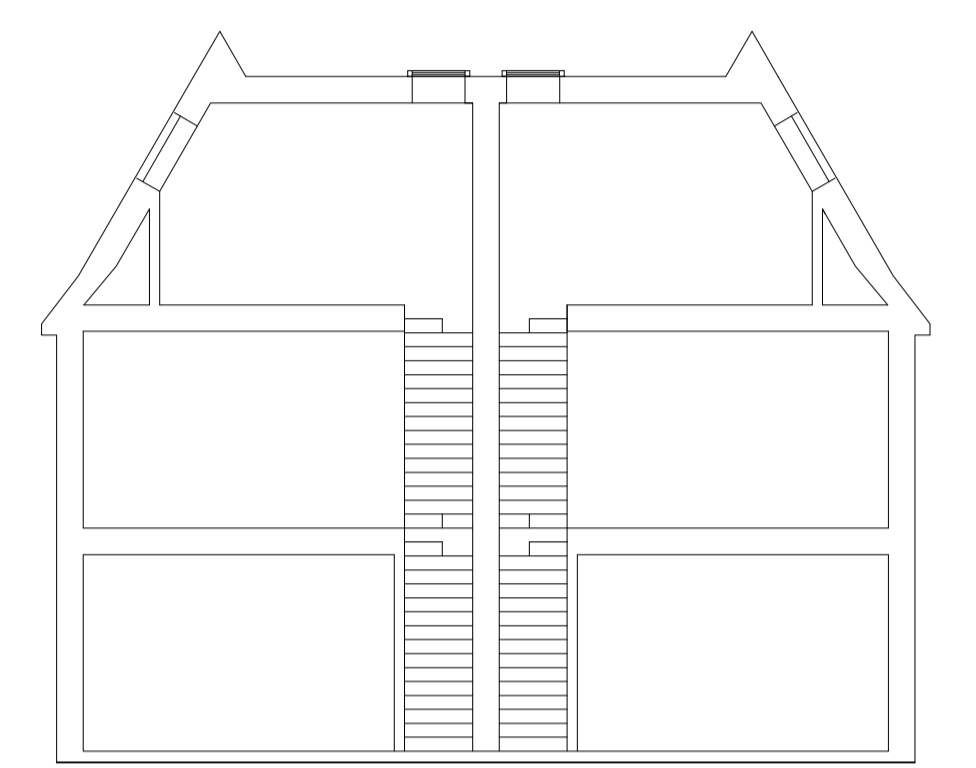
PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION

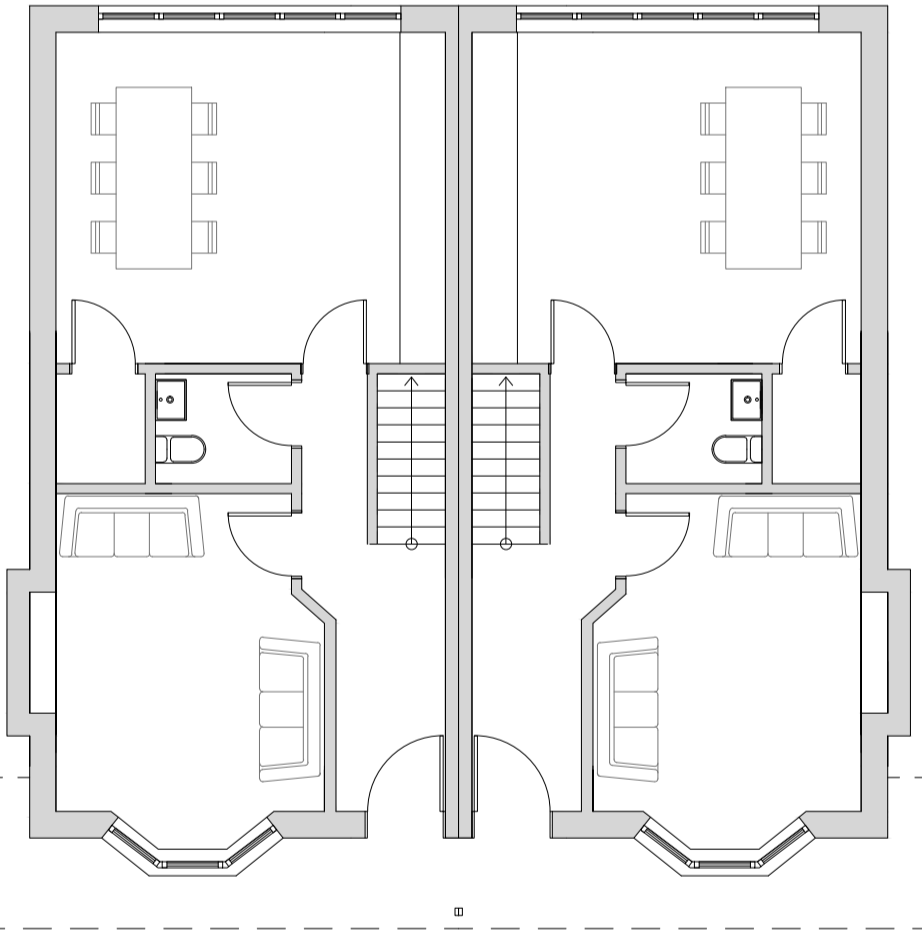


PROPOSED SIDE ELEVATION

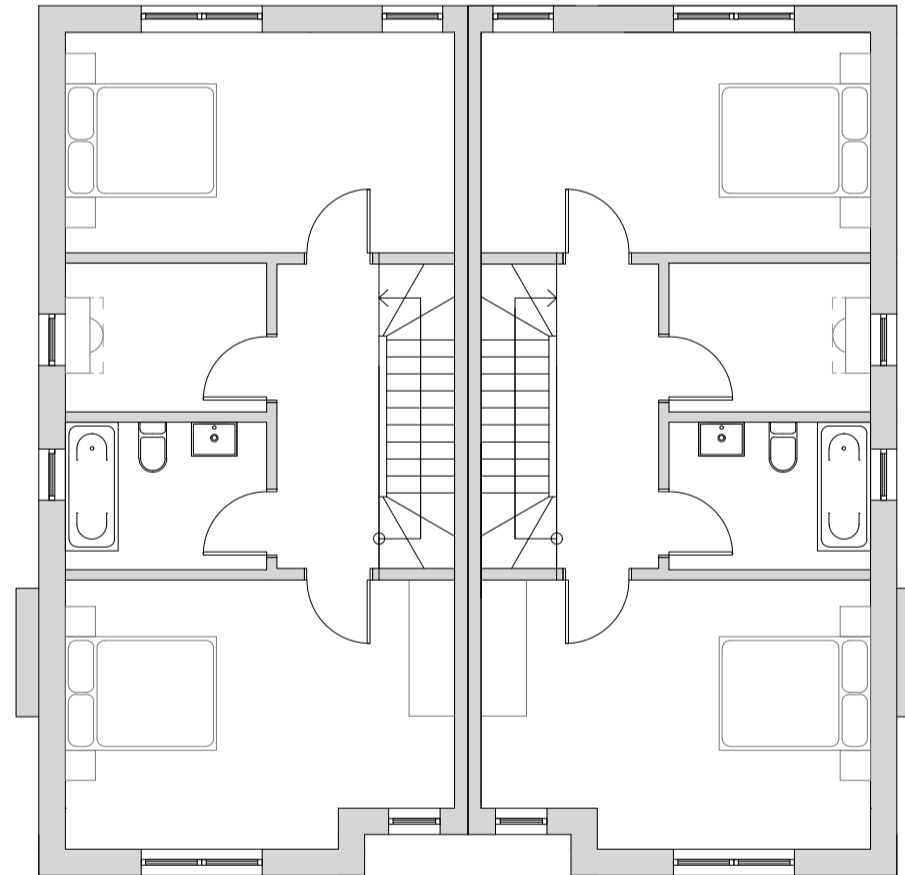


PROPOSED SECTION

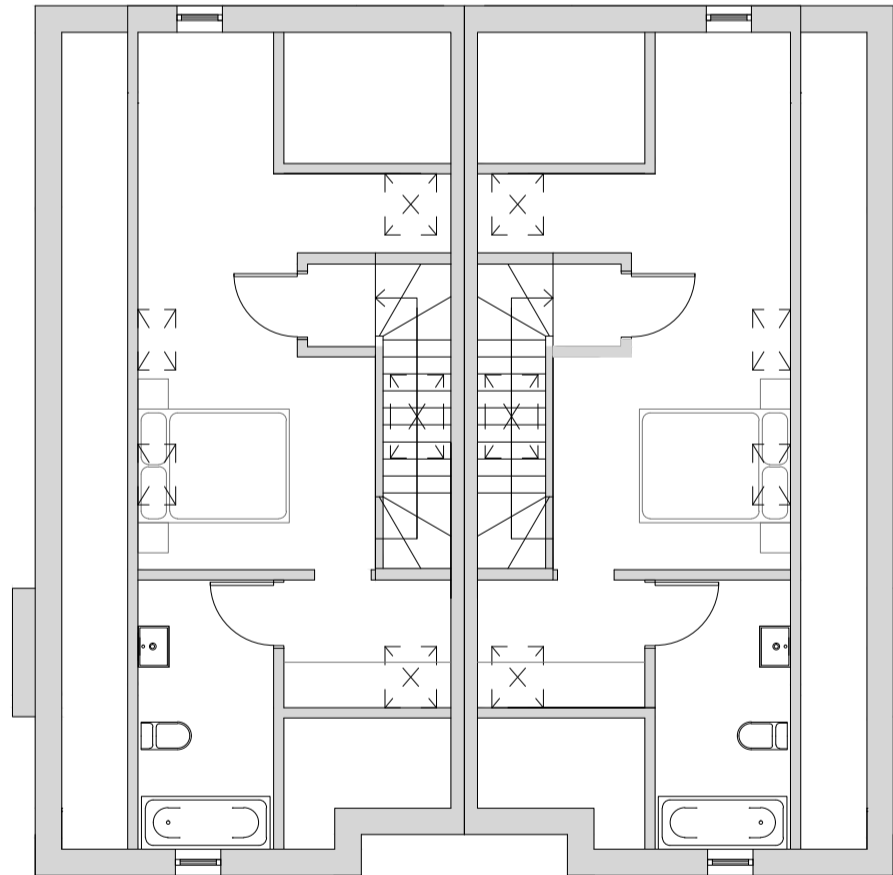
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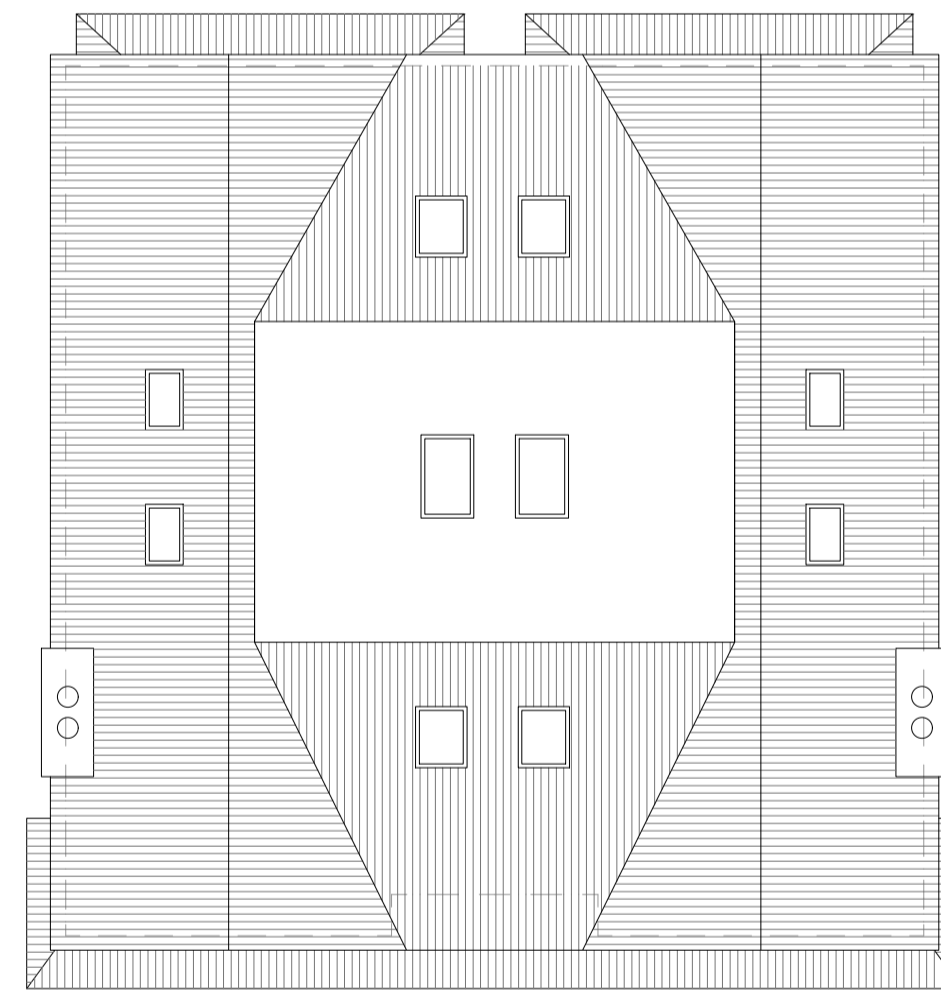
PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



PROPOSED SECOND FLOOR PLAN



PROPOSED ROOF PLAN

PROPOSED FLOOR PLANS 1:100  
0 1 2 3 4 5

Notes:

Rev	Comment	By	Date
B	Planning amendment	DS	07/12/2020
A	AMENDED DESIGN	DS	24/11/2020
-	Production of drawings	DS	31/08/2020

Stage:  
3 - Developed Design

Client:  
Private

Project:  
121-123  
Crowstone Road  
Westcliff-on-sea  
Essex  
SS0 8LH

Drawing Title:  
PROPOSED HOUSE C1 AND C2

Drawing no:  
**617P104**

Revision: **B** Drawn by: DS

Project no: **617** Chkd by: ABG

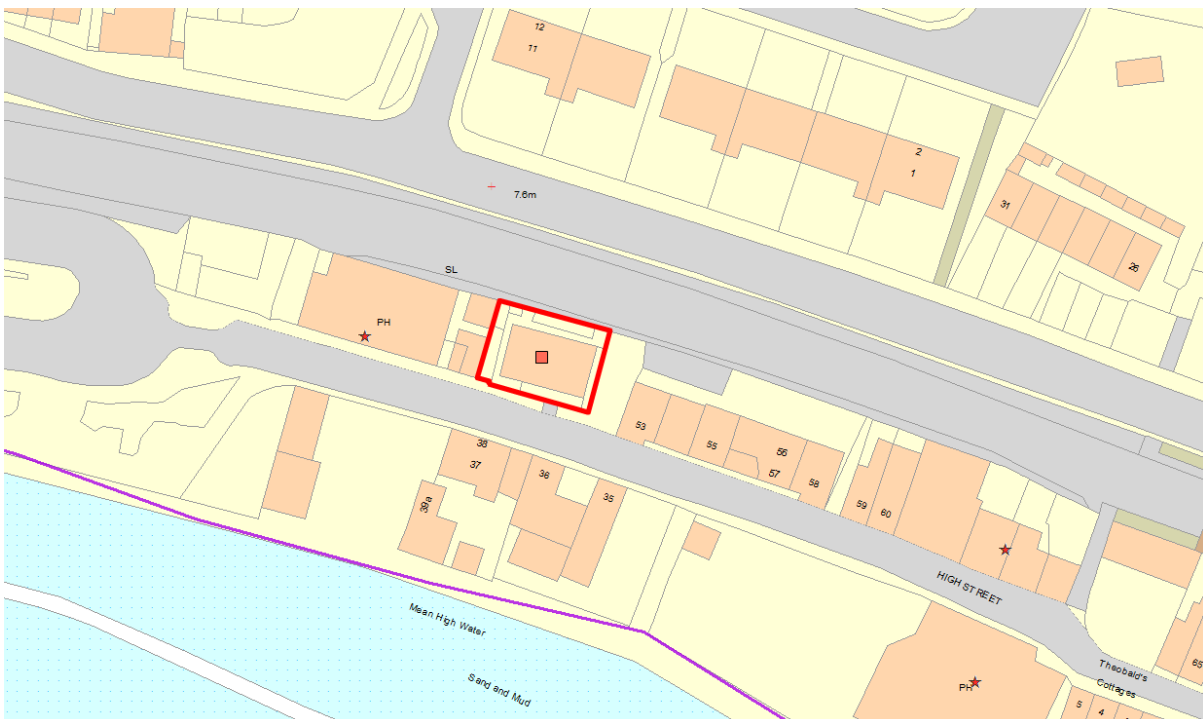
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<b>Reference:</b>	20/01467/FUL	<h1>6</h1>
<b>Application Type:</b>	Full Application	
<b>Ward:</b>	Leigh	
<b>Proposal:</b>	Erect single storey rear and side extension, lean to porch to west elevation, install metal canopy to front with corrugated metal roof, metal balustrading to front and side elevations and alter elevations	
<b>Address:</b>	Scout Hall, 52 High Street, Leigh-On-Sea	
<b>Applicant:</b>	Mr J Batson	
<b>Agent:</b>	Mr Colin Stone of Stone Me Ltd	
<b>Consultation Expiry:</b>	22nd October 2020	
<b>Expiry Date:</b>	8th January 2021	
<b>Case Officer:</b>	Abbie Greenwood	
<b>Plan Nos:</b>	<b>1920-01, 1920-02G, 1920-04D, 1920-05C, 1920-07a</b> <b>Design, Access and Heritage Statement</b> <b>Flood Risk Assessment</b>	
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION</b>	



## **1 Site and Surroundings**

- 1.1 The existing building dates from the early twentieth century and was originally built as the Fisherman's Chapel. It was more recently owned by Southend West Scouts however it is understood that the building has not been used by the scouts from some time. Planning permission was granted in 2018 for the conversion of the building to a restaurant under application reference 17/02280/FUL. Works have commenced on this project but have since stalled. The building is currently vacant.
- 1.2 The building is sited on a raised concrete plinth which affords it additional presence in the streetscene. It is a simple gabled form, clad with feather edged weather boarding which was originally stained black, but this has since worn off to give a more natural wood finish. The building has tall sash windows to the front which originally extended into the roof. The top sections have since been over clad with weatherboarding. The roof is modern felt which is considered to have a negative impact on the historic character of the building, particularly when viewed from Leigh Conservation Area to the north where it is more prominent. The original wrought iron railings to the raised terrace have also been lost. Nevertheless the building is still very distinctive and makes a positive contribution to the character of the conservation area. There is, however, potential for enhancement through the reinstatement of the lost features and materials.
- 1.3 The site is located at the western end of Leigh Old Town Conservation Area adjacent to the Crooked Billet Public House. The pub is grade II listed and one of the oldest buildings in the conservation area. The Billet marks the entrance to the Old Town from the west. The rest of the conservation area to the east contains some traditional and modern housing of modest scale, three other pubs and a few retail outlets.
- 1.4 To the rear of the site, across the railway, is the southern boundary of Leigh Conservation Area, which comprises the development on the hillside facing the Old Town.
- 1.5 The site is part in flood zone 3, part in flood zone 2 and part in flood zone 1.

## **2 The Proposal**

- 2.1 The proposal is seeking to erect single storey rear and side extensions, a lean to porch to the west elevation, a metal canopy to the front with corrugated metal roof, metal balustrading to the front and side elevations and alter elevations.
- 2.2 The proposed extension will increase the width of the existing flat roofed addition at the rear of the building from 5.6m in width to 12.5m. The depth and height of the extension would be the same as the existing at 1.9m and 2.6m respectively (not including plinth). The extension is proposed to be clad in black timber weatherboarding with a flat roof to match the existing building. It will provide storage for the restaurant.
- 2.3 The canopy to the front will stretch the width of the building and provide shelter for the terrace in this location. The proposed canopy measures 12.2m in width and extends over the full depth of the terrace (1.4m) with a mono-pitched roof which has an eaves height of 2.5m and a maximum height of 3.3m above plinth level. The canopy will be constructed of black painted metal posts with a corrugated metal roof.

- 2.4 A smaller canopy/porch is proposed to the west side near to the rear of the building to provide shelter for the rear door. This addition measures 2.1m wide and 2.2m deep. It also has a mono-pitched roof with an eaves height of 2.5m and a maximum height of 3.3m above plinth level and will be constructed of metal with a corrugated metal roof to match the front canopy.
- 2.5 The application also includes metal balustrading to the terrace and two sets of French doors to the front. The metal balustrading is the same as that approved under application reference 17/02280/FUL. The French doors are the same as that proposed under the pending application 20/01518/AMDT.

### **3 Relevant Planning History**

- 3.1 20/01518/AMDT - Application to vary conditions 02 (approved plans), 04 (details of new doors, new dormer windows and terrace balustrading/railings) and 13 (operate as restaurant only) - amendments to fenestration and to provide takeaway facilities - (Minor Material Amendment to Planning Permission 17/02280/FUL dated 25.01.2019) – pending consideration
- 3.2 18/01760/AD - Application for approval of details pursuant to condition 03 (Details of Materials), condition 04 (Details of Doors and Balustrades), condition 05 (Details of Waste Storage), condition 06 (Details of Cycle Storage), condition 07 (Details of Chimney) and condition 08 (Details of Extraction and Mitigation) of planning permission 17/02280/FUL dated 4/4/2018 – details agreed
- 3.3 17/02280/FUL - Change of use from scout hall/gym (class D2) to restaurant (class A3), install extract flue to rear, refuse area to west side and alter front elevation – granted

### **4 Representation Summary**

#### **4.1 Public Consultation**

33 neighbouring properties were consulted, a site notice posted and a press notice published. A second consultation was undertaken in relation to amended plans. In total 24 letters of representation have been received for the two consultations raising the following summarised issues:

- Impact on neighbour amenity
- Increased rubbish and pollution
- There are enough eating establishments and licenced premises in the Old Town
- Impact on heritage character of the building
- Nuisance caused by customers blocking the street
- Out of keeping
- Awning inappropriate
- Impact on fishing village character
- Concerns over ownership of land to the west
- Inaccuracies in Design Statement and application form
- Lack of disabled access
- Loss of privacy
- Overdevelopment
- Traffic, parking and congestion and safety of pedestrians

- Noise
- Concerns over gentrification of the Old Town
- Public safety and antisocial behaviour
- Lack of site notice and website issues
- Kitchen smells
- The awning will enable the plinth to be used for longer adding to noise and privacy concerns
- No space for queuing customers
- The opening hours are too late in this residential location

Officer Comment: These concerns are noted and those that represent material planning considerations have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case. It is noted that some of these concerns relate to the use of the building as a restaurant which has been previously consented or as a takeaway which does not form part of this application.

### **Natural England**

- 4.2 No objection.

### **National Grid**

- 4.3 There is a low or medium pressure gas pipes within the vicinity of this proposal (west side of the building). The applicant is advised to contact Cadent regarding this.

### **Call In**

- 4.4 The application has been called to committee by Councillor Mulroney.

## **5 Planning Policy Summary**

- 5.1 The National Planning Policy Framework (NPPF) (2019)
- 5.2 National Planning Policy Guidance
- 5.3 National Design Guide (2019)
- 5.4 Core Strategy (2007) Policies KP1(Spatial Strategy), KP2 (Development Principles), CP2 (Town Centre and Retail Development), CP3 (Transport and Accessibility ) CP4 (The Environment and Urban Renaissance), CP6 (Community Infrastructure)
- 5.5 Development Management Document (2015) policies DM1 (Design Quality), DM2 (Low Carbon and Development and Efficient Use of Resources) DM3 (Efficient and effective use of land), DM5 (Southend-on-Sea's Historic Environment), DM6 (The Seafront) and DM15 (Sustainable Transport Management)
- 5.6 Southend Design & Townscape Guide (2009)
- 5.7 Leigh Old Town Conservation Area Appraisal (2010)
- 5.8 Community Infrastructure Levy (CIL) Charging Schedule (2015)



## **6 Planning Considerations**

- 6.1 The main considerations in relation to this application are the principle of development including flood risk, design and impact on the character and significance of the historic building and the wider Leigh Old Town Conservation Area, any impact on residential amenity and CIL. As the proposal relates to canopies and a rear extension only, it is considered that there would be no highways implications arising from this proposal.

## **7 Appraisal**

### **Principle of Development**

- 7.1 The proposal seeks to make alterations to the building. The change of use to a restaurant has been previously granted under application reference 17/02280/FUL and work has commenced but has not been completed. The principle of the development in this instance relates to the proposed extensions and alterations only.
- 7.2 This proposal is considered in the context of the above policies. These policies and guidance support alterations and extensions to properties where they respect the character of the existing building and wider conservation area and the amenities of neighbours. The principle of extensions in this location is therefore acceptable.
- 7.3 The site is part within flood zone 3, part within flood zone 2 and part within flood zone 1. The proposal relates to extensions only which are located at the higher ground level which are looking to provide canopies or store rooms and constitute a 'less vulnerable' use. The proposal will not lead to an increased flood risk. It is therefore considered that the principle of the development is acceptable subject to the detailed considerations set out below.

### **Design and Impact on the Character of the Area**

- 7.4 Section 69 of the Planning (Listed Building and Conservation Areas) Act 1990 defines conservation areas as '*areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance*'. In determining this application the Council has a statutory duty under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that special attention should be paid to the desirability of preserving or enhancing the character and appearance of Conservation Areas.
- 7.5 Paragraph 124 of the NPPF states '*the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations and how these will be tested, is essential for achieving this.*'

- 7.6 Policy KP2 of the Core Strategy advocates the need for all new development to respect the character of the existing neighbourhood where appropriate and secure urban improvements through quality design. Policy CP4 of the Core Strategy states that development proposals will be expected to contribute to the creation of a high quality, sustainable, urban environment which enhances and complements the natural and built assets of Southend by maintaining and enhancing the amenities and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development.
- 7.7 Policy DM1 of the Development Management Document advocates the need for the Council to support proposals that add to the overall quality of an area, respect the character of the site, its local context and surroundings giving appropriate weight to the protection of heritage assets.
- 7.8 Policy DM5 of the Development Management Document seeks to protect the special character of the Boroughs Conservation Areas. In relation to this the pre ample to Policy DM5 of the Development Management Document states that:
- 'To conserve and enhance the character and quality of the Conservation Areas, development proposals, both traditional and modern, will have to be carefully considered and demonstrate a high quality design that not only integrates with the surroundings but also conserves and enhances its intrinsic character and distinctiveness.'*
- 7.9 Policy DM6 of the Development Management Document also seeks to protect the unique character of the seafront including Leigh Old Town.
- 7.10 The problems and pressures facing the conservation area are identified in the Leigh Old Town Conservation Area Appraisal which states that:
- '6.1.1 The primary pressure on the Conservation Area is the need for the businesses to operate in a modern and profitable manner. This is resulting in loss of character owing to increasingly inappropriate advertising and signage, cheap and ugly additions to buildings and inappropriate boundary treatments among other problems.'*
- 6.6.6 The number of tourists visiting in fine weather puts pressure on the town in the same way as it does in most resorts. This has an impact on car parking and traffic levels as well as pubs and cafes which must stretch to accommodate these.'*
- 7.11 The existing building was originally a chapel. It has simple elevations which are domestic in appearance. The building makes a positive contribution to the character of the conservation area.
- 7.12 The policies above support improvements to the leisure offer in the Old Town provided these are not at the expense of its heritage assets including the special character of historic buildings in the conservation area.
- 7.13 The proposal is seeking planning permission to install a canopy to the front to provide shelter for the outside dining terrace. The canopy design takes its reference from other original canopies in the area, including on other weatherboarded buildings in Leigh Hill, a short distance to the north east. These existing canopies are characterised by their distinctive metal corrugated roofs and are supported on timber or metal posts.

There are examples of both simple and more decorative designs for the supporting framework in the local area. Given the simplicity of the existing building, a metal frame with simple detailing is proposed.

- 7.14 The proposed canopy will alter the front elevation of the building; however, it is considered that the simple detailing and materials, on balance, demonstrate that this new feature can sit comfortably with the character of the existing building and that of the wider conservation area. It is therefore considered to be an acceptable addition to the building subject to a conditions relating to materials and controlling lighting and outside heaters which, if proposed, will need to be carefully integrated into the overall design.
- 7.15 The proposed canopy feature will be complemented by traditional metal railings around the terrace. These railings have been previously agreed under application reference 17/02280/FUL and remain acceptable. It is also proposed to change two windows on the front to French doors. This element of the proposal is the same as that proposed in application reference 20/01518/AMDT which is also pending consideration. The new doors have been designed to reference the main entrance in their proportion and detailing but will have full height small pane glazing rather than half height glazing. Full details of the proposed doors have been submitted with the application. This confirms that they will be timber and the glazing detail will be consistent with the remaining windows on the frontage. The reinstatement of the dormer glazing at high level remains part of the proposal. The principle of new fenestration has previously been accepted under application reference 17/02280/FUL. The proposed change will alter the look of the building from the street, however, the new doors have been designed to match in with the existing arrangement in terms of proportion and detailing. This will ensure that they do not look out of place on the building or in the wider context.
- 7.16 A small open canopy/porch is also proposed to the west elevation towards the rear of the building. This is a smaller version of the front canopy and uses matching materials. The canopy is remote from the street frontage and will therefore have a limited impact on the character of the existing building and wider conservation area.
- 7.17 To the rear it is proposed to extend the width of the existing flat roofed rear extension which runs behind the building. This will provide additional storage and WC facilities for the new restaurant. This element of the proposal will not be prominent in views from the High Street as it will be mostly obscured by the existing building. It will be more visible from New Road to the rear, which forms the southern boundary of Leigh Conservation Area, however, the railway provides a buffer on this side. On balance, it is considered that this addition will have an acceptable impact on the character, appearance and setting of the existing building and both conservation areas.
- 7.18 Overall, therefore, it is considered that the proposal would, on balance, have an acceptable impact on the character, appearance and setting of the existing building and the two conservation areas and is policy compliant in this regard.

### **Impact on Residential Amenity**

- 7.19 Policy DM1 of the Development Management Document requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities *“having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight.”*

- 7.20 Neither the proposed extension nor canopy additions are set close to neighbours because the building is surrounded on all sides by open areas/driveways, the street and the railway. It is therefore considered that the additions themselves would not have an unacceptable impact on the amenities of neighbours in any regard and the proposal is acceptable and policy compliant in this regard.
- 7.21 The proposal also includes the change of two windows on the front to French doors which lead onto the terrace and a canopy. Concerns have been raised that this could increase customer noise escaping from the restaurant. The previously approved application reference 17/02280/FUL included a condition which required that the terrace was closed to customers from 2200 to close of business (2400) each day. It is recommended that this condition originally imposed on the 2017 consent relating to the hours of use of the terrace be amended to also include a requirement to ensure that the terrace doors are also closed after this time to prevent noise escaping from the main dining area in the later hours. The inclusion of a canopy does not alter this condition, however, it is considered reasonable to include a condition relating to outside lighting for the canopy feature as this has a potential to impact on neighbours as well as visual amenity. Subject to these conditions, it is considered that the proposed alteration of the front elevation to include French doors and a canopy would not have an unacceptable impact on the amenities of neighbours.
- 7.22 Subject to this condition, the proposal is considered to be acceptable and policy compliant in its impact on neighbour amenity in all regards.

### **Traffic and Transportation Issues**

- 7.23 The proposal is for extensions and alterations to the building only and will not impact on parking, cycle parking, waste and recycling or traffic and transportation issues. Conditions relating to refuse and recycling and cycle storage from the change of use application still apply under planning permission 17/02280/FUL. The proposal is therefore considered to be policy compliant in this regard.

### **Community Infrastructure Levy (CIL)**

- 7.24 The proposal for the existing property equates to less than 100sqm of new floor space, the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable.

## **8 Conclusion**

- 8.1 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The principle of the development is found to be acceptable and the proposal would, on balance, have an acceptable impact on the character and appearance of the application site, the street scene and the conservation areas more widely. The impact on the amenities of neighbouring occupiers and highways impacts of the proposal are acceptable. This application is therefore recommended for approval subject to conditions.

## **9 Recommendation**

### **9.1 MEMBERS ARE RECOMMENDED TO GRANT PLANNING PERMISSION 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 only in accordance with the following approved plans 1920-02G, 1920-04D, 1920-05C 1920-07a**

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

**03 The materials for the development hereby approved shall only be black painted metal framing and black painted corrugated metal sheeting (13/3 0.7 thick galvanized corrugated roofing sheets by Cladco Roofing) for the canopies, stained matt black timber featheredged weatherboarding for the walls, flat roof with matt black painted timber fascia for the new extension, black painted acoya timber with 6mm laminated safety glass to British Standard BS6206 for the windows and doors, black painted wrought iron for the terrace balustrade, black quarry tiles for the terrace flooring, red stock brick slips, lead capping and traditional clay pots for the flue chimney, no change to the existing roof covering or guttering, black painted timber gates to waste storage area and cycle storage areas.**

**Reason: To safeguard character and appearance of the historic building and the surrounding Leigh Old Town and Leigh Conservation Areas in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3, DM5 and DM6 of the Development Management Document (2015) and advise contained within the Southend Design and Townscape Guide (2009).**

**04 Prior to the first occupation of the development hereby approved, the canopies, windows and doors shall be installed in full accordance with the details set out on plan references 1920-05C and 1920-07a. The terrace balustrading shall be black painted 16mm bars with finial style F (W Farthing & Sons) and flat top posts as set out in email from agent dated 9.12.20. 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: A condition is needed to safeguard character and appearance of the historic building and the surrounding Leigh Old Town Conservation Area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3, DM5 and DM6 of the Development Management Document (2015) and advise contained within the Southend Design and Townscape Guide (2009).**

**05 Notwithstanding the provisions of the Town and Country Planning Act (1990) (as amended) and the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order or Act of Parliament revoking and re-enacting that legislation with or without modification, no external lighting or outside heaters shall be installed on the building or canopies other than in accordance with details that have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details before the development is occupied or brought into use. 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).**

**06 The entire raised terrace area shall not be used by customers for the consumption of food or drink or for smoking from 22:00 hours until the close of business on all days. Additionally all doors accessing the terrace shall be closed, except temporarily for access and egress, from 22:00 to 09:00.**

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

**07 The class A3 (restaurant) use shall not be open to customers outside the following times: 09:00 until 24:00 hours on Monday to Sundays including Bank Holidays from May through to and including September and 12:00 until 24:00 hours Mondays to Sundays including bank holidays from October through to and including April. The ancillary takeaway element of this operation shall not be available to customers outside the following times: 09:00 and 21:00 Mondays to Sundays including bank Holidays.**

**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).**

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

**Reason: In the interests of the amenities of neighbours pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 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:**

**01 You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) for further details about CIL.**

**02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.**

**03 The applicant is advised that the conditions relating to the change of use to a restaurant on planning permission 17/02280/FUL, or any amendment to this application, still apply. This includes ensuring that the unauthorised galvanised metal cowl and galvanised metal grille that have been installed on the rear roofslope, which do not accord with the previously approved details, are removed. Failure to do this within a timely manner is likely to result in enforcement action.**

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This drawing must be read with and checked against any structural or other specialist drawings provided.

Any discrepancies found on this drawing are to be notified to STONE ME! DESIGN LTD prior to commencement of work.

The contractor is to comply in all respects with the current Building Regulations whether or not specifically stated on these drawings.

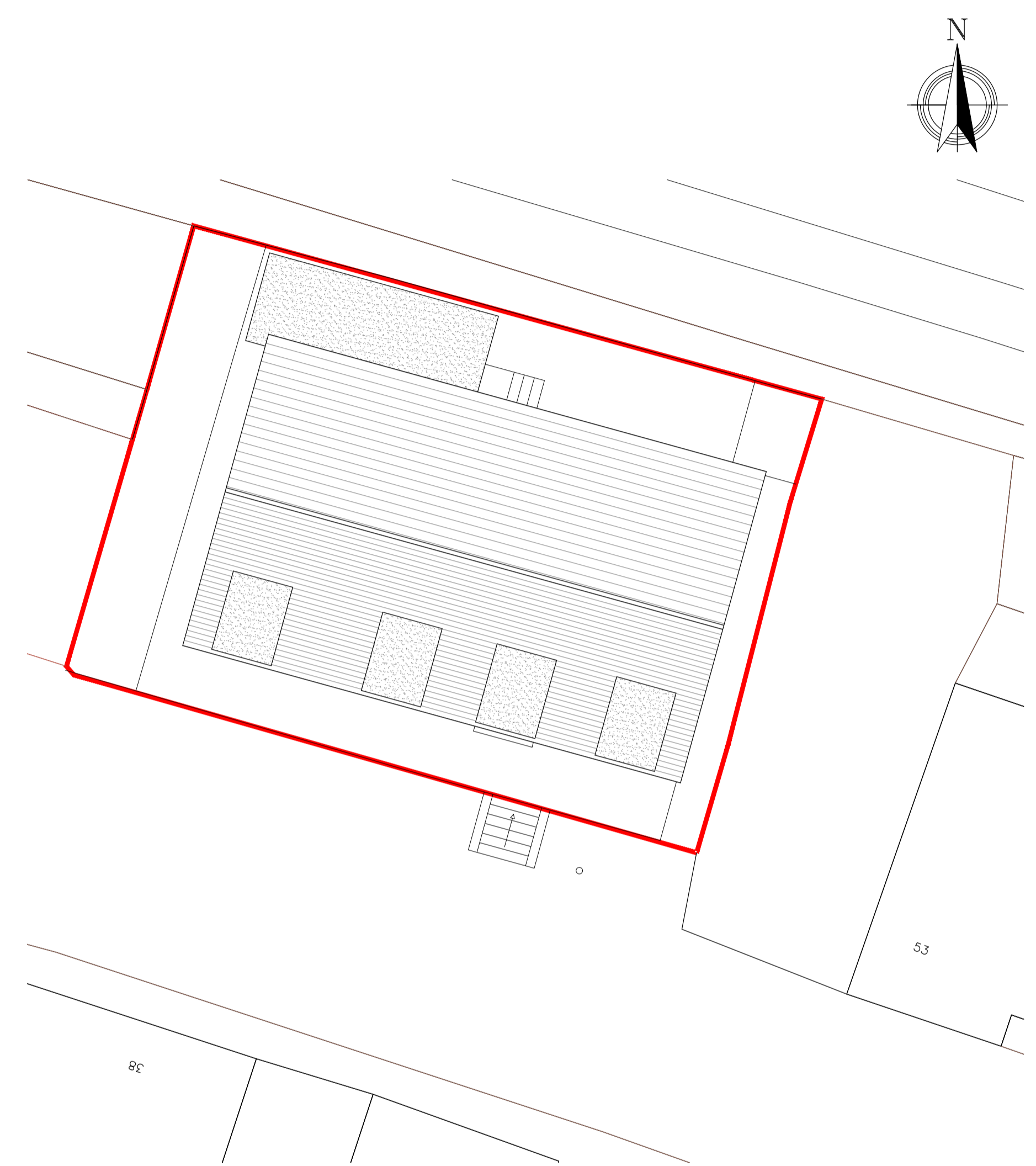
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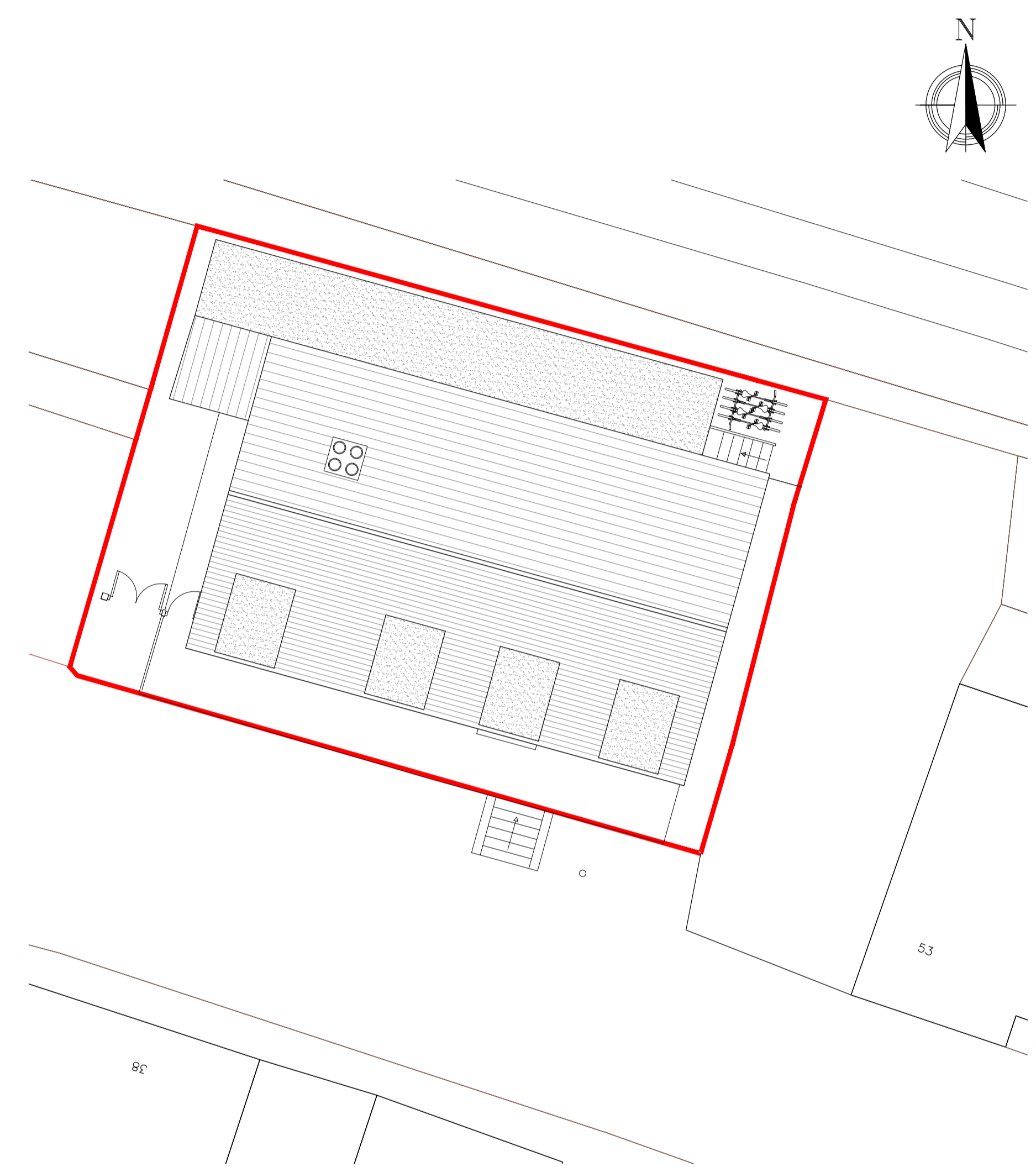
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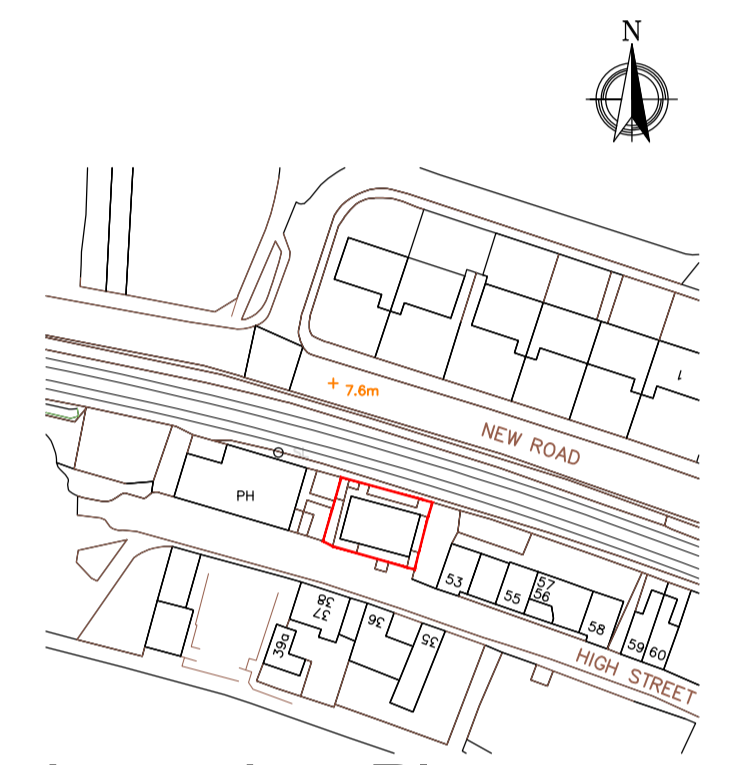
75



**Existing Site Plan**  
Scale 1:100

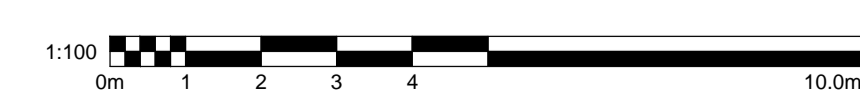


**Proposed Site Plan**  
Scale 1:100



**Location Plan**  
Scale 1:1250

REV:	DATE:	AMENDMENT:
<p><b>STONE Me!</b> ARCHITECTURE &amp; INTERIOR DESIGN 5 FOUNTAIN LANE, HOCKLEY, ESSEX, SS5 4ST Tel: 01702 203333 E: info@stoneme.com W: www.stoneme.com</p>		
Client:	MR J BATSON	
Project:	Scout Hall 52 High Street Leigh-On-Sea, Essex, SS9 2EP	
Drawing:	EXISTING AND PROPOSED SITE PLANS WITH LOCATION PLAN	
Issue:	Client	Pre-App Planning B.Cont As Built Other
Date:	15.07.2020	Scale: 1:100 @ A1
Project No.:	1920	Drawing No.: 04D

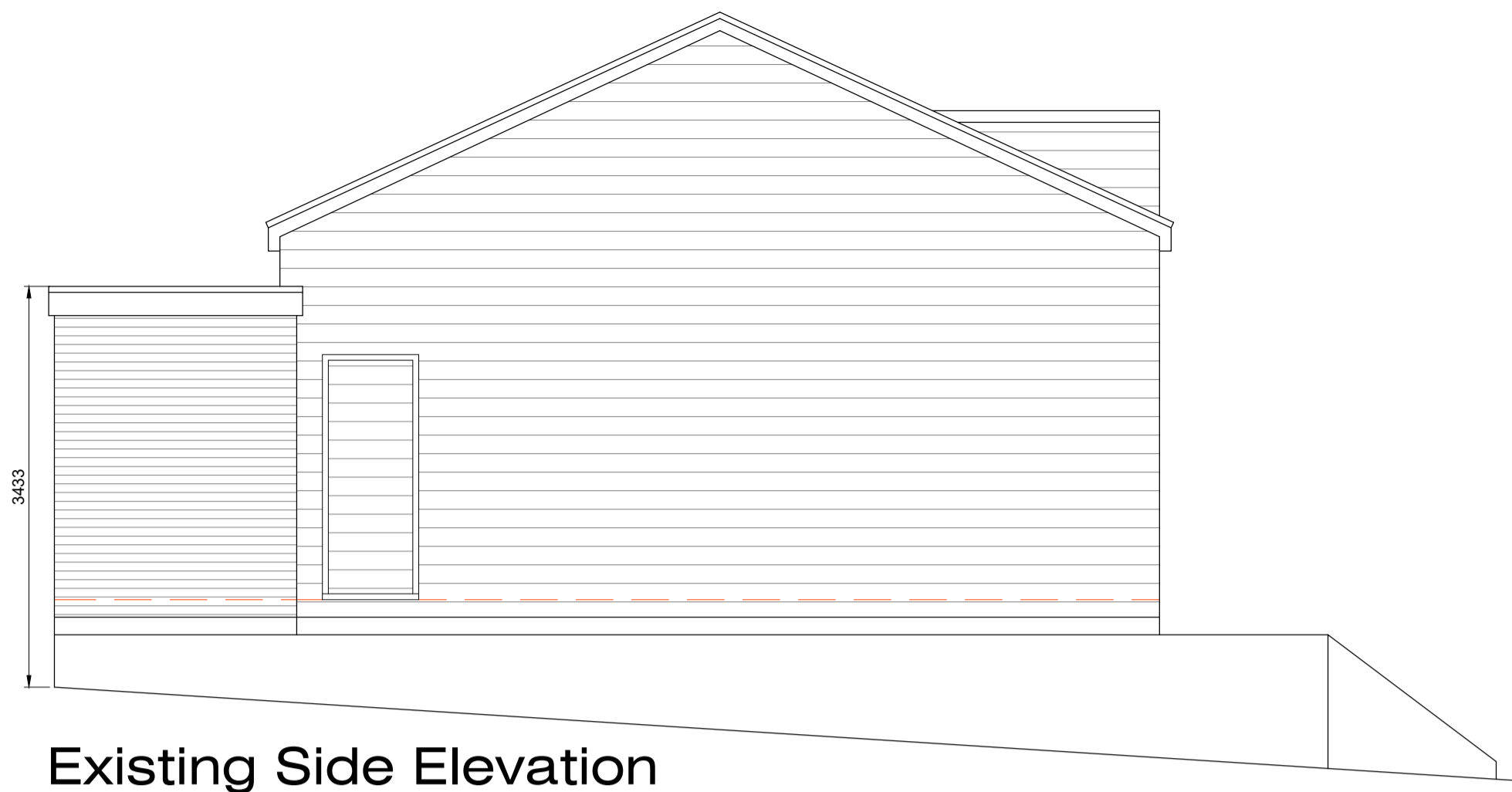


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**Existing Front Elevation**

Scale 1:50



**Existing Side Elevation**

Scale 1:50

The contractor is to check and verify all building and site dimensions, levels, and sewer invert levels at connection points before work starts.

This drawing must be read with and checked against any structural or other specialist drawings provided.

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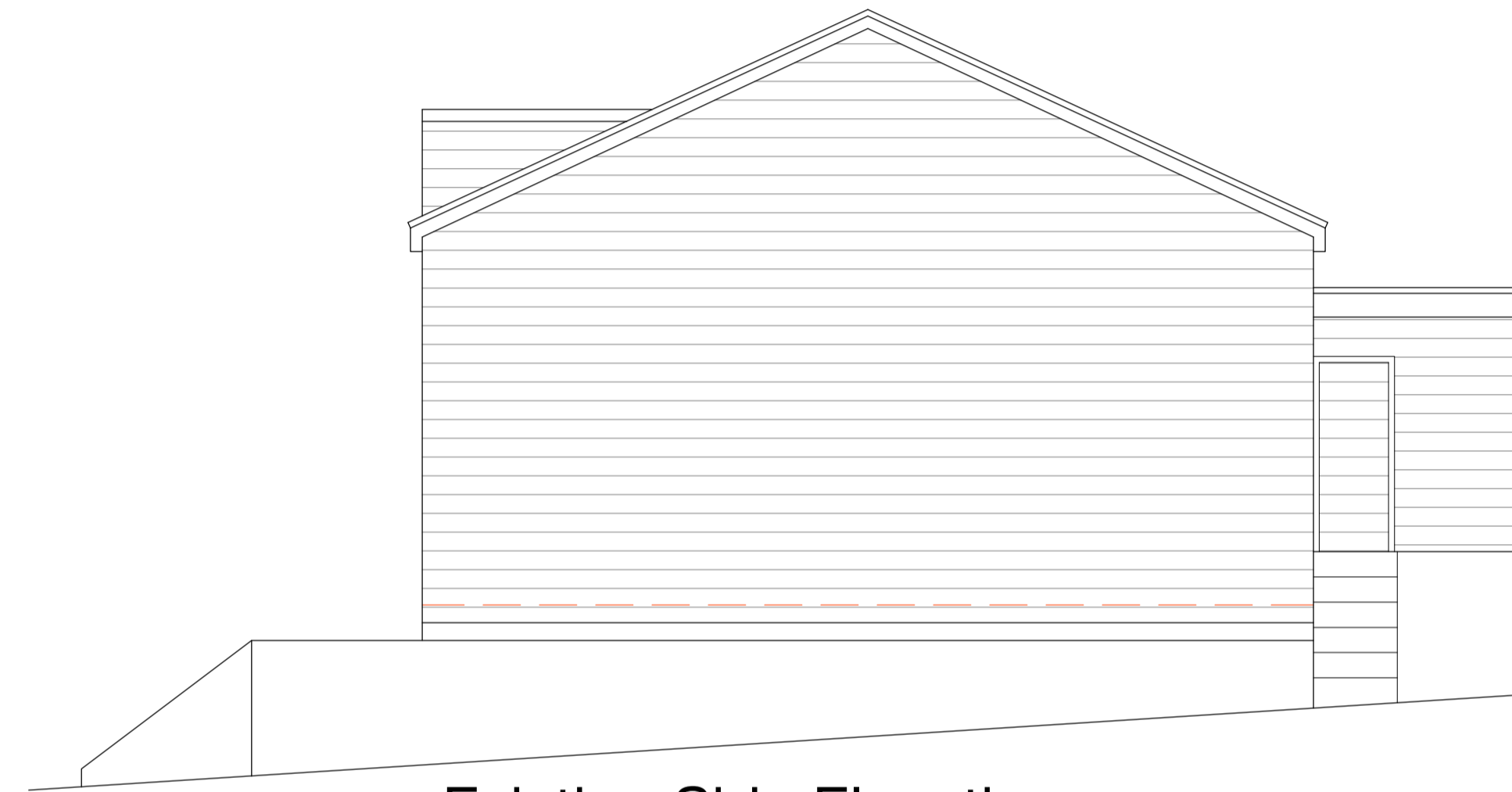
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**Existing Rear Elevation**

Scale 1:50



**Existing Side Elevation**

Scale 1:50



**Existing Ground Floor Plan**

Scale 1:50

REV:	DATE:	AMENDMENT:
5 FOUNTAIN LANE, HOCKLEY, ESSEX, SS5 4ST Tel: 01702 203333 E: info@stoneme.com W: www.stoneme.com		
Client:	MR J BATSON	
Project:	Scout Hall 52 High Street Leigh-On-Sea, Essex, SS9 2EP	
Drawing:	EXISTING FLOOR PLANS AND ELEVATIONS	
Issue:	Client	Pre-App Planning B.Cont As Built Other
Date:	15.07.2020	Scale: 1:50 @ A1
Project No.:	1920	Drawing No.: 01

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**Proposed Front Elevation**

Scale 1:50



**Proposed Side Elevation**

Scale 1:50

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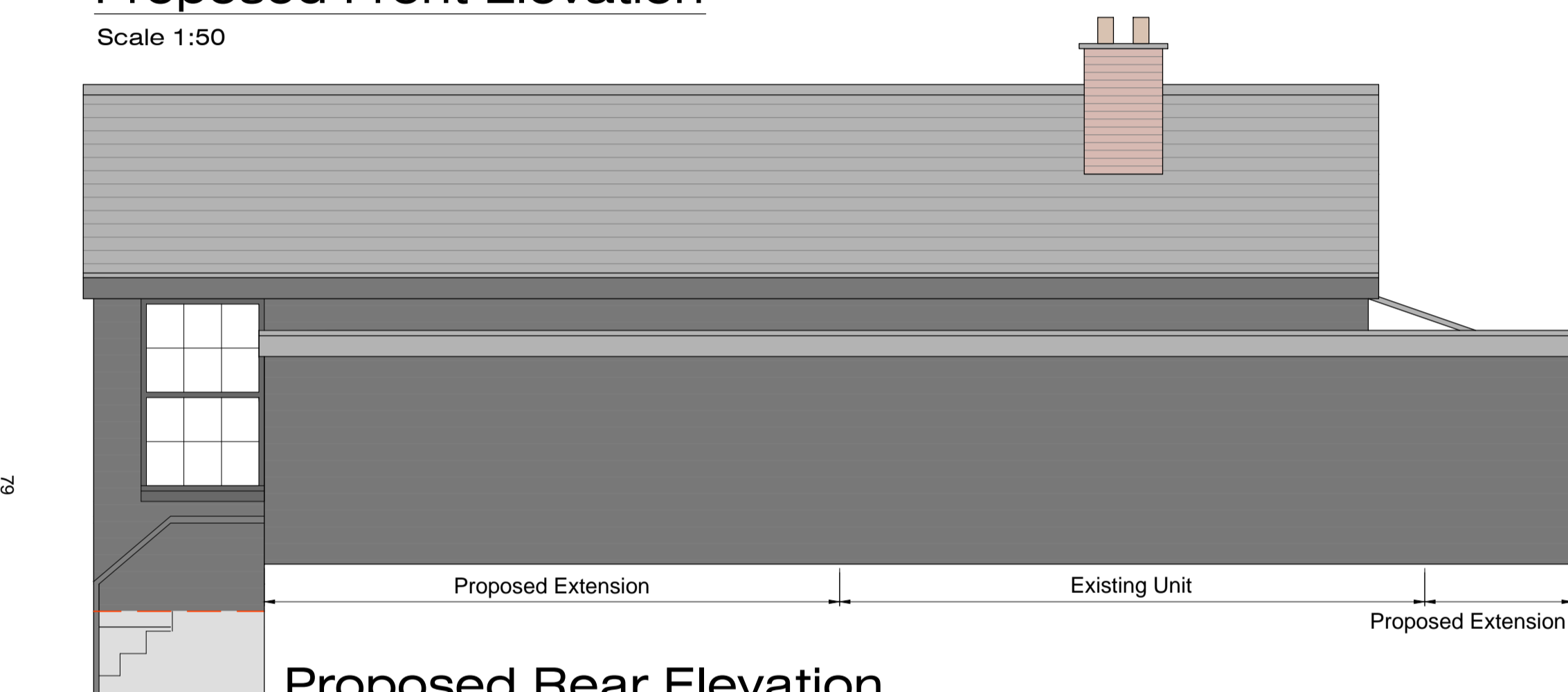
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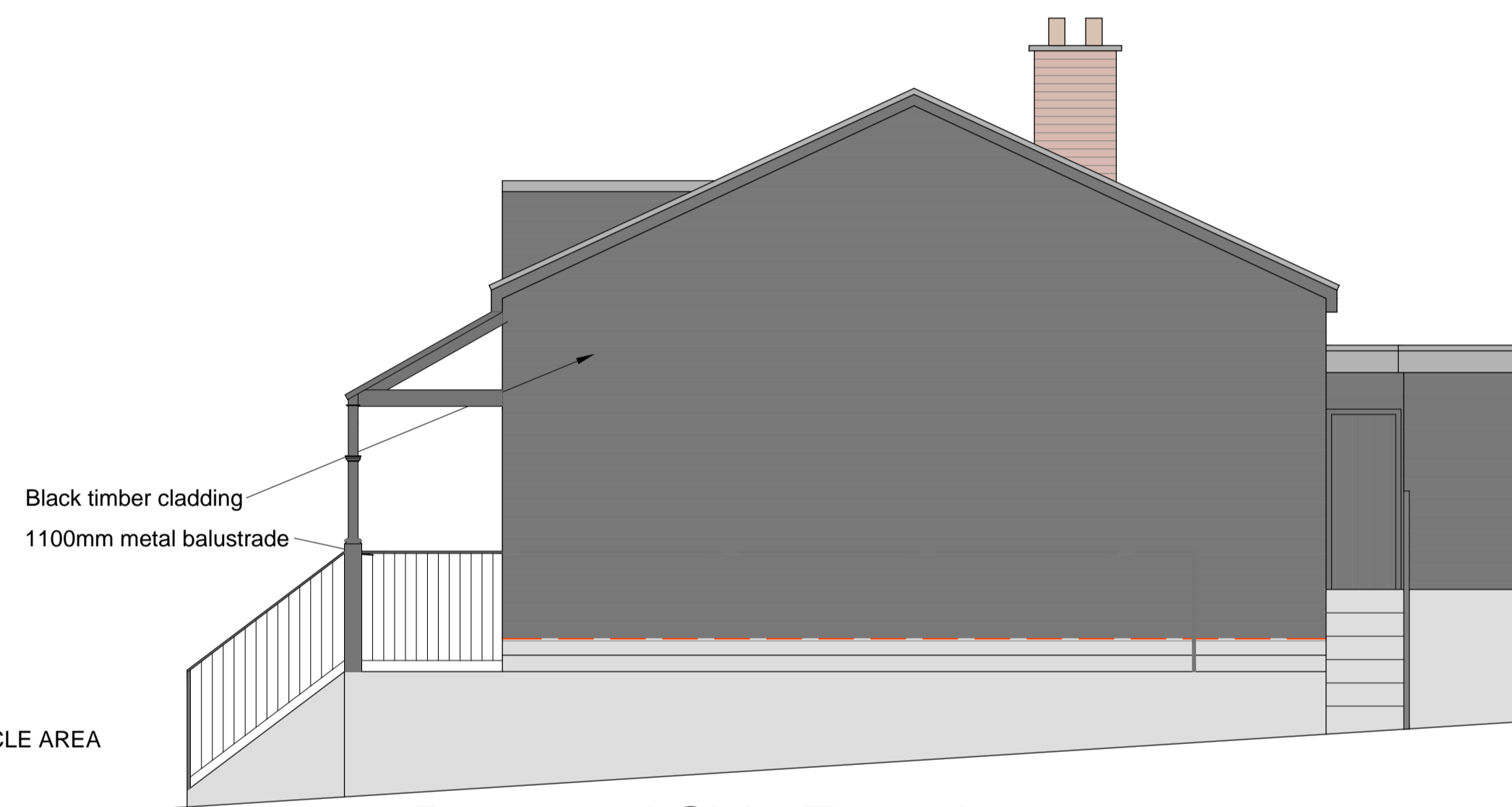


Proposed Logo Design



**Proposed Rear Elevation**

Scale 1:50



**Proposed Side Elevation**

Scale 1:50



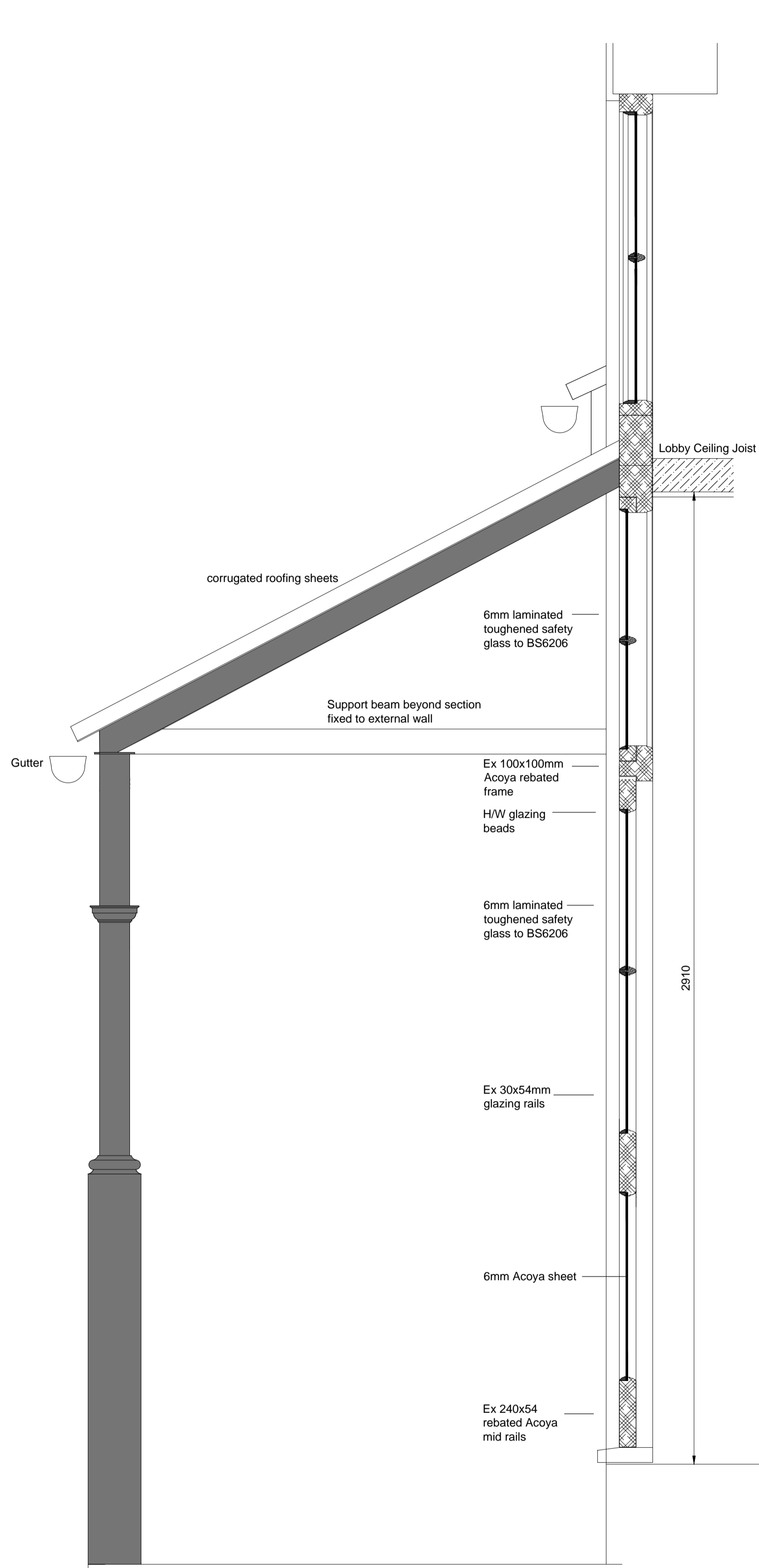
**Proposed Ground Floor Plan**

Scale 1:50

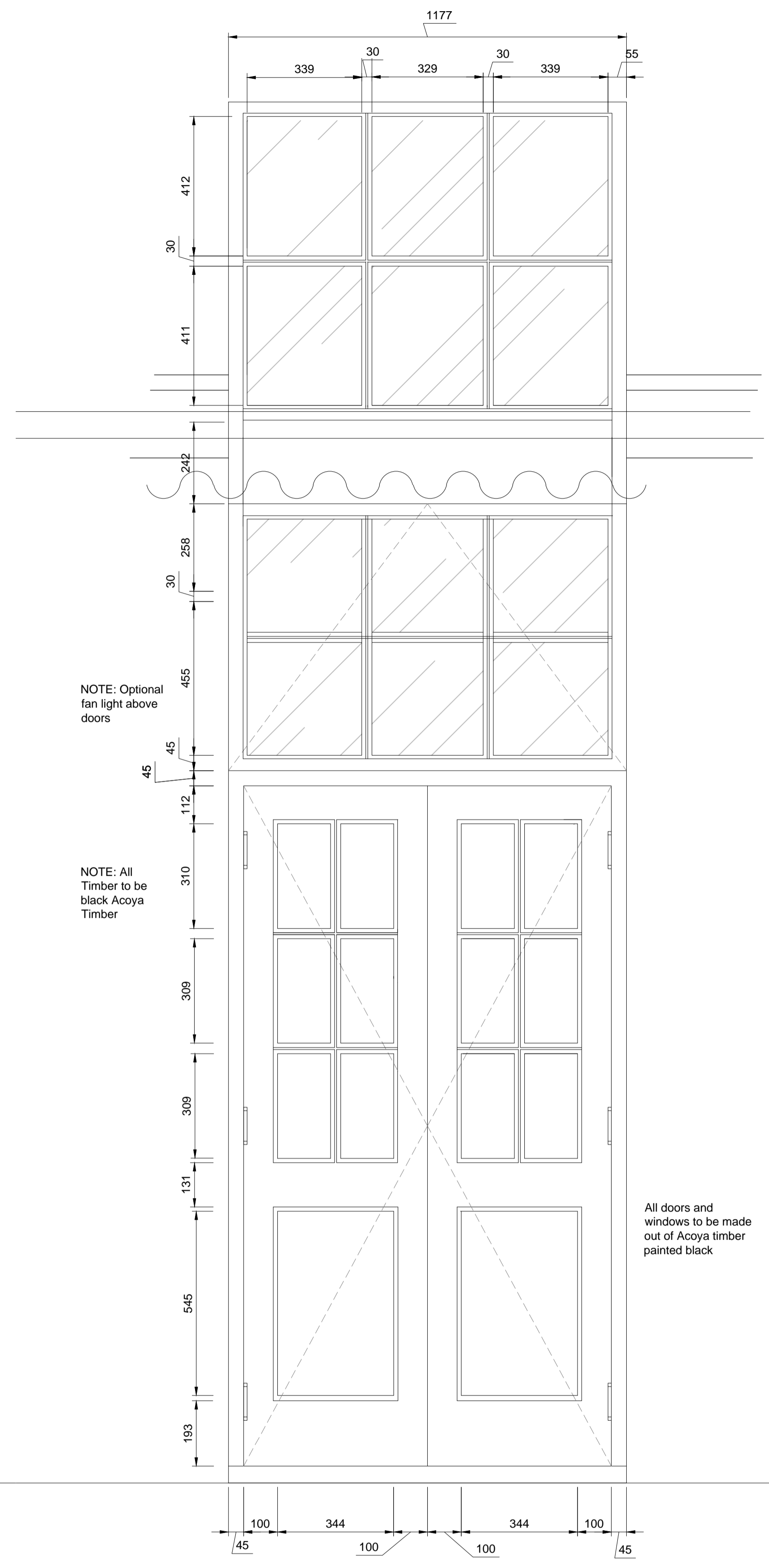
REV:	DATE:	AMENDMENT:
5 FOUNTAIN LANE, HOCKLEY, ESSEX, SS5 4ST Tel: 01702 203333 E: info@stoneme.com W: www.stoneme.com		
Client:	MR J BATSON	
Project:	Scout Hall 52 High Street Leigh-On-Sea, Essex, SS9 2EP	
Drawing:	PROPOSED FLOOR PLANS AND ELEVATIONS - PLANNING	
Issue:	Client	Pre-App Planning B.Cont As Built Other
Date:	15.07.2020	Scale: 1:50 @ A1
Project No.:	1920	Drawing No.: 02G

1:100  
0m 1 2 3 4 10.0m

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**Full Height Entrance Door Detail**  
Scale 1:10



All doors and windows to be made out of Acoya timber painted black

The contractor is to check and verify all building and site dimensions, levels, and sewer invert levels at connection points before work starts.

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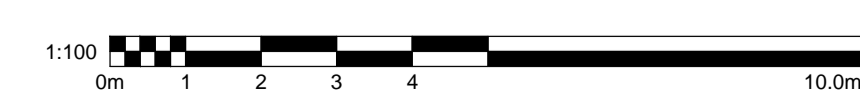
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REV:	DATE:	AMENDMENT:
<p>5 FOUNTAIN LANE, HOCKLEY, ESSEX, SS5 4ST Tel: 01702 203333 E: info@stoneme.com W: www.stoneme.com</p>		
Client:	MR J BATSON	
Project:	Scout Hall 52 High Street Leigh-On-Sea, Essex, SS9 2EP	
Drawing:	TIMBER FRAME DOOR AND WINDOW DETAIL	
Issue:	Client	Pre-App Planning B.Cont As Built Other
Date:	15.07.2020	Scale: 1:20 / 1:50 @ A1
Project No.:	1920	Drawing No.: 07a



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The contractor is to check and verify all building and site dimensions, levels, and sewer invert levels at connection points before work starts.

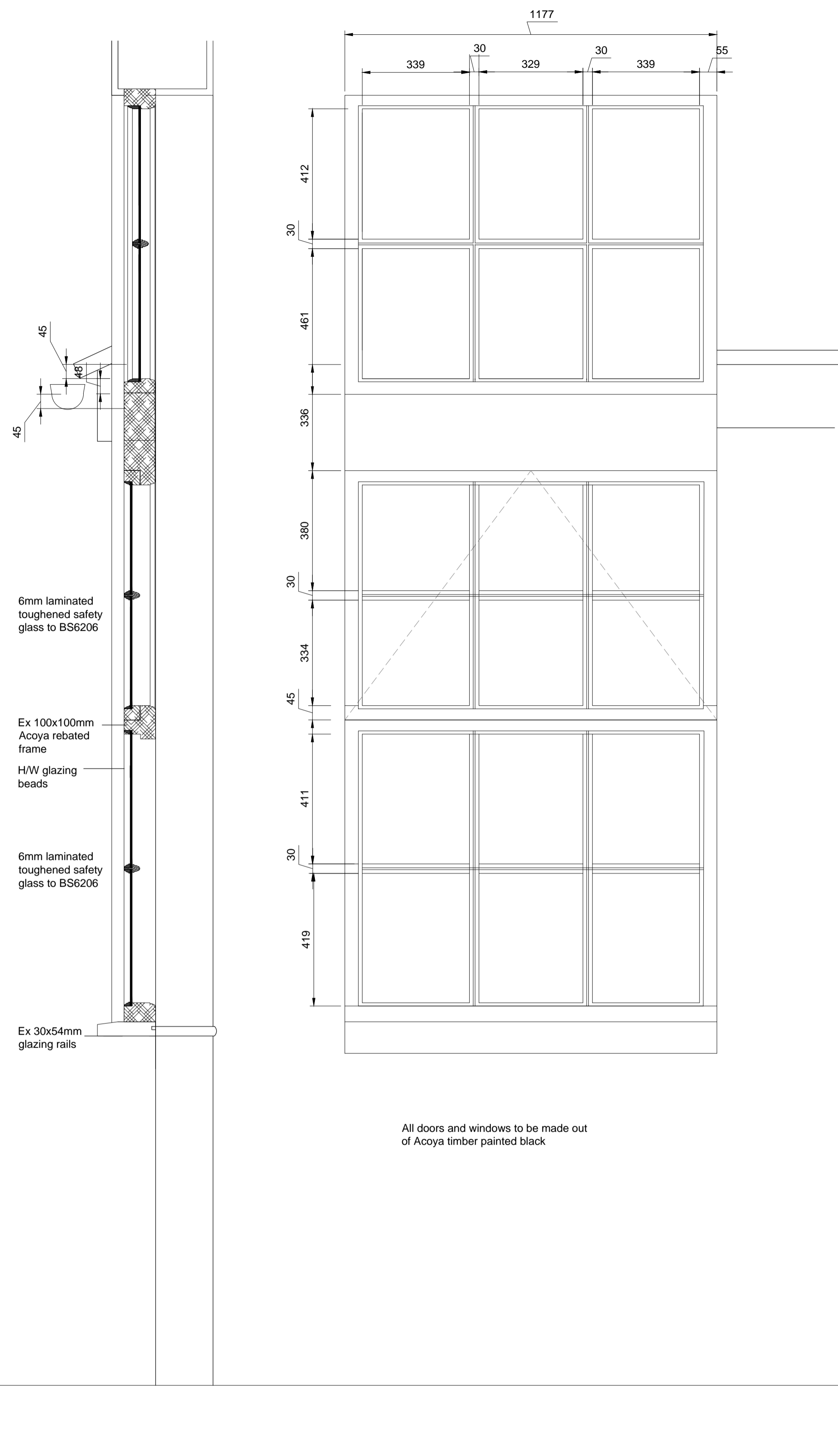
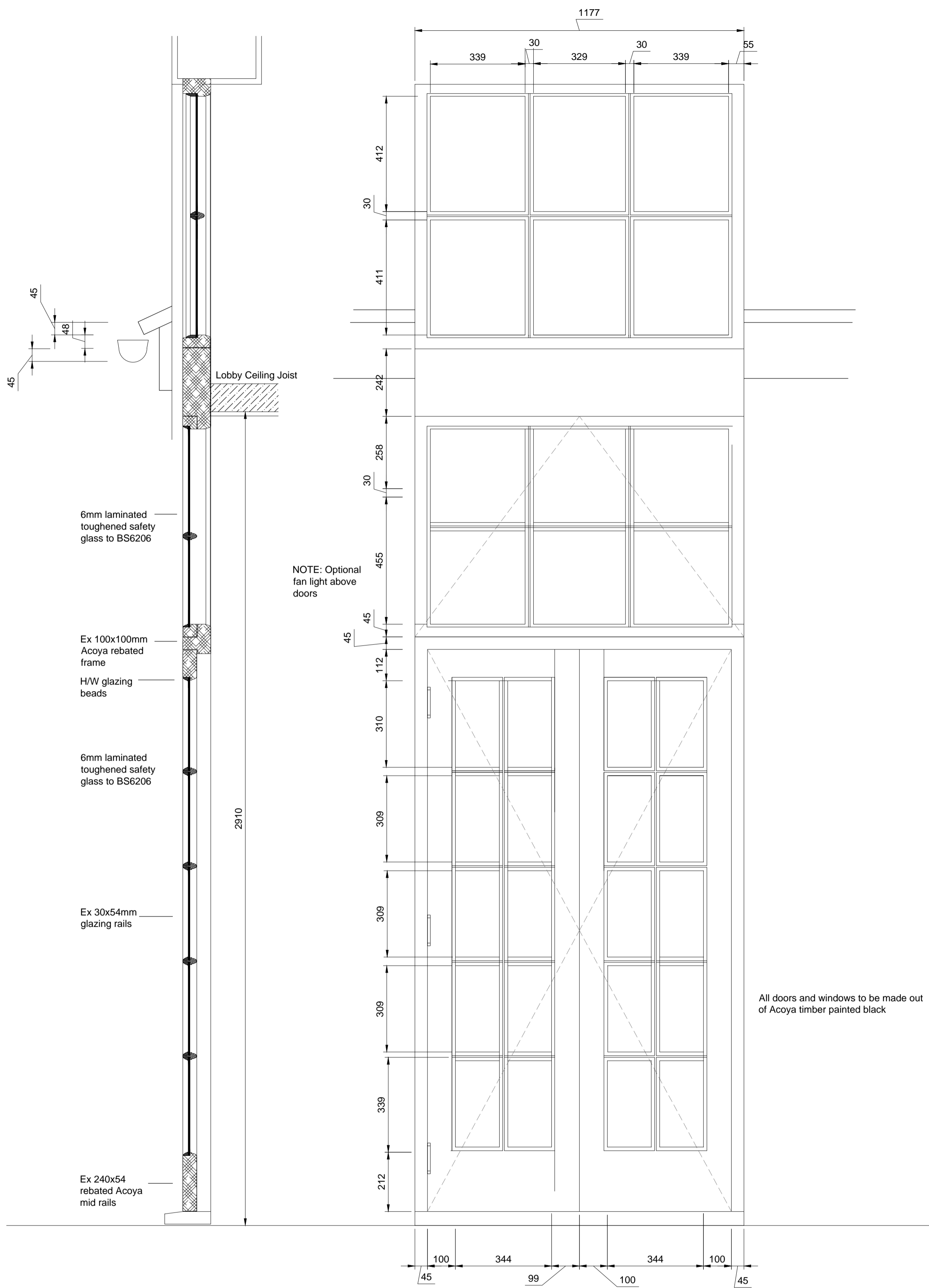
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**Full Height Door Detail**  
Scale 1:10

**Window Detail**  
Scale 1:10

REV:	DATE:	AMENDMENT:
<b>STONE Me!</b>		
ARCHITECTURE & INTERIOR DESIGN		
5 FOUNTAIN LANE, HOCKLEY, ESSEX, SS5 4ST Tel: 01702 203333 E: info@stoneme.com W: www.stoneme.com		
Client:	MR J BATSON	
Project:	Scout Hall 52 High Street Leigh-On-Sea, Essex, SS9 2EP	
Drawing:	TIMBER FRAME DOOR AND WINDOW DETAIL	
Issue:	Client	Pre-App Planning B.Cont As Built Other
Date:	15.07.2020	Scale: 1:20 / 1:50 @ A1
Project No.:	1920	Drawing No.:
		05C



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# Scout hut

October 2020





Warning  
Construction site  
Keep out

EJ18 WNO

88





Warning  
! Keep out

Site safety  
Warning  
All workers  
must wear  
hard hats  
at all times  
No smoking  
on site

Yellow sign with illegible text

28





38





68









Danger  
Keep out





92

THE  
CROOKED BILLET







37.8.9

93

UNIVERSITY OF  
SHEFFIELD  
SHEFFIELD  
SHEFFIELD





THE PETERBOAT

THE PETERBOAT

CHRISTMAS





95



Danger  
Keep out





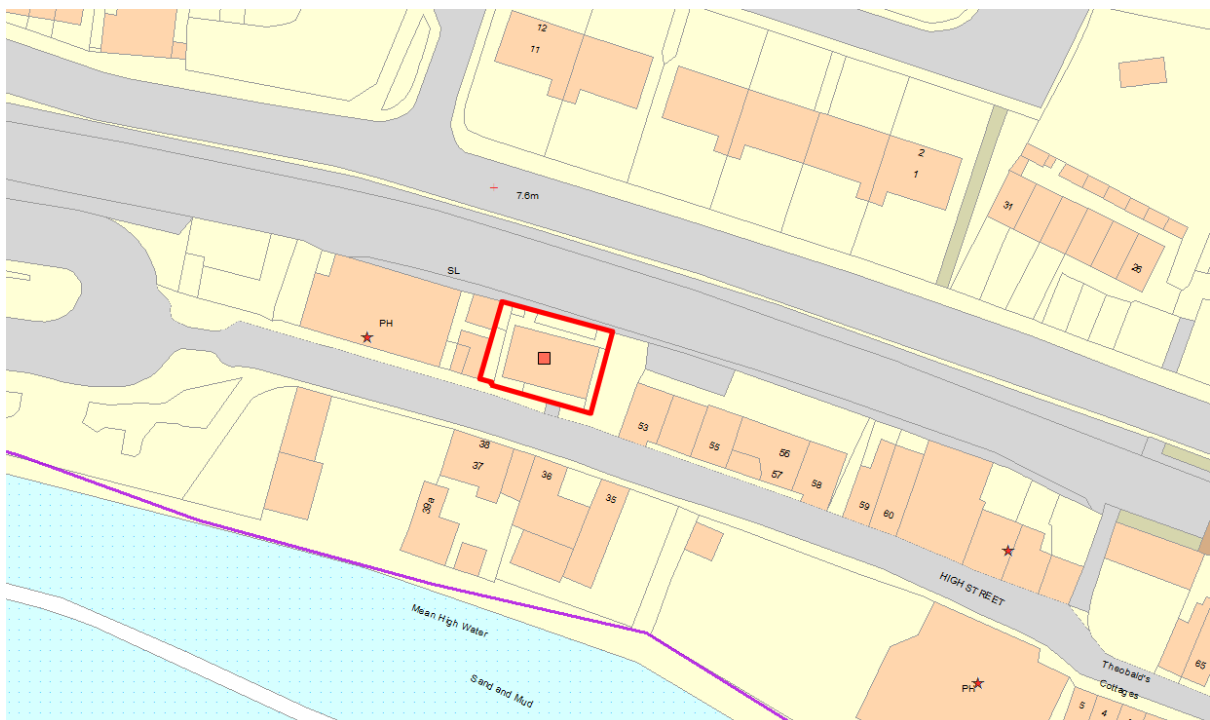
96

THE CROOKED BILLET

IN MEMORY OF OLLIE BUCKLEY

WAS IT TO BE SO SHY AND HARD TO FIND THOUGHTS FOR ME

<b>Reference:</b>	20/01518/AMDT	<b>7</b>
<b>Application Type:</b>	Minor Amendment	
<b>Ward:</b>	Leigh	
<b>Proposal:</b>	Application to vary conditions 02 (approved plans), 04 (details of new doors, new dormer windows and terrace balustrading/railings) and 13 (operate as restaurant only) - amendments to fenestration and to provide takeaway facilities - (Minor Material Amendment to Planning Permission 17/02280/FUL dated 25.01.2019)	
<b>Address:</b>	Scout Hall, 52 High Street, Leigh-On-Sea	
<b>Applicant:</b>	Mr J Batson	
<b>Agent:</b>	Mr Colin Stone of Stone Me Ltd	
<b>Consultation Expiry:</b>	8th December 2020	
<b>Expiry Date:</b>	8th January 2021	
<b>Case Officer:</b>	Abbie Greenwood	
<b>Plan Nos:</b>	<b>1920-06a, 1920-03c, 1920-05c</b> <b>Sample Menu</b>	
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION</b>	



## **1 Site and Surroundings**

- 1.1 The existing building dates from the early twentieth century and was originally built as the Fisherman's Chapel. It was more recently owned by Southend West Scouts however it is understood that the building has not been used by the scouts from some time. Planning permission was granted in 2018 for the conversion of the building to a restaurant under application reference 17/02280/FUL. Works have commenced on this project but have since stalled. The building is currently vacant.
- 1.2 The building is sited on a raised concrete plinth which affords it additional presence in the streetscene. It is a simple gabled form, clad with feather edged weather boarding which was originally stained black, but this has since worn off to give a more natural wood finish. The building has tall sash windows to the front which originally extended into the roof. The top sections have since been over clad with weatherboarding. The roof is modern felt which is considered to have a negative impact on the historic character of the building, particularly when viewed from Leigh Conservation Area to the north where it is more prominent. The original wrought iron railings to the raised terrace have also been lost. Nevertheless the building is still very distinctive and makes a positive contribution to the character of the conservation area. There is, however, potential for enhancement through the reinstatement of the lost features and materials.
- 1.3 The site is located at the western end of Leigh Old Town Conservation Area adjacent to the Crooked Billet Public House. The pub is grade II listed and one of the oldest buildings in the conservation area. The Billet marks the entrance to the Old Town from the west. The rest of the conservation area to the east contains some traditional and modern housing of modest scale, three other pubs and a few retail outlets.
- 1.4 To the rear of the site, across the railway, is the southern boundary of Leigh Conservation Area, which comprises the development on the hillside facing the Old Town.
- 1.5 The site is part in flood zone 3, part in flood zone 2 and part in flood zone 1.

## **2 The Proposal**

- 2.1 Planning approval was granted on 25<sup>th</sup> January 2018 (application ref 17/02280/FUL) to change of use of the building from scout hall/gym (class D2) to restaurant (class A3), install extract flue to rear, refuse area to west side and alter front elevation. A number of conditions of this consent were discharged under application reference 18/01760/AD and works commenced, however, the development has now stopped pending the outcome of this application and another pending application for canopies to the front and side and an enlarge rear storage area (reference 20/01467/FUL).
- 2.2 The current application is seeking to vary conditions 02 (approved plans), 04 (details of new doors, new dormer windows and terrace balustrading/railings) and 13 (operate as restaurant only) of the original permission. The amendments seek to change two of the windows on the front elevation into French doors. The application is also applying to allow the option to provide takeaway facilities as part of the proposed restaurant operation.



The restaurant was previously conditioned to be open to customers between 10am to 12-midnight but the agent has confirmed that the takeaway facility is only proposed to be operational between 10am and 9pm.

2.3 The original conditions were as follows:

*02 The development hereby permitted shall be carried out in accordance with the following approved plans 17-Clarendon-01B, 17-Clarendon-02A, 17-Clarendon-03B, 17-Clarendon – 04A*

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

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

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

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

*Reason: In order to protect the amenities of occupiers of surrounding occupiers and highway safety in accordance with policies KP2, CP3 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM15 of the Development Management Document (2015)*

2.4 As noted above the proposal is one of two current applications which are pending at this site. The other application reference 20/01467/FUL is seeking to erect canopies to the front and west side and an enlarged extension to the rear. These applications will be considered separately.

### **3 Relevant Planning History**

3.1 20/01467/FUL - Erect single storey rear and side extension, lean to porch to west elevation, install metal canopy to front with corrugated metal roof, metal balustrading to front and side elevations and alter elevations – pending consideration.

3.2 18/01760/AD - Application for approval of details pursuant to condition 03 (Details of Materials), condition 04 (Details of Doors and Balustrades), condition 05 (Details of Waste Storage), condition 06 (Details of Cycle Storage), condition 07 (Details of Chimney) and condition 08 (Details of Extraction and Mitigation) of planning permission 17/02280/FUL dated 4/4/2018 – details agreed

- 3.3 17/02280/FUL - Change of use from scout hall/gym (class D2) to restaurant (class A3), install extract flue to rear, refuse area to west side and alter front elevation – granted

## **4 Representation Summary**

### **4.1 Public Consultation**

39 neighbouring properties were consulted, a site notice posted and a press notice published. A second consultation was undertaken in relation to amended plans. In total 33 letters of representation have been received for the two consultations raising the following summarised issues:

- Impact on neighbour amenity.
- Concern over increased noise due to additional doors in the front elevation, including internal music, and takeaway facility.
- The new owner should accept the previous conditions.
- No takeaway licence has been granted.
- There are already too many restaurants and takeaways in the Old Town.
- Concerns about litter, pollution and impact on the environment, noise from customers, anti-social behaviour and health and safety issues - litter is currently cleared by local residents.
- Lack of parking and traffic congestion.
- Concern over cars waiting outside for takeaway collections.
- Impact on neighbours privacy - terrace overlooking bedrooms.
- These concerns cannot be addressed by a 9pm curfew on takeaway.
- The proposal should include sound insulation.
- The existing parking restrictions in front of the site need to be better enforced.
- Concern that customers will block neighbouring parking areas.
- The proposal is not appropriate for a conservation area.
- The proposal is contributing to the change in character of the Old Town which is losing its character as a quiet fishing village.
- Over development.
- Cost to the public of increased need for rubbish collection.
- The application boundary impacts on others land.

Officer Comment: These concerns are noted and those that represent material planning considerations have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.

### **Highways Team**

- 4.2 There are no highway objections to this proposal.

### **Environmental Health**

- 4.3 No objections subject to conditions relating to opening hours and closing doors to terrace at 2200.

The previous noise conditions and agreed details still apply.

## **Natural England**

- 4.4 No comments on amended proposal.

## **Committee Call In**

- 4.5 This application was called to committee by Cllr Mulronev.

## **5 Planning Policy Summary**

- 5.1 The National Planning Policy Framework (NPPF) (2019)

National Planning Policy Guidance

National Design Guide (2019)

- 5.2 Core Strategy (2007) Policies KP1(Spatial Strategy), KP2 (Development Principles), CP2 (Town Centre and Retail Development), CP3 (Transport and Accessibility ) CP4 (The Environment and Urban Renaissance), CP6 (Community Infrastructure)
- 5.3 Development Management Document (2015) policies DM1 (Design Quality), DM2 (Low Carbon and Development and Efficient Use of Resources) DM3 (Efficient and effective use of land), DM5 (Southend-on-Sea's Historic Environment), DM6 (The Seafront) and DM15 (Sustainable Transport Management)
- 5.4 Southend Design & Townscape Guide (2009)
- 5.5 Leigh Old Town Conservation Area Appraisal (2010)
- 5.6 Community Infrastructure Levy (CIL) Charging Schedule (2015)

## **6 Planning Considerations**

- 6.1 This application is for the variation of conditions relating to the detailing of the front fenestration and the provision of takeaway facilities only. In all other respects the proposal remains unchanged from that previously approved under reference 17/02280/FUL and subsequent approval of details application 18/01760/AD. The only considerations in relation to this application therefore are the implications of the proposed changes including alterations to the design and the inclusion of a takeaway as part of the main operation as a restaurant. These changes will need to be assessed in relation to the impact on design of the building and the wider conservation area, impact on neighbour amenity and traffic and transportation. It is noted that the principle of an A3 restaurant use, flood risk and impact on traffic and highways and neighbours in relation to the restaurant use including extraction, the use of the terrace for customer seating and noise implications from restaurant customers, were previously considered and found to be acceptable in the original application.
- 6.2 It is noted that The National Planning Policy Framework has been revised since the approval of the initial application in 2018, however, the national and local policy framework has not changed in any material respects as regards this proposal.

## 7 Appraisal

### Principle of Development

- 7.1 The principle of a change of use from D2 (leisure) to A3 was previously found acceptable under application reference 17/02280/FUL including in relation to flood risk implications. This therefore remains acceptable under the current proposal. This amendment application is seeking to vary the initial approval to allow the proposed restaurant to offer a takeaway service as a secondary ancillary element of the proposed restaurant business which was prevented by condition in the initial approval. The application is not seeking a full or part change of use of the building. The application is also looking to make changes to the fenestration on the front elevation. It is considered that these changes fall within the scope of a Section 73 application as the description of development remains unchanged and there are no extensions to the building envelope. The principle of the proposal therefore remains acceptable subject to the detailed considerations below.

### Design and Impact on the Character of the Area

- 7.2 Section 69 of the Planning (Listed Building and Conservation Areas) Act 1990 defines conservation areas as *'areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'*. In determining this application the Council has a statutory duty under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that special attention should be paid to the desirability of preserving or enhancing the character and appearance of Conservation Areas.
- 7.3 Paragraph 124 of the NPPF states *'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations and how these will be tested, is essential for achieving this.'*
- 7.4 Policy KP2 of the Core Strategy advocates the need for all new development to respect the character of the existing neighbourhood where appropriate and secure urban improvements through quality design. Policy CP4 of the Core Strategy states that development proposals will be expected to contribute to the creation of a high quality, sustainable, urban environment which enhances and complements the natural and built assets of Southend by maintaining and enhancing the amenities and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development.
- 7.5 Policy DM1 of the Development Management Document advocates the need for the Council to support proposals that add to the overall quality of an area, respect the character of the site, its local context and surroundings giving appropriate weight to the protection of heritage assets.
- 7.6 Policy DM5 of the Development Management Document seeks to protect the special character of the Boroughs Conservation Areas. In relation to this the pre ample to Policy DM5 of the Development Management Document states that:

*'To conserve and enhance the character and quality of the Conservation Areas, development proposals, both traditional and modern, will have to be carefully considered and demonstrate a high quality design that not only integrates with the surroundings but also conserves and enhances its intrinsic character and distinctiveness.'*

7.7 Policy DM6 of the Development Management Document also seeks to protect the unique character of the seafront including Leigh Old Town.

7.8 The problems and pressures facing the conservation area are identified in the Leigh Old Town Conservation Area Appraisal which states that:

*'6.1.1 The primary pressure on the Conservation Area is the need for the businesses to operate in a modern and profitable manner. This is resulting in loss of character owing to increasingly inappropriate advertising and signage, cheap and ugly additions to buildings and inappropriate boundary treatments among other problems.'*

*6.6.6 The number of tourists visiting in fine weather puts pressure on the town in the same way as it does in most resorts. This has an impact on car parking and traffic levels as well as pubs and cafes which must stretch to accommodate these.'*

7.9 The policies above therefore support improvements to the leisure offer in the Old Town provided these are not at the expense of its heritage assets including the special character of historic buildings in the conservation area.

7.10 The proposal seeks to change two of the windows on the front elevation into French doors. These will open onto the adjacent terrace which is proposed to be used for outside dining. The new doors have been designed to reference the main entrance in their proportion and detailing but have full height small pane glazing rather than half height glazing. Full details of the proposed doors have been submitted with the application. This confirms that they will be timber and the glazing detail will be consistent with the remaining windows on the frontage. The reinstatement of the dormer glazing at high level remains part of the proposal.

7.11 The existing building was originally a chapel. It has simple elevations which are domestic in appearance. The building makes a positive contribution to the character of the conservation area. The principle of new fenestration has previously been accepted under application reference 17/02280/FUL. The proposed change from windows to doors will alter the look of the building from the street, however, the changes are modest and the new doors have been designed to match in with the existing arrangement in terms of proportion and detailing. This will ensure that they do not look out of place on the building or in the wider context. Overall, it is considered that the proposed changes to the frontage will have an acceptable impact on the character of the existing building and the wider conservation area.

7.12 In all other respects the proposal remains the same as previously approved under application 17/02280/FUL and associated approval of details application reference 18/01760/AD. It is noted that a metal cowl has been installed in the rear roof slope which is considered to have a detrimental impact on the character of the building and wider conservation areas. This has not been agreed and will need to be removed and replaced with the approved false chimney details previously agreed for the flue.

The agent has been informed that if this is not forthcoming then it is likely to result in enforcement action. An informative will be added to this decision in relation to this issue. Overall, it is considered that the proposal would have an acceptable impact on the character, appearance and setting of the existing building and the conservation areas and is policy compliant in this regard.

### **Impact on Residential Amenity**

- 7.13 Policy DM1 of the Development Management Document requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities “*having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight.*”

#### *Impact on the amenities of neighbours from the proposed ancillary takeaway service*

- 7.14 The proposal seeks planning permission to allow the restaurant to also offer takeaways as part of the main restaurant operation. The agent has confirmed that the takeaway facility will only operate until 9pm each day and that it will only be open when the restaurant is open except in the event of another pandemic lockdown situation. A sample menu has also been provided which gives a flavour of the intended business although it is noted that the type of food served is outside of planning controls.
- 7.15 The plans show that one of the new doors on the front elevation will be used by takeaway customers. A small lobby will be created with a waiting area and screen divide to the main eating area. This will provide an internal waiting space for customers and prevent noise egress from the dining area. It is likely that the ancillary takeaway facility will result in a small increase in customers accessing the premises, however, this function is ancillary to the main business and will cease at 9pm each day. Overall, given that the Old Town is generally a lively place until this time, it is considered that the takeaway function would not have a materially harmful impact on the amenities of neighbours subject to a condition requiring it to finish at 9pm.
- 7.16 Concerns have also been raised in relation to litter and anti-social behaviour arising from the ancillary takeaway function, however, it is considered that these concerns would not be at a scale or level of impact that would warrant a refusal of the application. Other bodies, such as the police and environmental health may also have powers to control these matters.
- 7.17 The Council’s Environmental Health Officer has reviewed the proposal and has not raised any objections to the proposed ancillary takeaway function subject to a condition relating to operating hours. It is therefore considered that the impact of an ancillary takeaway offer as part of the proposed restaurant would not have an unacceptable impact on the amenities of neighbours in any regard.

#### *Impact on the amenities of neighbours from the fenestration amendments*

- 7.18 The proposal also includes the change of two windows on the front elevation to French doors which lead onto the terrace. Concerns have been raised that this could increase customer noise escaping from the restaurant. The previously approved application reference 17/02280/FUL included a condition which required that the terrace was closed to customers from 2200 to close of business (2400) each day.

It is recommended that the terrace hours of use condition from the 2017 consent be applied but that it is amended to also include a requirement to ensure that the terrace doors were also closed after this time to prevent noise escaping from the main dining area in the later hours. Subject to this condition, it is considered that the proposed alteration of the front elevation to include French doors would not have an unacceptable impact on the amenities of neighbours.

- 7.19 In all other respects the proposal remains the same as previously approved under application 17/02280/FUL. The agent has confirmed that the same extraction equipment and false chimney flue, which were previously found to be acceptable in terms of neighbour impact and agreed under application reference 18/01760/AD, will be installed.
- 7.20 The previous application was considered to have an acceptable impact on neighbour amenity subject to conditions relating to plant and extraction noise and odour control, internal customer and music noise levels, hours of use of the terrace, delivery hours, opening hours for the restaurant, no tables or chairs to the front of the building at ground level and construction hours and these conditions remain relevant to the current proposal.
- 7.21 Therefore, subject to the conditions noted above, the amended proposal is considered to be acceptable and policy compliant in its impact on neighbour amenity.

### **Traffic and Transportation Issues**

#### *Impact on traffic and transportation form the proposed ancillary takeaway service*

- 7.22 It is likely that the takeaway facility will result in a small increase in customers accessing the premises however this function is ancillary to the main restaurant use and will cease at 9pm each day. It is considered that the takeaway function would most likely serve existing visitors to the Old Town as part of linked trips and the number of new trips accessing the takeaway only is likely to be limited. In addition, as noted on the previous application, there is a public car park at Belton Bridge a short walk from the site and other cars parks within the Old Town to the east. The Councils Highways Officer has not raised any concerns to the application including in relation to parking or traffic congestion. The amended proposal is therefore acceptable and policy complaint in this regard.
- 7.23 In all other respects, including the absence of off street parking for the restaurant use, provision of waste and recycling and staff cycle storage, the proposal remains the same as previously approved under application 17/02280/FUL and the subsequent approvals of details application 18/01760/AD. This application was considered to have an acceptable impact on traffic and highways subject to conditions relating to the provision and retention of waste storage and staff cycle storage facilities and these conditions remain relevant to the current proposal.
- 7.24 The amended proposal is therefore acceptable and policy complaint in regard to traffic and transportation issues subject to the conditions noted above.

## **Community Infrastructure Levy (CIL)**

- 7.25 The proposed development is for a commercial to commercial change of use with no increase in floorspace. The proposal is therefore not CIL liable as it benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable.

## **8 Conclusion**

- 8.1 Having taken all material planning considerations into account, it is found that the amended fenestration arrangements and operation of an ancillary takeaway facility until 9pm each day falls within the remit of a Section 73 application and the changes are found to be acceptable in terms of design and impact on the conservation area, impact on neighbours and traffic and transportation. Conditions 02, 04 and 13 of application reference 17/02280/FUL can therefore be varied to this effect.
- 8.2 In all other respects including the principle of the change of use to a restaurant and flood risk, design and impact on the conservation area, impact on neighbours, highways impact, the proposal is the same as application reference 17/02280/FUL which was found to be acceptable and compliant with the objectives of the relevant development plan policies and guidance subject to conditions. There have been no material changes in policy since this time. This application is therefore recommended for approval subject to conditions.

## **9 Recommendation**

- 9.1 **MEMBERS ARE RECOMMENDED TO GRANT PLANNING PERMISSION** subject to the following conditions:

**01 The development hereby permitted shall begin not later than 4<sup>th</sup> April 2021.**

**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 1920-06a, 1920-03c, 1920-05c**

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

**03 The materials for the development hereby approved shall only be matt black stained timber featheredged weatherboarding for the walls and dormer cheeks, black painted acoya timber with 6mm laminated safety glass to BS6206 for the windows and doors, black painted wrought iron for the terrace balustrade, black quarry tiles for the terrace flooring, red stock brick slips, lead capping and traditional clay pots for the flue chimney, no change to the existing roof covering or guttering, black painted timber gates to waste storage area and cycle storage areas.**



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

**04 Prior to the first occupation of the building for A3 purposes, the windows and doors shall be installed in full accordance with the details set out on plan reference 1920-05C and the terrace balustrading shall be black painted 16mm bars with finial style F (W Farthing & Sons) and flat top posts as previously submitted to and approved in writing by the local planning authority under the approval of details application reference 18/01760/AD (condition 04) or alternative refuse and recycling details that have previously been submitted to the local planning authority and approved in writing under the terms of this condition. The development shall be implemented in accordance with the approved details from first occupation for the proposed use and be maintained as such in perpetuity.**

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

**05 Prior to the first occupation of the building for A3 purposes, the refuse and recycling arrangements shall be implemented in full accordance with the details previously submitted to and approved in writing by the local planning authority under the approval of details application reference 18/01760/AD (condition 05) or alternative refuse and recycling details that have previously been submitted to the local planning authority and approved in writing under the terms of this condition. The development shall be implemented in accordance with the approved details from first occupation for the proposed use and be maintained as such in perpetuity.**

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

**06 Prior to the first occupation of the building for A3 purposes the staff cycle parking arrangements shall be implemented in full accordance with the details previously submitted to and approved in writing by the local planning authority under the approval of details application reference 18/01760/AD (condition 06) or alternative staff cycling storage details that have previously been submitted to the local planning authority and approved in writing under the terms of this condition. The development shall 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 the provision of adequate cycle parking in accordance with policies DM8 and DM15 of The Development Management Document (2015).**

**07 Prior to the first occupation of the building for A3 purposes the chimney extraction flue shall be installed in full accordance with the details which have been previously submitted to and approved in writing by the local planning authority under the approval of details application reference 18/01760/AD (condition 07) or alternative chimney and extraction flue details that have previously been submitted to the local planning authority and approved in writing under the terms of this condition. 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: A condition is needed in order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and visual amenities of the conservation area in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3, DM5 and DM6 of the Development Management Document 2015.**

**08 Prior to the first occupation of the building for A3 purposes, extraction and odour control equipment, and associated noise mitigation measures, shall be installed in full accordance with the details which have been previously submitted to and approved in writing by the local planning authority under the approval of details application reference 18/01760/AD (condition 08) or alternative extraction and odour control details and associated noise mitigation that have previously been submitted to the local planning authority and approved in writing under the terms of this condition. The installation of extraction equipment shall be carried out in full accordance with the approved details and any noise and odour mitigation measures undertaken in association with the agreed details before the use hereby approved is commenced. With reference to BS4142 the noise rating level arising from all plant and extraction/ventilation equipment shall be at least 5dB(A) below the prevailing background at 3.5 metres from the ground floor facades and 1m from all other facades of the nearest noise sensitive property with no tonal or impulsive character. The rating level of noise for all activities (including amplified and unamplified music and human voices) shall be at least 10dB(A) below the background noise to ensure inaudibility in noise sensitive premises.**

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

**09 The class A3 (restaurant) use hereby permitted shall not be open to customers outside the following times: 09:00 until 24:00 hours on Monday to Sundays including Bank Holidays from May through to and including September and 12:00 until 24:00 hours Mondays to Sundays including bank holidays from October through to and including April. The ancillary takeaway element of this operation shall not be available to customers outside the following times: 09:00 and 21:00 Mondays to Sundays including bank Holidays.**

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

**10 The entire raised terrace area shall not be used by customers for the consumption of food or drink or for smoking from 22:00 hours until the close of business on all days. Additionally all doors accessing the terrace shall be closed, except temporarily for access and egress, from 22:00 to 09:00 on all days.**

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

**11 No deliveries or refuse collection shall be taken at or despatched from the A3 use hereby permitted other than between the hours of 07:00 to 18:00 hours Mondays to Fridays and 08:00 to 13:00 hours on Saturdays and not at any time on Sundays, Bank or Public Holidays.**

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

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

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

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

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

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

## **Informatives**

**01 You are advised that as the proposed development equates to less than 100 sqm of additional floorspace so the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) for further details about CIL.**

**02 The applicant is advised that the galvanised metal cowl and galvanised metal grille that have been installed on the rear roofslope do not accord with the previously approved details or the current application and are therefore unauthorised. The cowl needs to be removed and the grille needs to be painted black. Failure to do this within a timely manner is likely to result in enforcement action.**

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

**04 The applicant is advised that compliance with this decision notice does not bestow compliance with other regulatory frameworks. In particular your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and also to the relevant sections of the Control of Pollution Act 1974. Contact 01702 215005 for more information.**

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

**06 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.**



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The contractor is to check and verify all building and site dimensions, levels, and sewer invert levels at connection points before work starts.

This drawing must be read with and checked against any structural or other specialist drawings provided.

Any discrepancies found on this drawing are to be notified to STONE ME! DESIGN LTD prior to commencement of work.

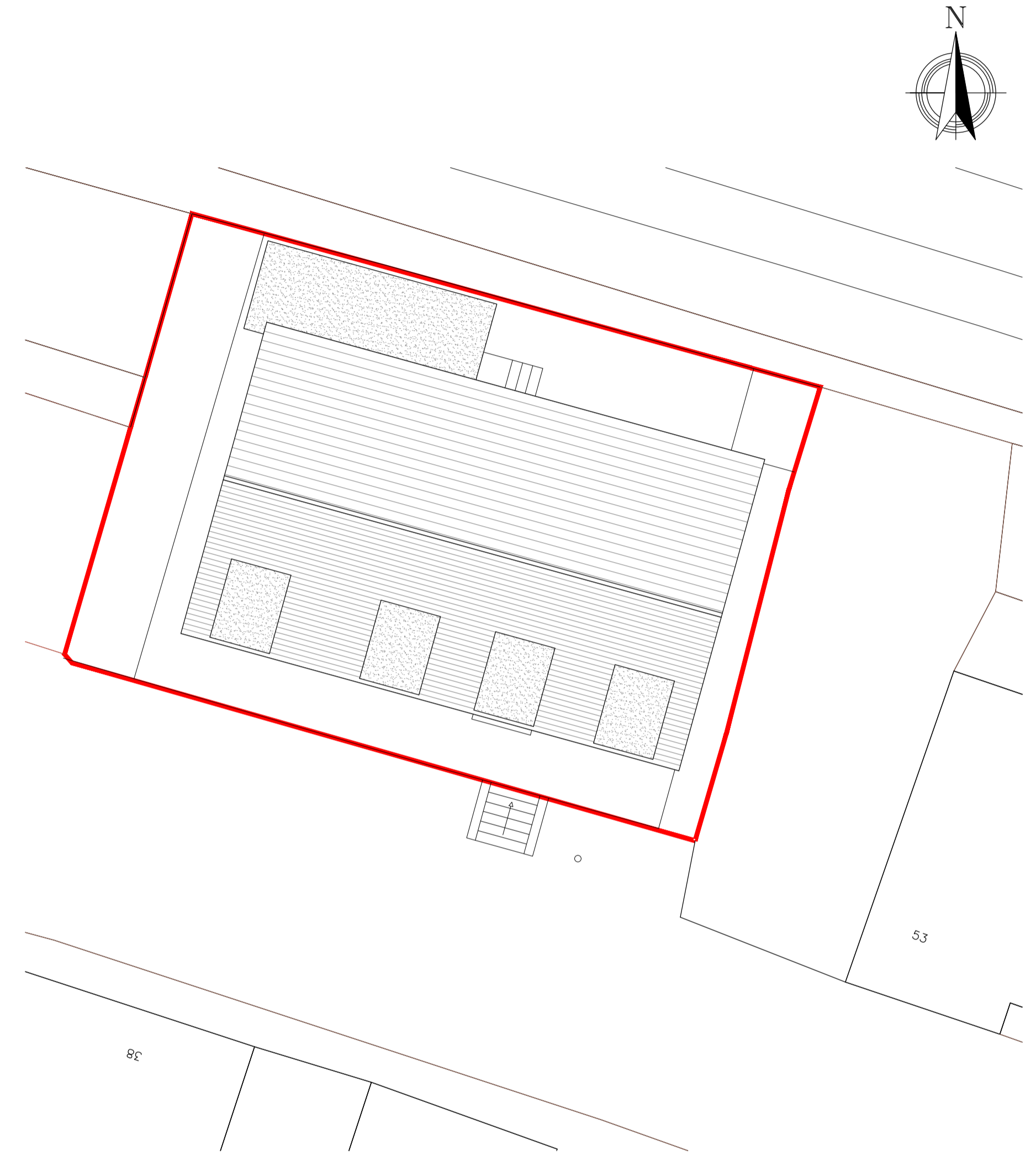
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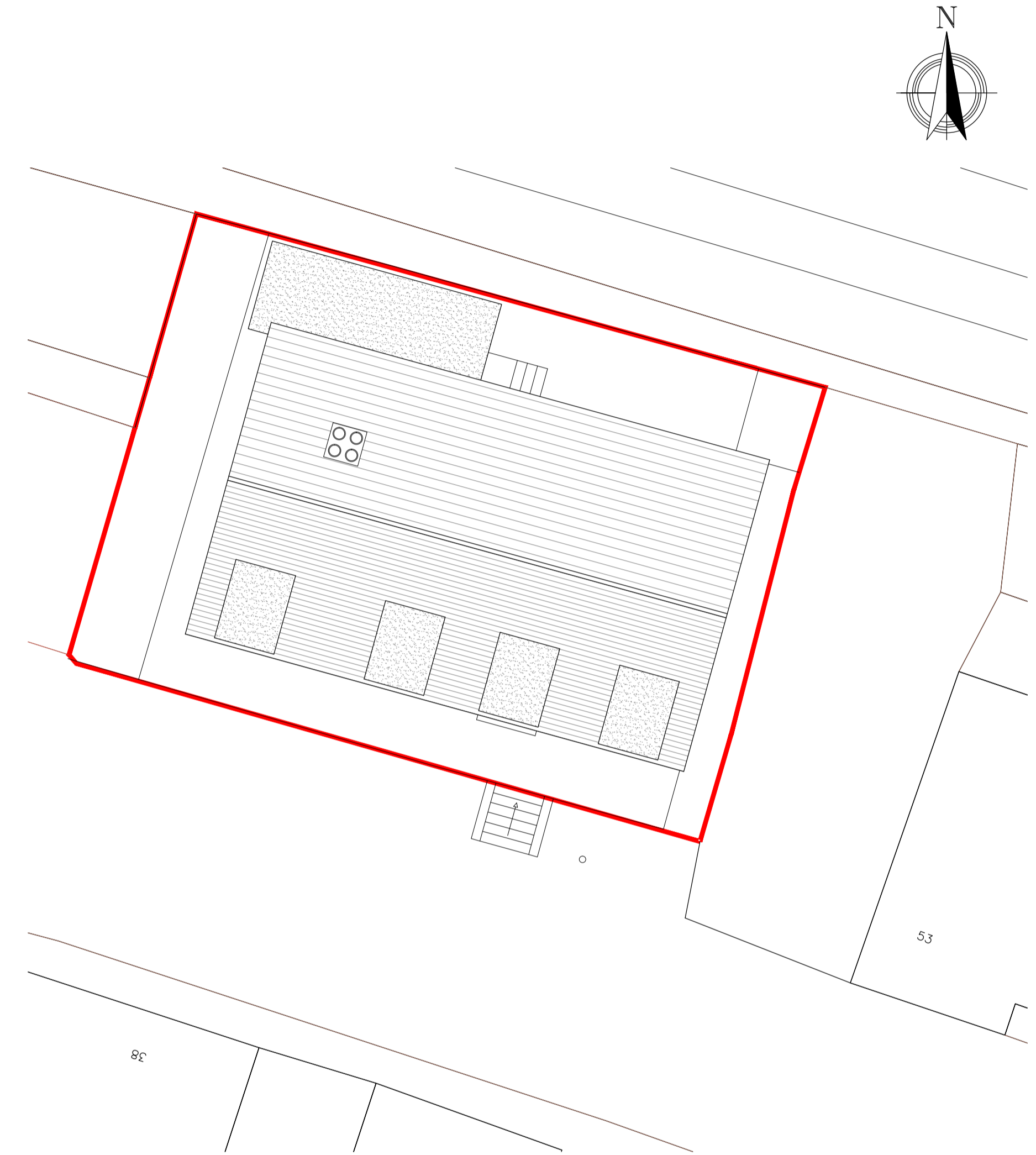
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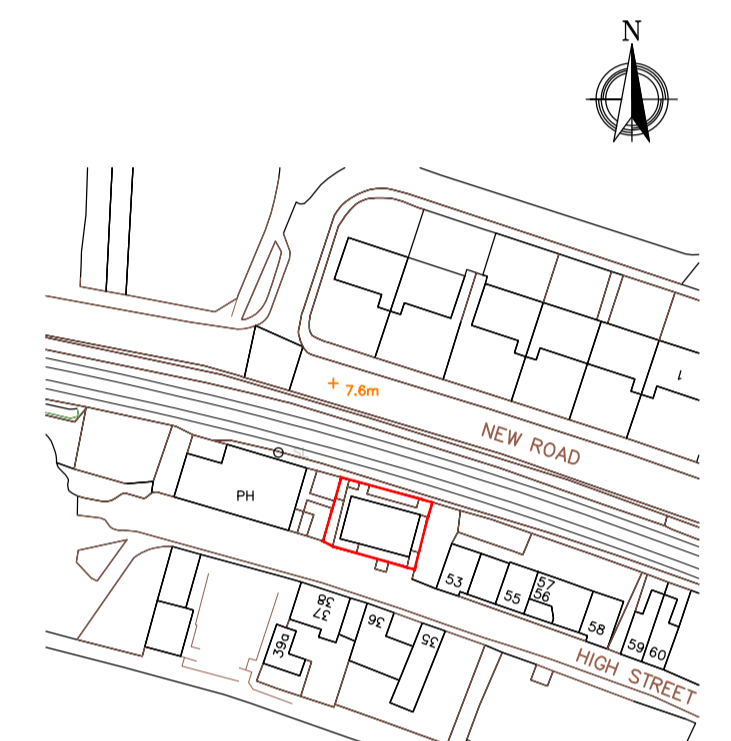
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**Existing Site Plan**  
Scale 1:100



**Proposed Site Plan**  
Scale 1:100



**Location Plan**  
Scale 1:1250

113

REV:	DATE:	AMENDMENT:
<p><b>STONE Me!</b> ARCHITECTURE &amp; INTERIOR DESIGN 5 FOUNTAIN LANE, HOCKLEY, ESSEX, SS5 4ST Tel: 01702 203333 E: info@stoneme.com W: www.stoneme.com</p>		
Client:	MR J BATSON	
Project:	Scout Hall 52 High Street Leigh-On-Sea, Essex, SS9 2EP	
Drawing:	EXISTING SITE PLAN WITH LOCATION PLAN	
Issue:	Client	Pre-App Planning B.Cont As Built Other
Date:	15.07.2020	Scale: 1:100/ 1:1250 @ A1
Project No.:	1920	Drawing No.: 06a

1:100  
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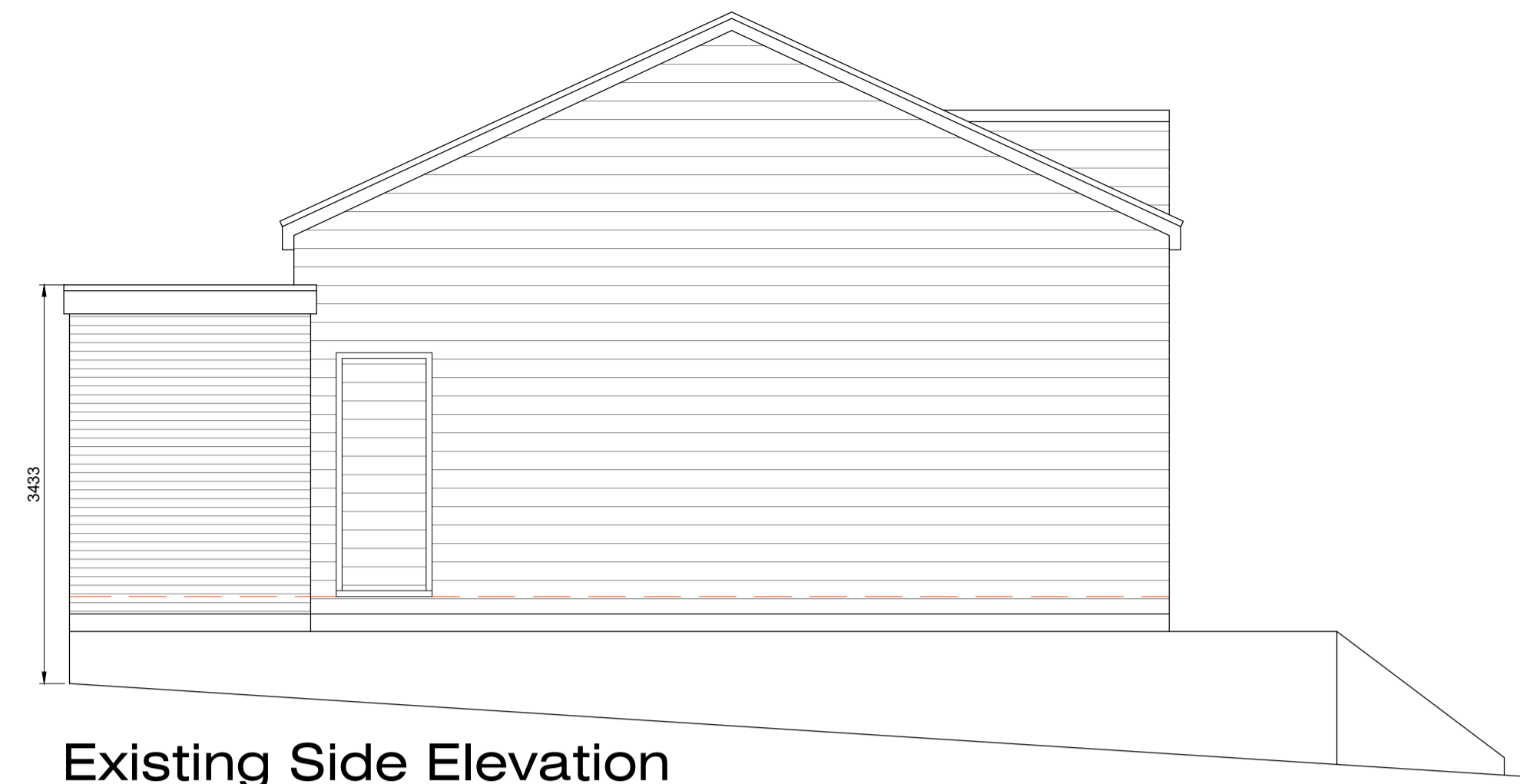
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**Existing Front Elevation**

Scale 1:50



**Existing Side Elevation**

Scale 1:50

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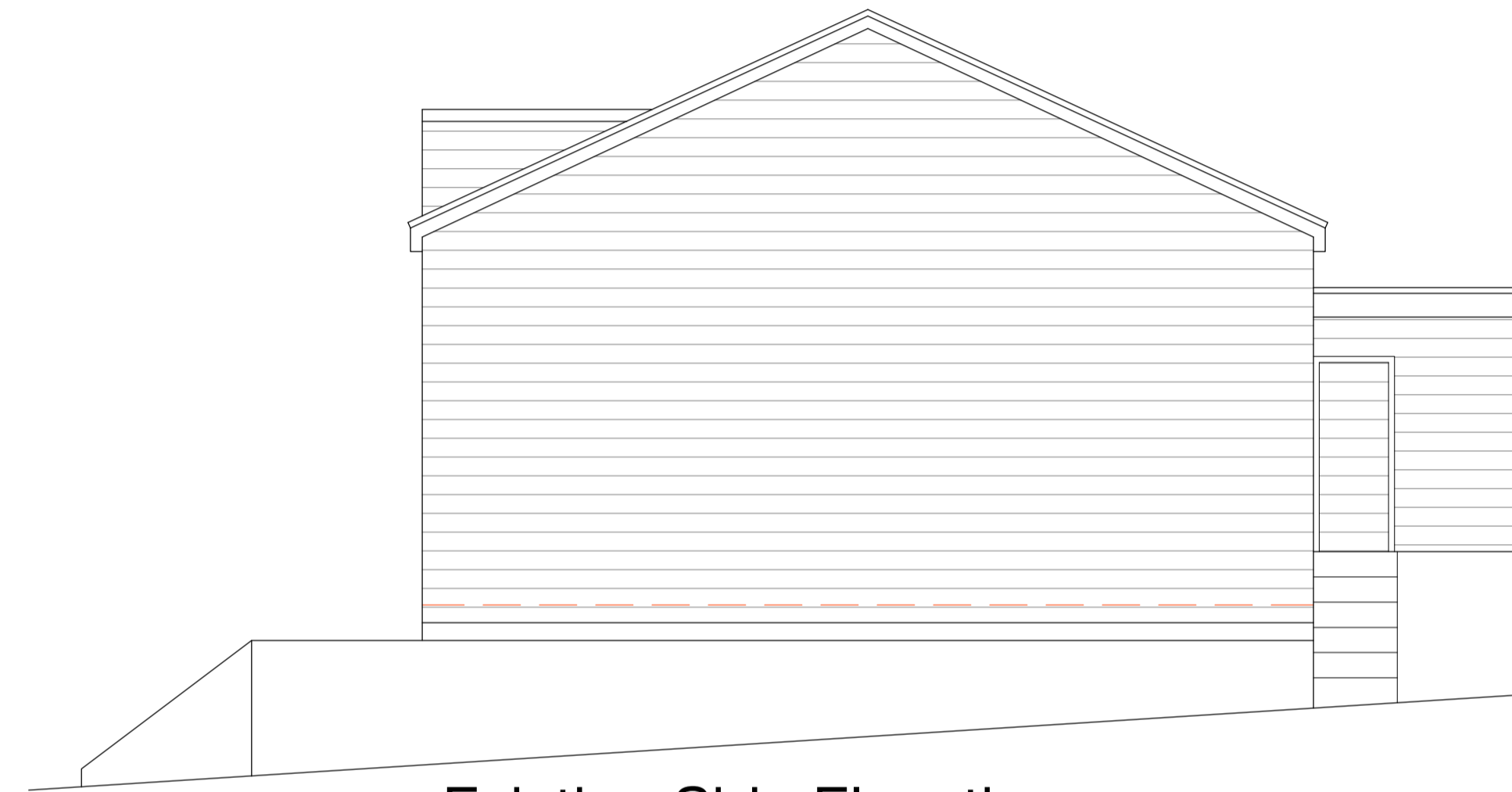
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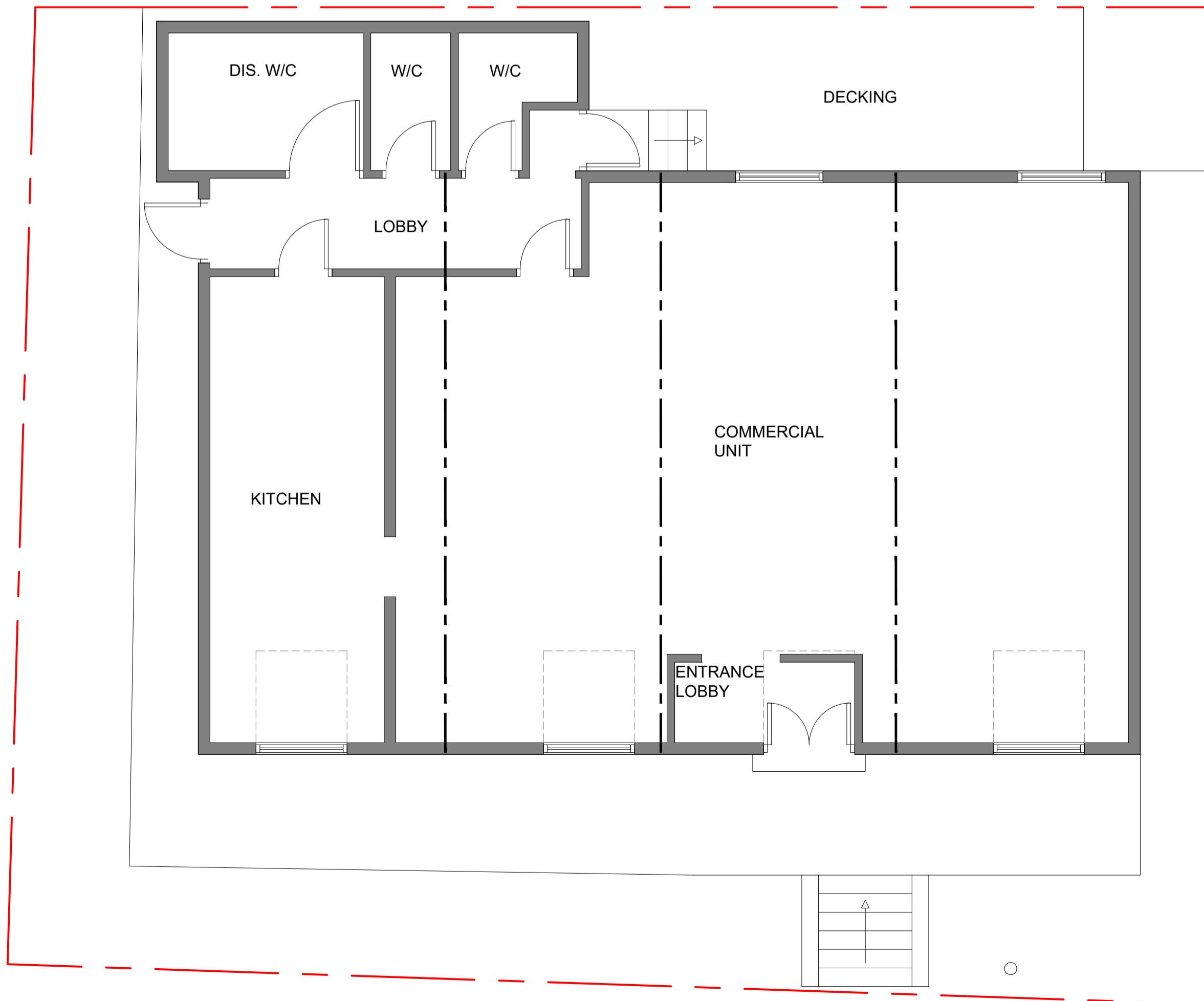
**Existing Rear Elevation**

Scale 1:50



**Existing Side Elevation**

Scale 1:50



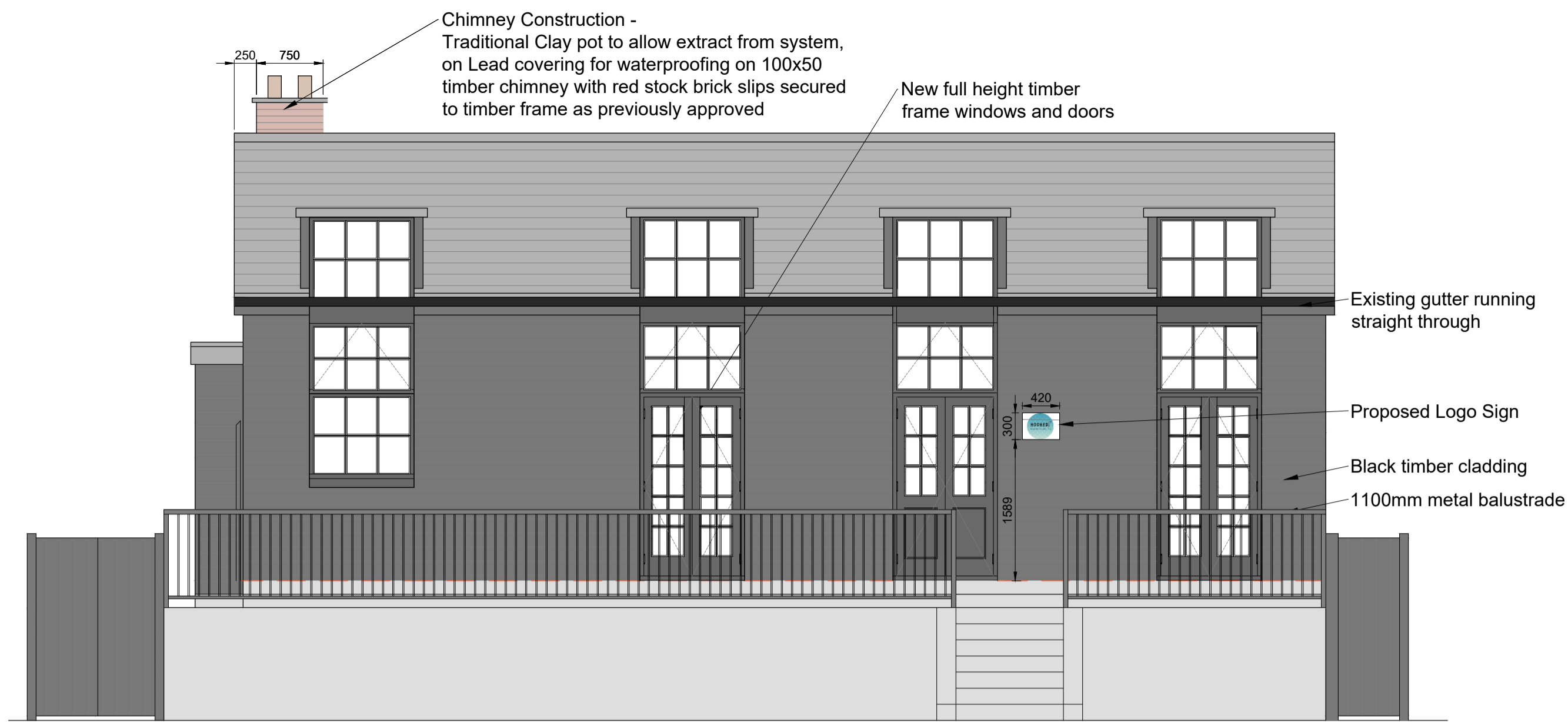
**Existing Ground Floor Plan**

Scale 1:50

115

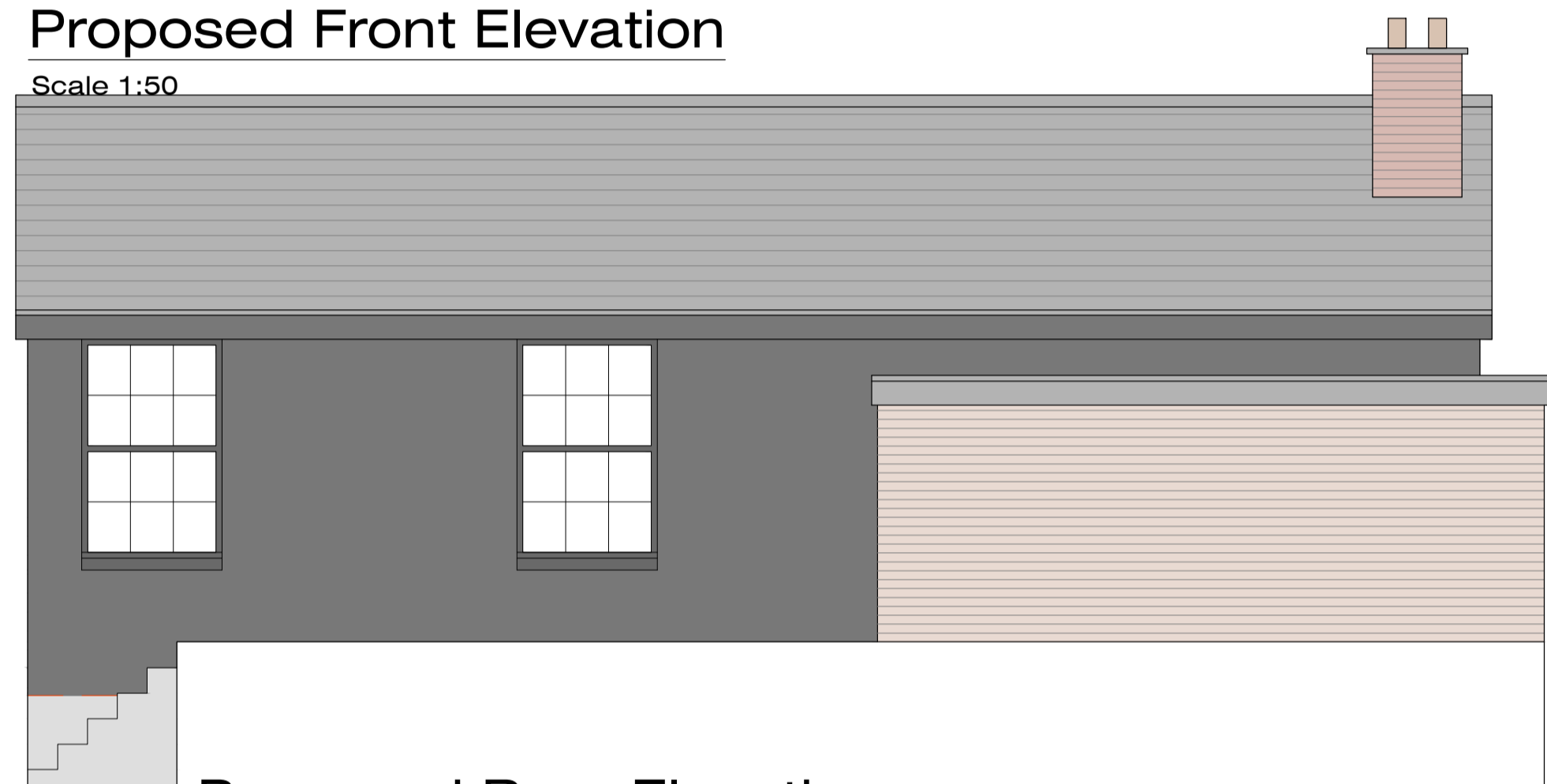
REV:	DATE:	AMENDMENT:
5 FOUNTAIN LANE, HOCKLEY, ESSEX, SS5 4ST Tel: 01702 203333 E: info@stoneme.com W: www.stoneme.com		
Client:	MR J BATSON	
Project:	Scout Hall 52 High Street Leigh-On-Sea, Essex, SS9 2EP	
Drawing:	EXISTING FLOOR PLANS AND ELEVATIONS	
Issue:	Client	Pre-App Planning B.Cont As Built Other
Date:	15.07.2020	Scale: 1:50 @ A1
Project No.:	1920	Drawing No.: 01

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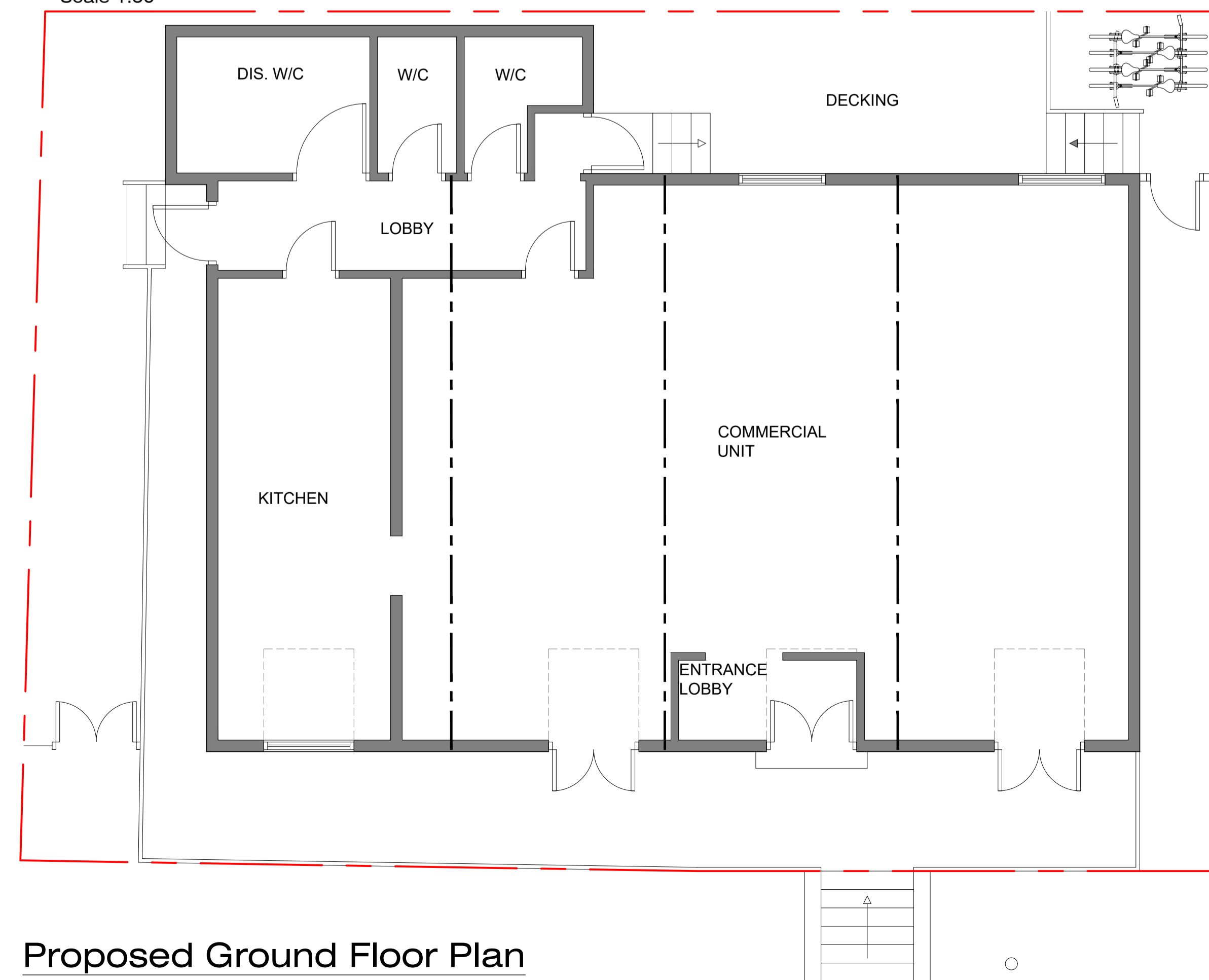
**Proposed Front Elevation**

Scale 1:50



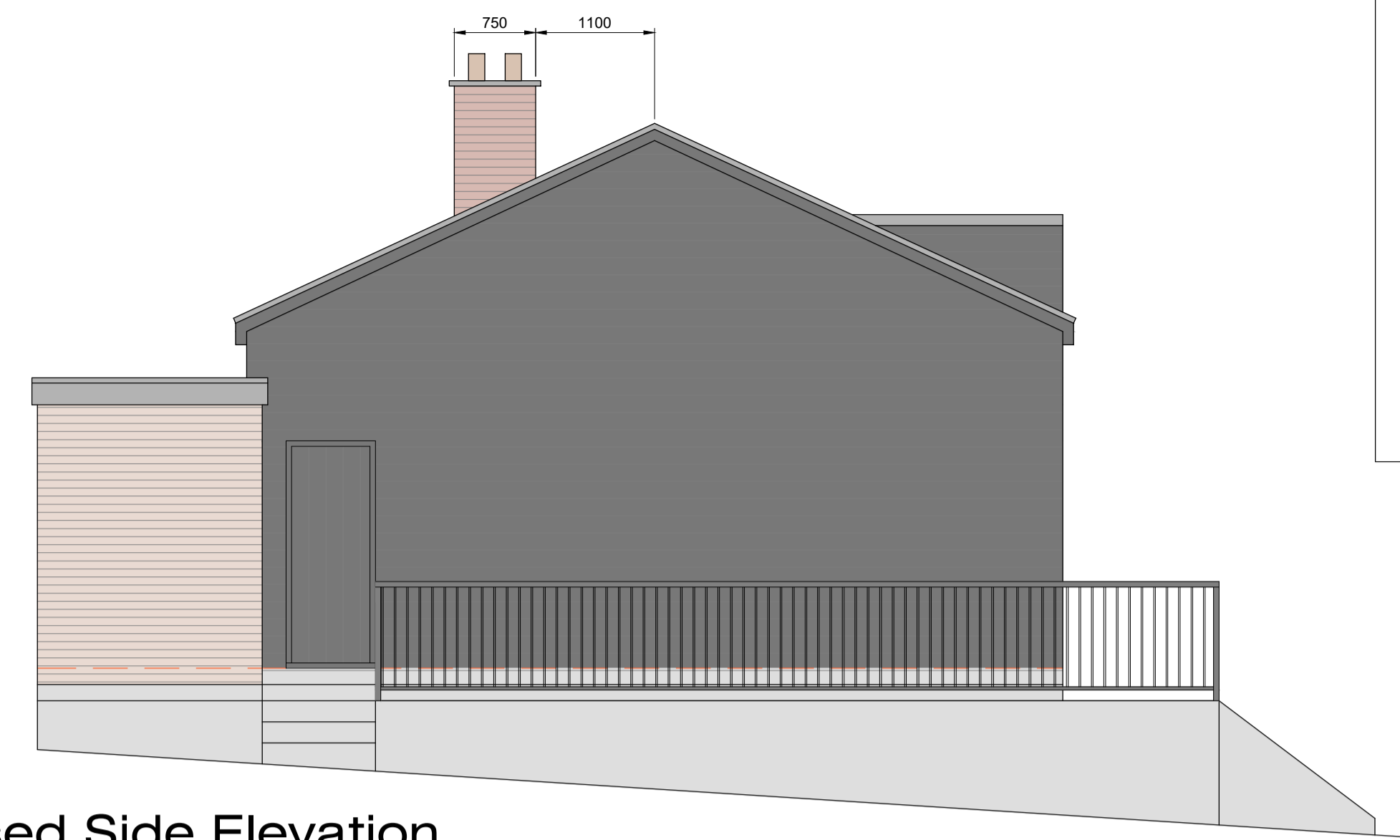
**Proposed Rear Elevation**

Scale 1:50



**Proposed Ground Floor Plan**

Scale 1:50



**Proposed Side Elevation**

Scale 1:50



**Proposed Side Elevation**

Scale 1:50

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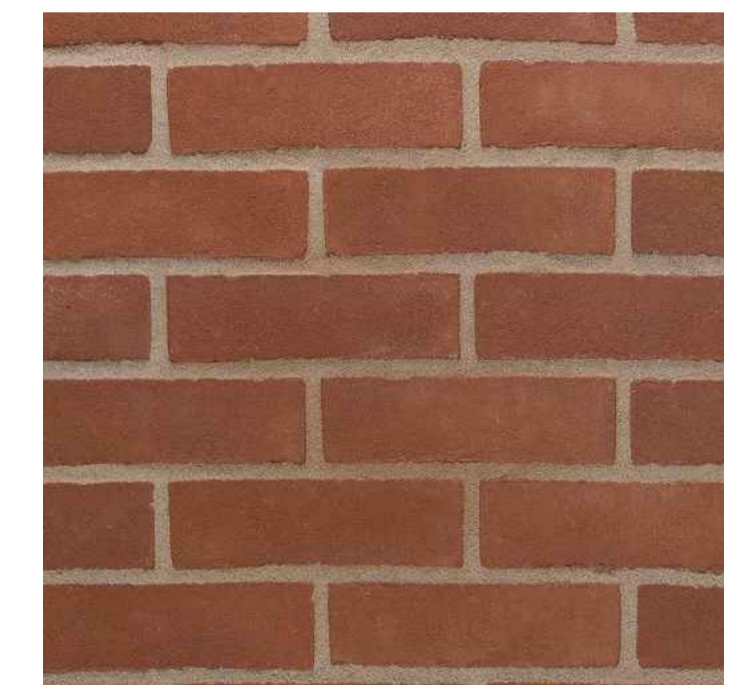
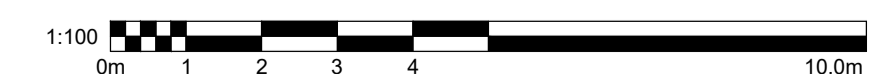


Image of red stock brick slips

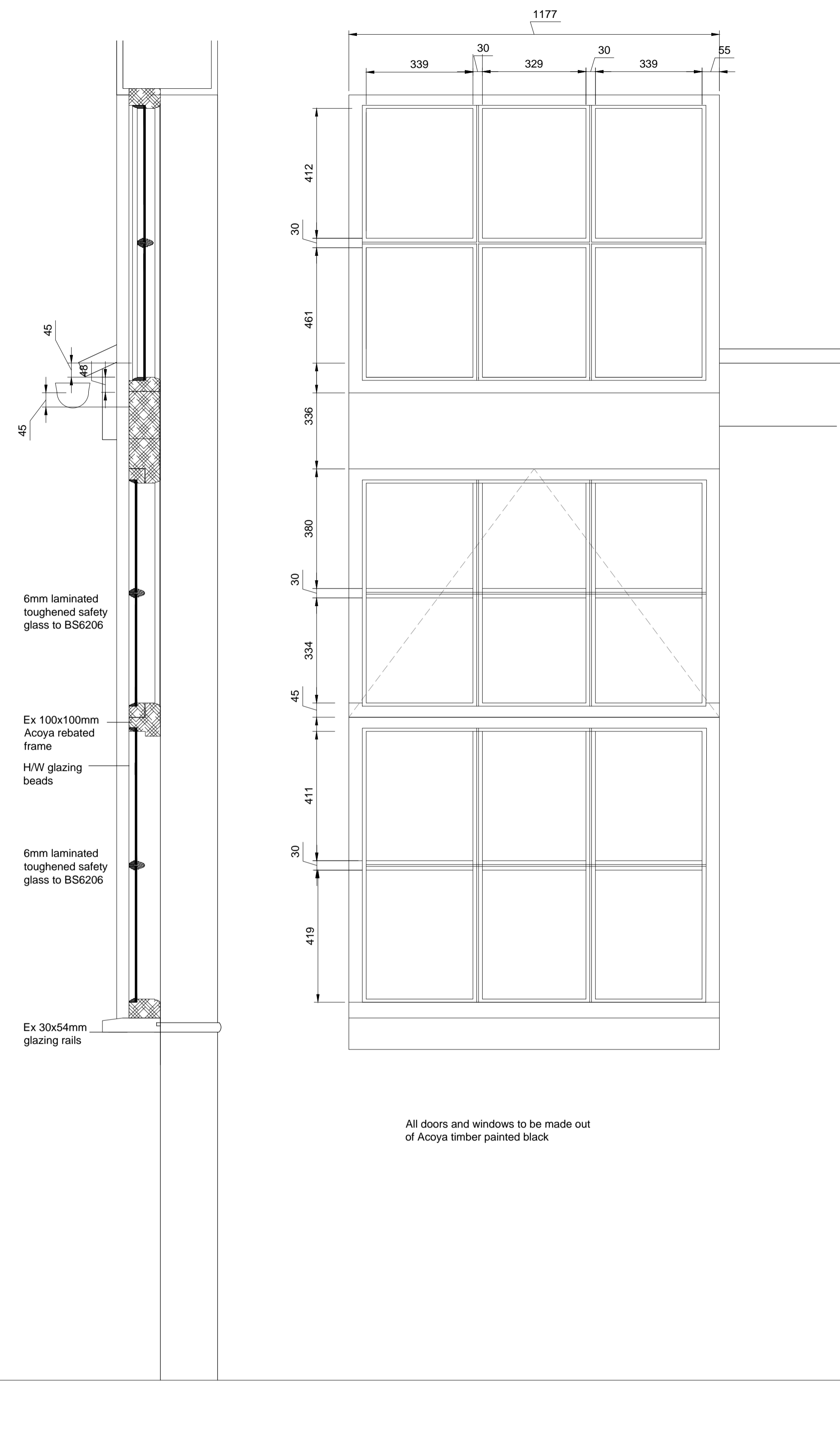
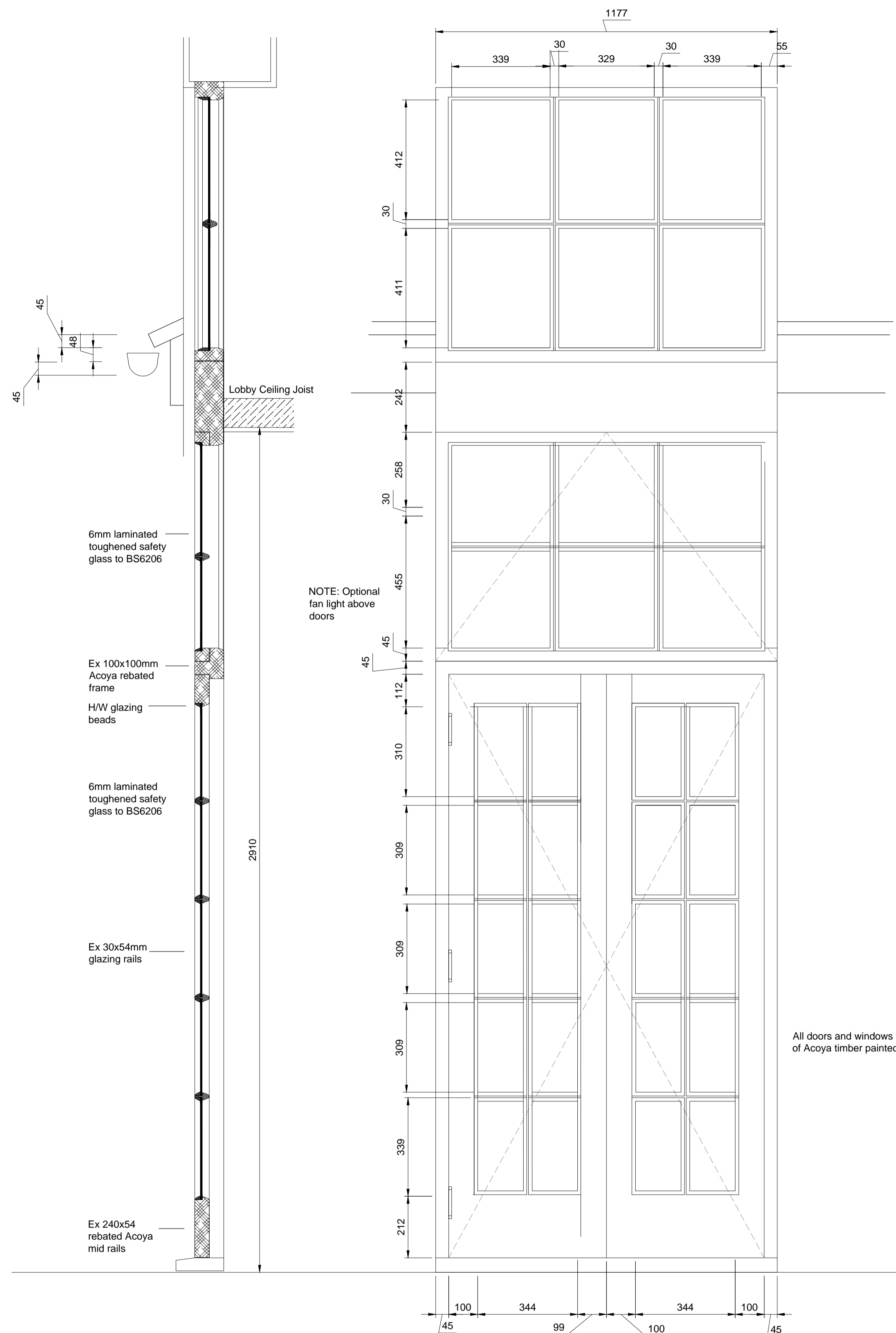


Proposed Logo Design

REV:	DATE:	AMENDMENT:
<b>STONE Me!</b> ARCHITECTURE & INTERIOR DESIGN		
5 FOUNTAIN LANE, HOCKLEY, ESSEX, SS5 4ST Tel: 01702 203333 E: info@stoneme.com W: www.stoneme.com		
Client:	MR J BATSON	
Project:	Scout Hall 52 High Street Leigh-On-Sea, Essex, SS9 2EP	
Drawing:	PROPOSED FLOOR PLANS AND ELEVATIONS - D.O.C	
Issue:	Client	Pre-App Planning B.Cont As Built Other
Date:	15.07.2020	Scale: 1:50 @ A1
Project No.:	1920	Drawing No.: 03C



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All doors and windows to be made out of Acoya timber painted black

All doors and windows to be made out of Acoya timber painted black

**Full Height Door Detail**  
Scale 1:10

**Window Detail**  
Scale 1:10

REV:	DATE:	AMENDMENT:
<p><b>STONE Me!</b> ARCHITECTURE &amp; INTERIOR DESIGN</p> <p>5 FOUNTAIN LANE, HOCKLEY, ESSEX, SS5 4ST Tel: 01702 203333 E: info@stoneme.com W: www.stoneme.com</p>		
Client:	MR J BATSON	
Project:	Scout Hall 52 High Street Leigh-On-Sea, Essex, SS9 2EP	
Drawing:	TIMBER FRAME DOOR AND WINDOW DETAIL	
Issue:	Client	Pre-App Planning B.Cont As Built Other
Date:	15.07.2020	Scale: 1:20 / 1:50 @ A1
Project No.:	1920	Drawing No.: 05C

1:100 0m 1 2 3 4 10.0m

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<b>Reference:</b>	20/01511/FUL	<b>8</b>
<b>Application Type:</b>	Full Application	
<b>Ward:</b>	Westborough	
<b>Proposal:</b>	Erect linked single storey rear extension	
<b>Address:</b>	266 Westborough Road, Westcliff-On-Sea, Essex	
<b>Applicant:</b>	Saunders	
<b>Agent:</b>	Mr Wilton Nodoro of Krystal Architecture Ltd	
<b>Consultation Expiry:</b>	22nd October 2020	
<b>Expiry Date:</b>	11 January 2021	
<b>Case Officer:</b>	Kara Elliott	
<b>Plan Nos:</b>	<b>620-200/1, 620-201/3, 620-202/4, 620-204/3</b>	
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION</b>	



## **1 Site and Surroundings**

- 1.1 The site is located to the south of Westborough Road on its corner with Tintern Avenue. The application relates to a former two storey, three bedroom dwelling and a detached two storey workshop building located within the rear garden. The main dwelling and annexe has been converted to a 6 bedroom HMO under permitted development so not requiring express planning permission from the Local Planning Authority.
- 1.2 The applicant has provided information to evidence the occupation of the site as detailed above.
- 1.3 The surrounding area is made up of predominately residential dwellings. However, a car garage/MOT test centre is located immediately to the west of the application site which fronts Westborough Road and a financial planning company occupies a building immediately to the south, within Tintern Avenue.
- 1.4 The site has no specific allocation within the Development Management Document Proposals Map and does not relate to a listed building.

## **2 The Proposal**

- 2.1 Planning permission is sought for a linking extension from the existing single storey rear projection at the rear of the main property connecting to the annexe building. The extension would have a flat roof with a height of 2.95m matching the existing single storey extension and would be 3m wide (also to match) and 3.47m deep. The addition would have no openings to its western flank and would contain two vertical windows to its eastern flank, matching two existing openings within the existing single storey rear extension. No new openings are proposed to the existing buildings.
- 2.2 The proposed linking extension would not provide an increase in occupancy of the site overall, with 6 bedrooms remaining (5 in main dwelling and 1 in the annexe). A separate application on this same Committee agenda is pending consideration seeking a change of use of the two buildings from a six-room HMO, falling within the definition of Use Class C4, to a seven-room HMO which is a Sui Generis use. The applicant confirms that the change of use from a family dwelling to HMO was undertaken under permitted development rights and that the proposed development would improve facilities on site for occupants.

## **3 Relevant Planning History**

- 3.1 03/00533/FUL - Erect two storey store/workshop to rear of premises – Granted;
- 3.2 18/00995/PA3COU - Change of use of rear workshop (Class B1(c)) to dwellinghouse (Class C3) (Prior Approval) – Refused;
- 3.3 18/01804/FUL - Convert existing dwellinghouse and existing ancillary workshop/store (Class C3) to a seven bedroom HMO (Sui Generis) and erect single storey link extension to rear – Refused;
- 3.4 19/00518/AMDT - Application to remove condition 04 premises shall only be used as workshop/store ancillary to residential property (Minor material amendment of planning permission SOS/03/00533/FUL dated 25/06/2003) – Refused;

- 3.5 19/01219/AMDT - Application to remove condition 04 premises shall only be used as workshop/store ancillary to residential property (Minor material amendment of planning permission 03/00533/FUL dated 25/06/2003) (Amended Proposal) – Granted;
- 3.6 20/01520/FUL - Convert existing 6 Bed HMO (Class C4) and existing ancillary building at the rear to a 7 Bed HMO (Sui Generis) and erect single storey linked rear extension – Pending Consideration.

#### **4 Representation Summary**

##### Highways & Parking

- 4.1 No objection. Comments: Consideration has been given to the existing 6 bedroom and the impact on the highway should a 7 bedroom be approved. There are no current parking policies for HMO's. We have to assess the sustainable location of the site. In this case, the site does benefit from being in a sustainable location with cycle, bus and train provision in close proximity. Secure cycle parking should be provided as part of the development. It should also be noted that future occupier will not be eligible for a residential parking permit. It is not considered that the proposal will have a detrimental impact upon the public highway.

##### **Public Consultation**

- 4.2 Ten (10) neighbouring properties were consulted and a site notice was displayed. Two (2) letters of representation have been received which make the following objections;
- Loss of family dwelling;
  - Loss of neighbour amenity from loss of light;
  - On-street parking stress;
  - Stress on local services i.e. doctors surgeries, shops etc.
  - Overdevelopment;
  - HMO out of keeping with locality;
  - Increase in rubbish;
  - Fear of crime;
  - Poor design;
  - Out of keeping with character and appearance of locality;
  - Noise pollution;
  - Stress of facilities i.e. water and waste;
  - Disruption from building works;
  - Lack of garden space;
- 4.3 Officer comment: The comments in the representation have been taken into consideration in the assessment of the application but not found to be justifiable reasons for refusing planning permission in the circumstances of this case.
- 4.4 The applicant falls to be decided by members of the Development Control Committee at the request of Cllr Anne Jones.

## **5 Planning Policy Summary**

- 5.1 The National Planning Policy Framework (NPPF) (2019)
- 5.2 Planning Practice Guidance (PPG) – National Design Guide (NDG) (2019)
- 5.3 Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment and Urban Renaissance), CP8 (Dwelling Provision).
- 5.4 Development Management Document (2015): Policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM7 (Dwelling Mix, Size and Type), DM8 (Residential Standards), DM15 (Sustainable Transport Management).
- 5.5 Design & Townscape Guide (2009)
- 5.6 Community Infrastructure Levy (CIL) Charging Schedule (2015)

## **6 Planning Considerations**

- 6.1 The main considerations in relation to this application are the principle of the development, its impact upon the character and appearance of the site and the wider area, the impact on residential amenity of neighbouring occupiers, any traffic and transportation issues and whether the development would be liable for CIL.

## **7 Appraisal**

### **Principle of Development**

- 7.1 Paragraph 117 of the NPPF states: *“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other users, while safeguarding and improving the environment and ensuring safe and healthy living conditions.” Furthermore, the NPPF requires development to boost the supply of housing by delivering a wide choice of high-quality homes.”*
- 7.2 In terms of the proposed extension, the addition or alteration of buildings in association with the existing use of the site is not objected to in principle. The proposed development would result in the same levels of occupancy of the site whilst providing improvements to the standard of accommodation. Other material planning considerations are discussed in the following sections of the report.

### **Design and Impact on the Character of the Area**

- 7.3 The National Planning Policy Framework requires new development to respond positively to its surroundings. Paragraph 124 of the NPPF states that; *“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*

- 7.4 Policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 and the Design and Townscape Guide advocate the need for any new development to respect the character of the area and complement local character.
- 7.5 A single storey linking extension is proposed between the two buildings, located within the rear garden. The extension would have a flat roof with a height of 2.95m matching the existing single storey extension and would be 3m wide (also to match) and would be sited near the western side boundary shared with Westcliff Service Centre MOT garage which neighbours the site. The flat roof extension would be finished in materials to match the existing buildings on site and would feature a symmetrical arrangement of two windows to its eastern flank with an existing door being made into a window on the same elevation.
- 7.6 The proposed development would be partially visible from public vantage points within Tintern Avenue and Westborough Road.
- 7.7 It is considered that in terms of its size, scale, bulk and height, the proposed extension would be visually acceptable and would not result in demonstrable harm to the character and appearance of the dwelling or the wider area. Whilst the extension would create one continuous building form, it is considered that due to its single storey nature and the context of its addition between the existing two, two storey buildings, the resulting development is visually acceptable and would not result in demonstrable harm to the character and appearance of the dwelling, the streetscene or the wider surrounding area.
- 7.8 It is therefore considered that the proposed link extension would be acceptable and policy compliant in the above regards.

### **Impact on Residential Amenity**

- 7.9 Policy DM1 of the Development Management Document requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities and also: *“having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight.*
- 7.10 The application site is neighboured by a car MOT garage to the east and a financial services business to the north. Due to the corner position of the plot, there are no immediate residential neighbours to the north and east. The proposed single storey linking extension would be sited against the western side boundary shared with the car MOT garage. Due to its single storey nature, the absence of direct residential neighbouring occupiers and its modest nature, it is not considered that the extension would result in a loss of amenity through overshadowing, loss of light, loss of privacy or an unacceptable level of perceived and actual dominance.
- 7.11 The site would continue to provide 6 bedrooms and would not result in materially increased levels of activity associated with levels of occupation of the site. The proposal is not considered to result in such material harm to the amenities of the nearest neighbouring residents and there are no reported noise complaints registered. HMOs are generally compatible with a residential setting. The development is acceptable and policy compliant in these regards.

## **Traffic and Transportation Issues**

- 7.12 Policy DM15 of the Development Management Document states: *“Development will be allowed where there is, or it can be demonstrated that there will be, physical and environmental capacity to accommodate the type and amount of traffic generated in a safe and sustainable manner”*. The policy also requires that adequate parking should be provided for all development in accordance with the adopted vehicle parking standards.
- 7.13 The Council’s adopted parking standards do not prescribe any required standard for HMOs. The proposal would provide one parking space to the front, this is also part of the existing layout. Although there is no parking standard associated with HMOs, the lawful use of the site as a dwelling or as a six-room HMO has the potential to attract some parking need.
- 7.14 The site is located approximately a 20 minute walk to Westcliff train station and a couple of minutes’ walk to London Road for main bus routes. London Road is host to many local services and Hamlet Court Road District Centre is a 15 minute walk away. It is therefore considered that the site is within a relatively sustainable location whereby occupants would not need to rely on the use of a private motor car for their day to day needs.
- 7.15 The application site proposes cycle storage for up to seven bikes. The proposed development does not result in an increase in occupancy of the site and would therefore not result in any additional parking demands. Subject to conditions, the development is acceptable and policy compliant in the above regards.

## **Community Infrastructure Levy (CIL)**

- 7.16 As the development does not create in new floorspace above 100m<sup>2</sup>, 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.

## **8 Conclusion**

- 8.1 Having taken all material planning considerations into account, it is found that the development would be acceptable and in line with the objectives of the relevant local and national policies and guidance. The development, subject to conditions, is considered to offer acceptable impact on highway safety and parking. The development would also result in acceptable impacts on neighbouring residential amenity and the character and appearance of the area. This application is, therefore, recommended for approval subject to conditions.

## **9 Recommendation**

**GRANT PLANNING PERMISSION** subject to the following conditions:

- 01 The development hereby permitted shall begin no later than three years from the date of this decision.**

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



- 02** The development hereby permitted shall be carried out in accordance with the following approved plans: 620-200/1, 620-201/3, 620-202/4, 620-204/3.

**Reason:** To ensure the development is carried out in accordance with 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) Policy DM1, and the Design and Townscape Guide (2009).

- 04** The development hereby approved shall not at any time be adapted to enable formation of more than six (6) bedrooms and shall not be occupied by more than six (6) people at any one time.

**Reason:** To ensure the use hereby approved would offer acceptable living conditions for its occupiers in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM8.

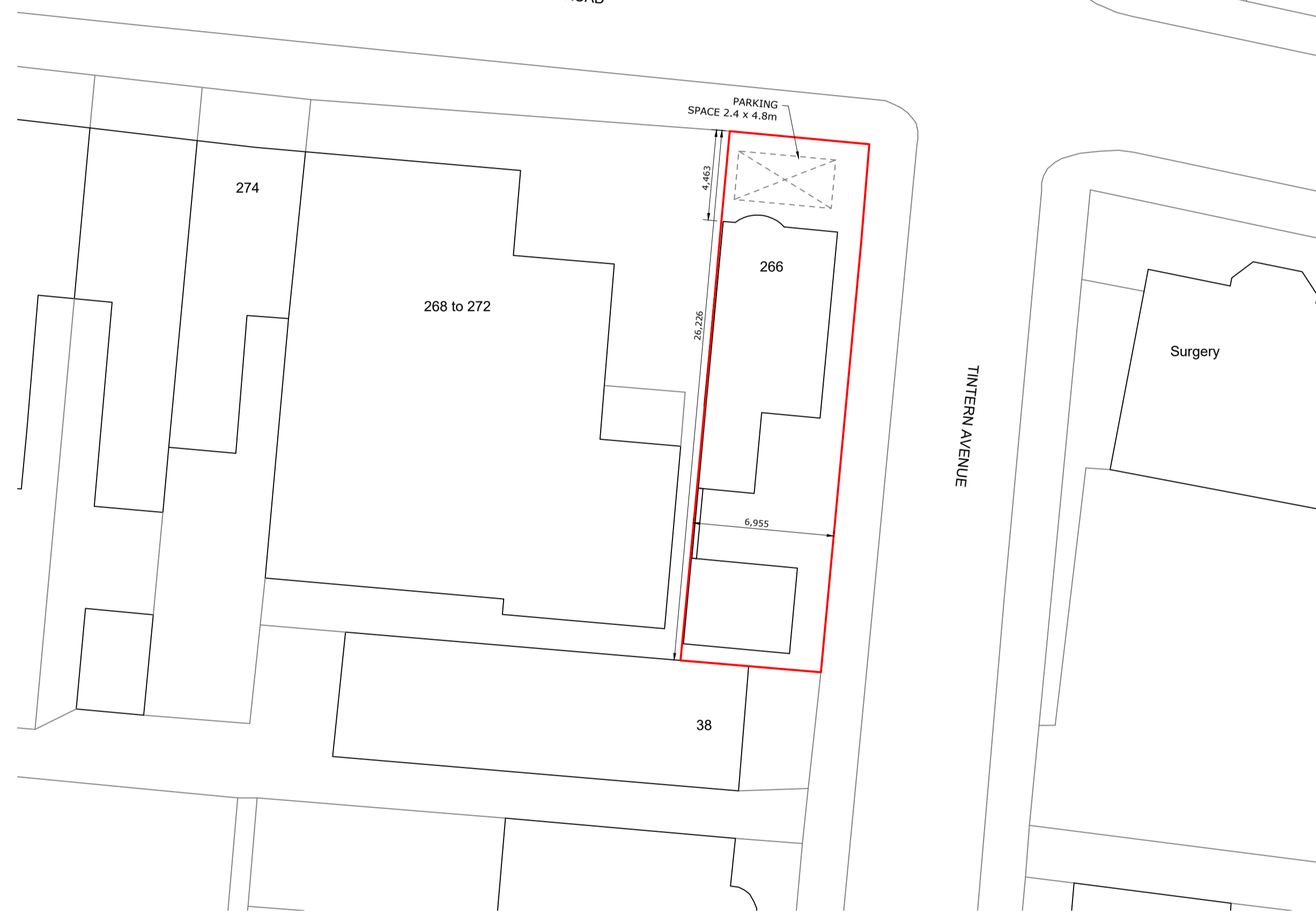
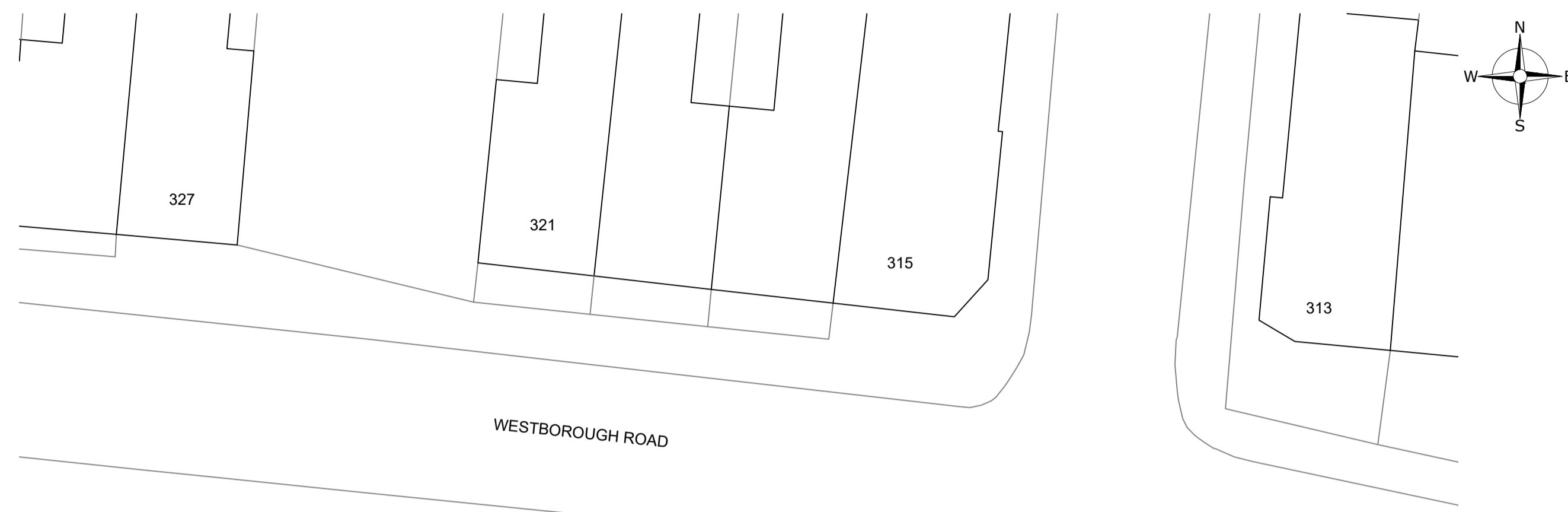
The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local 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**

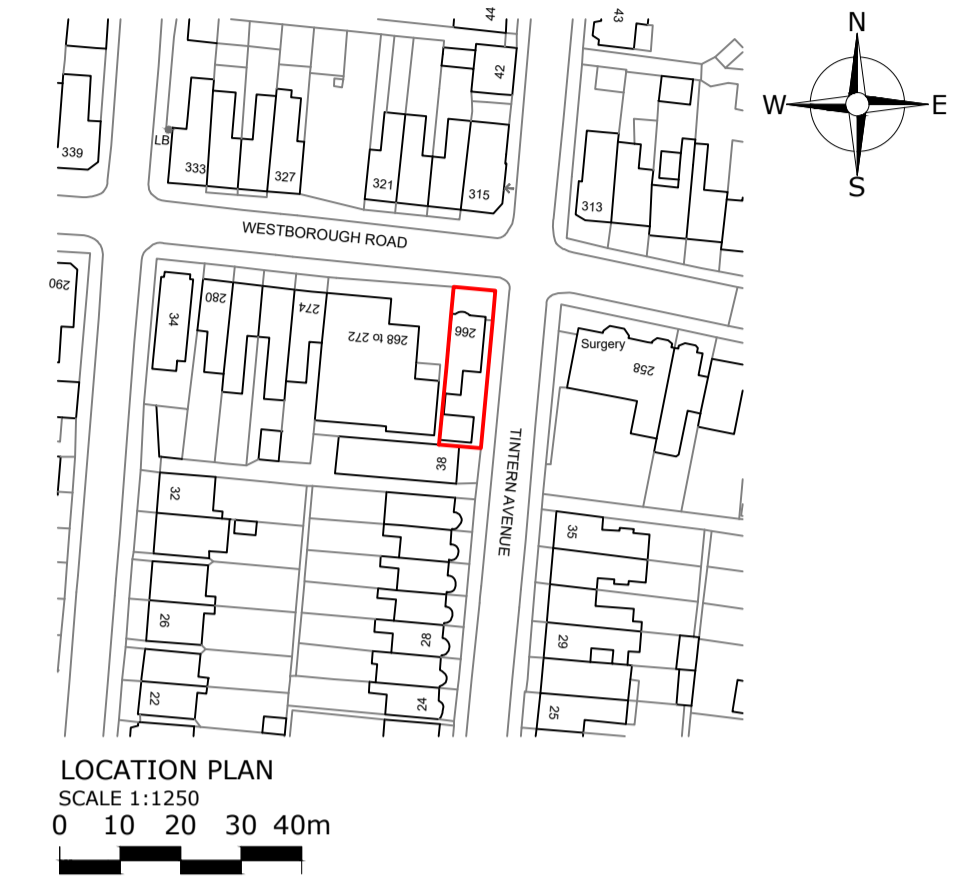
- 1** You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace, and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See the Planning Portal ([www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy](http://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy)) or the Council's website ([www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)) 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.**

NOTES:  
Do not scale this drawing. Work to figured dimensions only. Check all dimensions on site. Confirm any discrepancies prior to commencement of work.



SITE PLAN  
SCALE 1:200  
0 1 2 3 4 5m



LOCATION PLAN  
SCALE 1:1250  
0 10 20 30 40m



BLOCK PLAN  
SCALE 1:500  
0 5 10 15 20m

129

Rev:01	08/20	Revised Site Plan
Rev:00	07/20	First Issue
<b>Krystal Architecture Ltd</b> A : 133 Brackley Crescent, Basildon, Essex, SS13 1RA T : 01268 454581 / 07999061557 E : info@krystal-architecture.com W : www.krystal-architecture.com		
<b>Project Address</b> 266 Westborough Road, Southend, Essex,		
<b>Client Name</b> Property Point Investments		
<b>Drawing Title</b> Location, Block & Site Plans		
<b>Status</b> Planning Drawings		
<b>Drawing Number</b> 620-200		<b>Rev: 01</b>
<b>Date</b> 28.08.20	<b>Scale</b> 1:200/500/1250 @A1	<b>Drawn By</b> WN

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NOTES:  
Do not scale this drawing. Work to figured dimensions only. Check all dimensions on site. Confirm any discrepancies prior to commencement of work.



131



Rev-03	12/20	Revised Bin Store
Rev-02	08/20	Doors Switched
Rev-01	07/20	Revised Section
Rev-00	07/20	First Issue

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**Project Address**  
 266 Westborough Road, Southend, Essex,

**Client Name**  
 Property Point Investments

**Drawing Title**  
 Existing & Proposed Elevations

**Status**  
 Planning Drawings

**Drawing Number**  
**620-204**

**Rev: 03**

**Date**  
 10.12.20

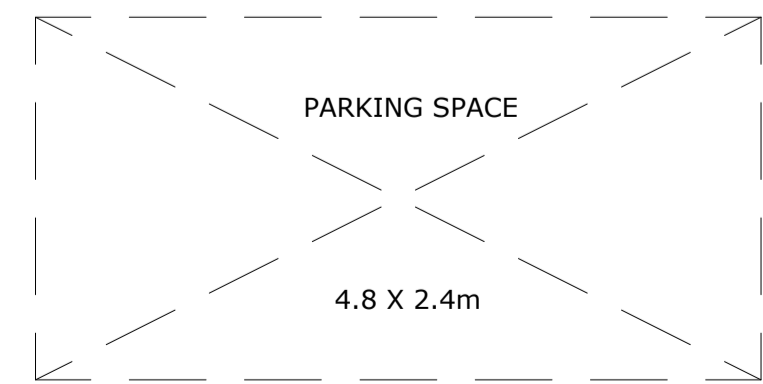
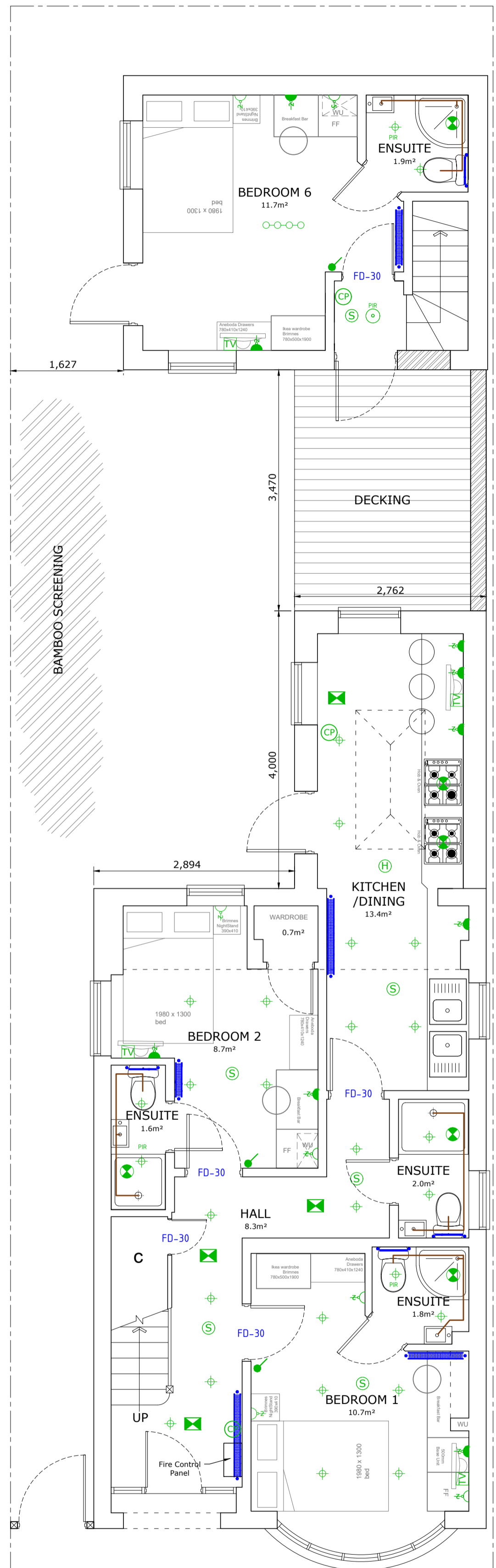
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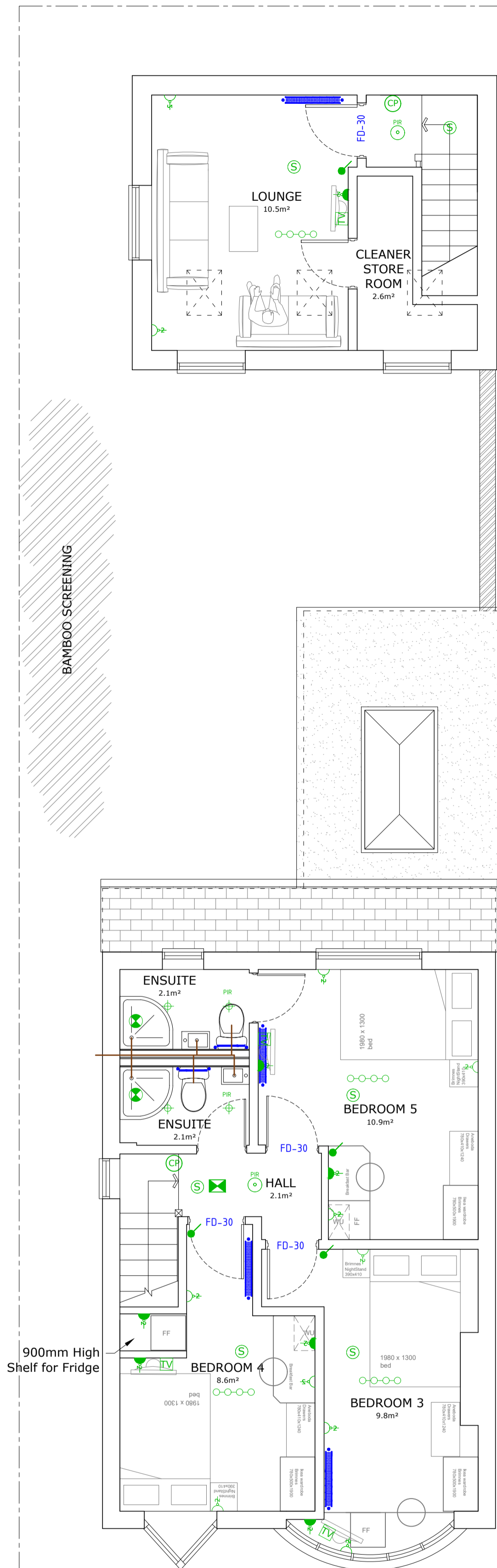
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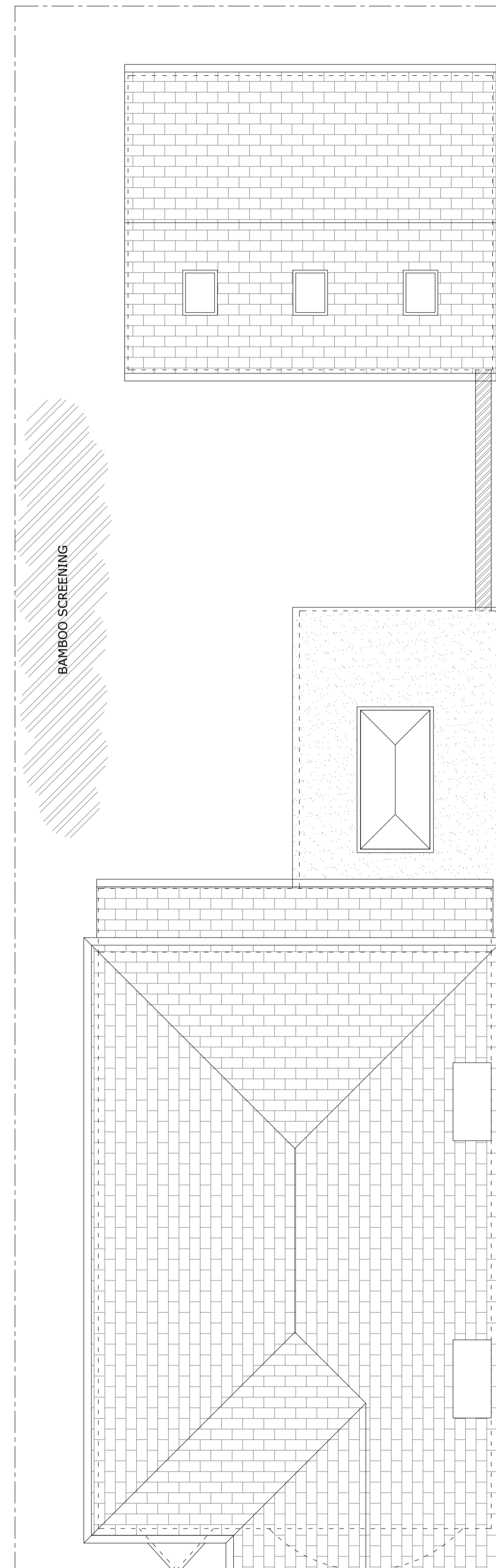
NOTES:  
Do not scale this drawing. Work to figured dimensions only. Check all dimensions on site. Confirm any discrepancies prior to commencement of work.



EXISTING GROUND FLOOR  
SCALE 1:50



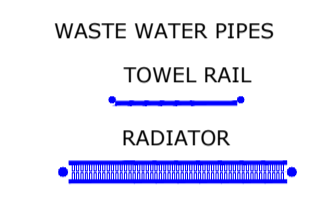
EXISTING FIRST FLOOR  
SCALE 1:50



EXISTING ROOF PLAN  
SCALE 1:50

**KEY**

	PENDANT LIGHTS
	PIR LIGHTS
	FIRE DOORS - 30 MINUTES
	CALL POINT
	EMERGENCY LIGHTS
	EXTRACTOR FANS
	TV AERIAL SOCKET
	HEAT DETECTOR
	BAR LIGHTS
	SMOKE DETECTOR
	SINGLE GANG LIGHT SWITCH
	DOUBLE SWITCHED WALL SOCKET LOW LEVEL
	DOUBLE SWITCHED WALL SOCKET HIGH LEVEL
	FRIDGE
	FRIDGE/FREEZER
	Internet Router



PLEASE NOTE  
PIR sensor lights in all communal areas (kitchen, hallways, entrance porch, external & at rear) and ensuites  
All waste water drainage connection to be agreed on site by Building Inspector and Contractor.

Furniture	Brand	W	D	H
Side Table	Brimmes	390	410	530
Wide Drawers	Brimmes	780	410	1240
Tall Drawers	Malm	400	485	1230
Wardrobe	Brimmes	780	500	1900

Rev-03	08/20	Revised Plans
Rev-02	07/20	Revised Lounge
Rev-01	07/20	Revised Plans
Rev-00	07/20	First Issue

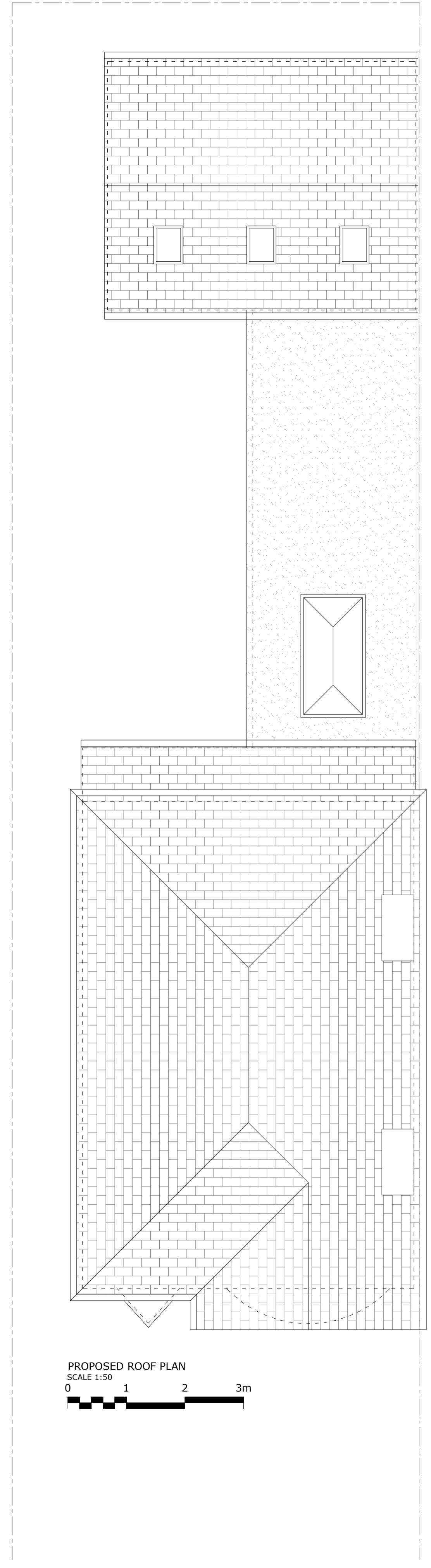
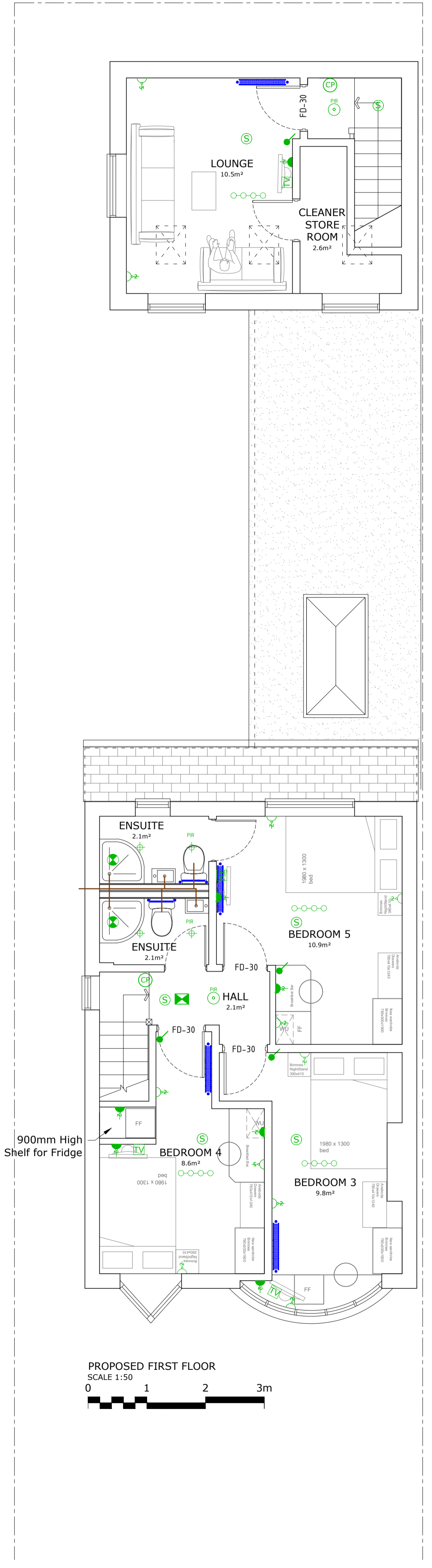
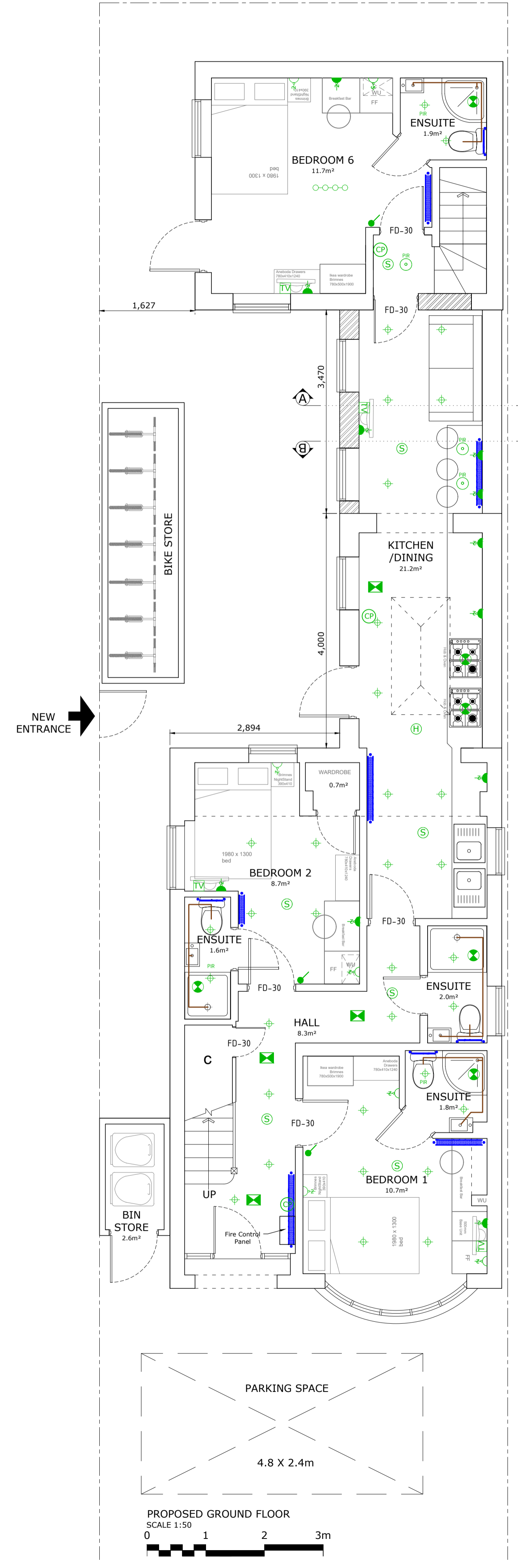
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E : info@krystal-architecture.com  
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**Project Address**  
266 Westborough Road, Southend, Essex,  
**Client Name**  
Property Point Investments  
**Drawing Title**  
Existing Floor Plans  
**Status**  
Planning Drawings  
**Drawing Number**  
620-201  
**Rev: 03**  
**Date**  
28.08.20  
**Scale**  
1:50 @A1  
**Drawn By**  
WN



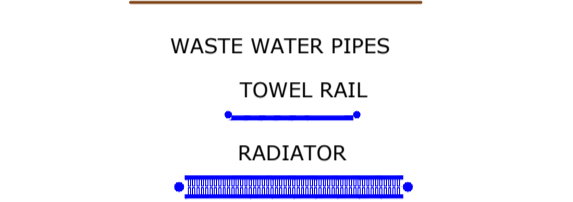
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**KEY**

○	PENDANT LIGHTS
PIR	PIR LIGHTS
FD-30	FIRE DOORS - 30 MINUTES
CP	CALL POINT
EMERGENCY LIGHTS	EMERGENCY LIGHTS
EXTRACTOR FANS	EXTRACTOR FANS
TV AERIAL SOCKET	TV AERIAL SOCKET
HEAT DETECTOR	HEAT DETECTOR
BAR LIGHTS	BAR LIGHTS
SMOKE DETECTOR	SMOKE DETECTOR
SINGLE GANG LIGHT SWITCH	SINGLE GANG LIGHT SWITCH
DOUBLE SWITCHED WALL SOCKET LOW LEVEL	DOUBLE SWITCHED WALL SOCKET LOW LEVEL
DOUBLE SWITCHED WALL SOCKET HIGH LEVEL	DOUBLE SWITCHED WALL SOCKET HIGH LEVEL
FR	FRIDGE
FF	FRIDGE/FREEZER
Internet Router	Internet Router



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Rev-04	09/20	Revised Bin Stores
Rev-03	08/20	Revised Bin Stores
Rev-02	07/20	Revised Lounge
Rev-01	07/20	Revised Plans
Rev-00	07/20	First Issue

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**Project Address**  
266 Westborough Road, Southend, Essex.

**Client Name**  
Property Point Investments

**Drawing Title**  
Proposed Floor Plans

**Status**  
Planning Drawings

**Drawing Number**  
620-202

**Rev: 04**

**Date**  
10.12.20

**Scale**  
1:50 @A1

**Drawn By**  
WN

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<b>Reference:</b>	20/01520/FUL	<h1>9</h1>
<b>Application Type:</b>	Full Application	
<b>Ward:</b>	Westborough	
<b>Proposal:</b>	Convert existing 6 Bed HMO (Class C4) and existing ancillary building at the rear to a 7 Bed HMO (Sui Generis) and erect single storey linked rear extension	
<b>Address:</b>	266 Westborough Road, Westcliff-On-Sea, Essex	
<b>Applicant:</b>	Mr Saunders	
<b>Agent:</b>	Mr Wilton Nodoro of Krystal Architecture Ltd.	
<b>Consultation Expiry:</b>	28th October 2020	
<b>Expiry Date:</b>	11 January 2021	
<b>Case Officer:</b>	Kara Elliott	
<b>Plan Nos:</b>	<b>620-200/1, 620-201/3, 620-203/2, 620/204/03</b>	
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION</b>	



## **1 Site and Surroundings**

- 1.1 The site is located to the south of Westborough Road on its corner with Tintern Avenue. The application relates to a former two storey, three bedroom dwelling and a detached two storey workshop building located within the rear garden. The main dwelling and annexe has since been converted to a 6 bedroom HMO (under permitted development).
- 1.2 The applicant has provided information to evidence the occupation of the site as detailed above.
- 1.3 The surrounding area is made up of predominately residential dwellings. However, a car garage/MOT test centre is located immediately to the west of the application site which fronts Westborough Road and a financial planning company occupies a building immediately to the south, within Tintern Avenue.
- 1.4 The site has no specific allocation within the Development Management Document Proposals Map and does not relate to a listed building.

## **2 The Proposal**

- 2.1 Planning permission is sought for a linking extension from the existing single storey rear projection at the rear of the main property connecting to the annexe building. The extension would have a flat roof with a height of 2.95m matching the existing single storey extension and would be 3m wide (also to match) and 3.47m deep. The addition would have no openings to its western flank and would contain two vertical windows to its eastern flank, matching two existing openings within the existing single storey rear extension. No new openings are proposed to the existing buildings.
- 2.2 The proposed linking extension would enable a change of use of the two buildings from a six-room HMO, falling within the definition of Use Class C4, to a seven-room HMO which is a Sui Generis use. Currently the main building has 5 bedrooms and there is one bedroom and a communal lounge at first floor level in the annexe building. The proposal involves the change of the communal lounge to a seventh bedroom. The applicant has confirmed that the change of use from a family dwelling to HMO was undertaken under permitted development and the property is currently occupied by 6 persons.
- 2.3 The proposed development would consist of the following internal accommodation across the main building, the linking extension and annexe building;

### Ground Floor

- 1 x 11.7m<sup>2</sup> bedroom (en-suite)
- 1 x 8.7m<sup>2</sup> bedroom (en-suite)
- 1 x 10.7m<sup>2</sup> bedroom (en-suite)
- Galley kitchen/diner (21.2m<sup>2</sup>)
- Hall (8.3m<sup>2</sup>)
- Shower Room (2m<sup>2</sup>)

### First Floor

1 x 8.6m<sup>2</sup> bedroom

1 x 9.8m<sup>2</sup> bedroom (en-suite)

1 x 10.9m<sup>2</sup> bedroom (en-suite)

1 x 10.5m<sup>2</sup> bedroom (en-suite)

Shower Room (2.1m<sup>2</sup>)

- 2.4 Each of the rooms except the communal kitchen/diner area created through the linking extension are existing.
- 2.5 The applicant has confirmed that they have applied for a HMO licence for a maximum of 7 persons. The applicant confirms that they have a strict policy of no cooking facilities in the rooms, fridges and breakfast bars are provided in rooms for the comfort of tenants only. All cooking facilities at the property are in the form of a shared kitchen.

### **3 Relevant Planning History**

- 3.1 03/00533/FUL - Erect two storey store/workshop to rear of premises – Granted.
- 3.2 18/00995/PA3COU - Change of use of rear workshop (Class B1(c)) to dwellinghouse (Class C3) (Prior Approval) – Refused.
- 3.3 18/01804/FUL - Convert existing dwellinghouse and existing ancillary workshop/store (Class C3) to a seven bedroom HMO (Sui Generis) and erect single storey link extension to rear – Refused.
- 3.4 19/00518/AMDT - Application to remove condition 04 premises shall only be used as workshop/store ancillary to residential property (Minor material amendment of planning permission SOS/03/00533/FUL dated 25/06/2003) – Refused.
- 3.5 19/01219/AMDT - Application to remove condition 04 premises shall only be used as workshop/store ancillary to residential property (Minor material amendment of planning permission 03/00533/FUL dated 25/06/2003) (Amended Proposal) – Granted.
- 3.6 20/01511/FUL - Erect linked single storey rear extension – Pending Consideration.

### **4 Representation Summary**

#### **Highways & Parking**

- 4.1 No objection. Comments: Consideration has been given to the existing 6 bedroom and the impact on the highway should a 7 bedroom be approved. There are no current parking policies for HMO's. We have to assess the sustainable location of the site. In this case, the site does benefit from being in a sustainable location with cycle, bus and train provision in close proximity. Secure cycle parking should be provided as part of the development. It should also be noted that future occupier will not be eligible for a residential parking permit. It is not considered that the proposal will have a detrimental impact upon the public highway.



## **Public Consultation**

4.2 Twelve (12) neighbouring properties were consulted and a site notice was displayed. Seven (7) letters of representation have been received which make the following objections;

- Loss of family dwelling;
- Loss of neighbour amenity from loss of light;
- On-street parking stress;
- Stress on local services i.e. doctors surgeries, shops etc.
- Overdevelopment;
- HMO out of keeping with locality;
- Increase in rubbish;
- Fear of crime;
- Poor design;
- Out of keeping with character and appearance of locality;
- Noise pollution;
- Stress of facilities i.e. water and waste;
- Disruption from building works;
- Lack of garden space;
- No consent granted for HMPO (6 bed);
- Right of way in title deeds compromised by existing fencing;

4.3 Officer comment: The comments in the representation have been taken into consideration in the assessment of the application but not found to be justifiable reasons for refusing planning permission in the circumstances of this case.

4.4 The application falls to be decided by members of the Development Control Committee at the request of Cllr Anne Jones.

## **5 Planning Policy Summary**

5.1 The National Planning Policy Framework (NPPF) (2019)

5.2 Planning Practice Guidance (PPG) – National Design Guide (NDG) (2019)

5.3 Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment and Urban Renaissance), CP8 (Dwelling Provision).

5.4 Development Management Document (2015): Policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM7 (Dwelling Mix, Size and Type), DM8 (Residential Standards), DM15 (Sustainable Transport Management).

5.5 Design & Townscape Guide (2009)

5.6 National Housing Standards (2015)

- 5.7 Technical Housing Standards Policy Transition Statement (2015)
- 5.8 Waste Storage, Collection and Management Guide for New Developments (2019)
- 5.9 Community Infrastructure Levy (CIL) Charging Schedule (2015)

## **6 Planning Considerations**

- 6.1 The main considerations in relation to this application are the principle of the development, its impact upon the character and appearance of the site and the wider area, the standard of accommodation for future occupiers, the impact on residential amenity of neighbouring occupiers, any traffic and transportation issues, refuse and recycling storage and whether the development would be liable for CIL.

## **7 Appraisal**

### **Principle of Development**

- 7.1 Paragraph 117 of the NPPF states: *“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other users, while safeguarding and improving the environment and ensuring safe and healthy living conditions.” Furthermore, the NPPF requires development to boost the supply of housing by delivering a wide choice of high-quality homes.”*
- 7.2 Policy DM8 states that non self-contained accommodation should be directed toward the central area of Southend or where such type of accommodation is needed by certain institutions, such as Southend Hospital or University of Essex. Southend-on-Sea Borough Council’s development framework does not currently contain any policies that specifically relate to HMOs. The NPPF states that where the development plan is silent the general presumption in favour of sustainable development should apply, meaning that planning permission should be granted unless, *“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*
- 7.3 Planning permission was refused in 2018 (ref 18/01804/FUL - Convert existing dwellinghouse and existing ancillary workshop/store (Class C3) to a seven bedroom HMO (Sui Generis) and erect single storey link extension to rear). This application was refused for two reasons, 1. Loss of a family dwelling and 2. Parking stress. Since then, the application site has been converted to a HMO under permitted development and it is stated that there are currently 6 individuals residing at the property. Therefore, the reason for refusal regarding loss of a family dwelling is no longer relevant. Parking issues are discussed further within this report.
- 7.4 The NPPF encourages the effective use of land and seeks to create sustainable, inclusive and mixed communities. There is no objection to the principle of the increase of a 6 bedroom HMO to a 7 bed HMO in this location as it is considered that materially, an increase in the occupation at the property by one more person in an additional bedroom would not be dissimilar to the existing situation, subject to other material considerations.

- 7.5 In terms of the proposed extension, there is no objection in principle to the addition or alteration of the buildings. Other material planning considerations are discussed in the following sections of the report.

### **Design and Impact on the Character of the Area**

- 7.6 The National Planning Policy Framework requires new development to respond positively to its surroundings. Paragraph 124 of the NPPF states that; “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”
- 7.7 Policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 and the Design and Townscape Guide advocate the need for any new development to respect the character of the area and complement local character.
- 7.8 No external changes are proposed to the existing property and the annexe building. A single storey linking extension is proposed between the two buildings, located within the rear garden. The extension would have a flat roof with a height of 2.95m matching the existing single storey extension and would be 3m wide (also to match) and would be sited near the western side boundary shared with Westcliff Service Centre MOT garage which neighbours the site. The flat roof extension would be finished in materials to match the existing buildings on site and would feature a symmetrical arrangement of two windows to its eastern flank with an existing door being made into a window on the same elevation.
- 7.9 The proposed development would be partially visible from public vantage points within Tintern Avenue and Westborough Road.
- 7.10 It is considered that in terms of its size, scale, bulk and height, the proposed extension would be visually acceptable and would not result in demonstrable harm to the character and appearance of the host buildings or the wider area. Whilst the extension would create one continuous building form, it is considered that due to its single storey nature and the context of its addition between the existing two, two storey buildings, the resulting development is visually acceptable and would not result in demonstrable harm to the character and appearance of the dwelling, the streetscene or the wider surrounding area.
- 7.11 It is therefore considered that the proposed link extension would not result in a detrimental impact on the character and visual amenity and is acceptable and policy compliant in this regard.

### **Standard of Accommodation and Living Conditions for Future Occupiers**

- 7.12 Delivering high quality homes is a key objective of the NPPF. Policy DM3 of the Development Management Document states that proposals should be resisted where they create a detrimental impact upon the living conditions and amenity of existing and future residents or neighbouring residents.

7.13 In relation to residential standards for non-self-contained accommodation, policy DM8 of the Development Management Document, states that all proposals of this nature will be required to meet the internal space standards set out in Policy Table 6 which states that a minimum bedroom size should be 6.5m<sup>2</sup> for single and 10.2m<sup>2</sup> for double bedrooms and that the accommodation shall have some communal areas, such as a living room, kitchen, diner.

7.14 The Council has adopted the Essex Approved Code of Practice with respect to HMOs and this document represents a material planning consideration when read along with the above policy table, although it is noted that the Code of Practice is not a planning policy document. This document sets out the following standards for HMOs:

**Table 1: Minimum room size requirements**

Room size requirements are given in sq.m. For clarity, a room size of 12sqm is equivalent to a room measuring 4m by 3m and also a room measuring 6m by 2m.

Room use	Number of occupants	HMO with shared facilities (kitchen/ dining/living)	HMO with shared kitchen facilities (no shared living room)	HMO without shared facilities (i.e. bedsits or studios)
Bedroom or Letting	1	6.51sqm	8.5sqm	11sqm
	2	10.22sqm	12sqm	15sqm
Shared Kitchen	Up to 5	7sqm	7sqm	
	6	8.5sqm	8.5sqm	
	7	10sqm	10sqm	
	8 -10	14sqm (or 2 rooms each 7sqm)	14sqm (or 2 rooms each 7sqm)	
Shared Living/Dining Room	up to 5	11sqm	*5sqm	
	6	12sqm	*6.5sqm	
	7	13sqm	*8sqm	
	8	14sqm	*10sqm (or 2 rooms each 5sqm)	
	9	15sqm	*10sqm (or 2 rooms each 5sqm)	
	10	16.5sqm	*10sqm (or 2 rooms each 5sqm)	

**Table 2: Minimum requirements for kitchen facilities**

Occupants	Kitchen area (sqm)	Work surface (m) (600mm standard depth)	Power sockets above worktop	Hob rings	Ovens	Grills	Sinks/ drainers with hot and cold water	Dry food storage cupboard	Fresh and Frozen food storage	Fire Blanket
<b>All Shared Kitchens</b>										
Up to and including 5	7	2	3 double	4	1	1	1	1 x 500mm base unit or 1 x 1000 wall unit per occupant	1 good sized refrigerator shelf per occupant  1 good sized freezer shelf per occupant	One suitably located fire blanket in accordance with the current BS EN or equivalent standard at the time of application or renewal
6	8.5	2.4	4 double	4	2*	2*	2 <sup>#</sup>			
7	10	2.8	4 double	6	2*	2*	2 <sup>#</sup>			
8	14 (7 x 2)	4	5 double	8	2	2	2			
9	14 (7 x 2)	4	5 double	8	2	2	2			
10	14 (7 x 2)	4	5 double	8	2	2	2			
<b>Kitchens in individual lettings (Bedsits and Studios)</b>										
1 or 2	4.5	1	2 double	2	1	1	1	1 x 500mm base unit or 1 x 1000 wall unit per occupant	1 good sized refrigerator shelf per occupant 1 good sized freezer shelf per occupant	One suitably located fire blanket in accordance with BS 6575
					or a safely located combination microwave/oven/ grill					

Table 3: Minimum requirements for bathrooms/shower rooms and WC compartments

Occupants sharing	Bathrooms Comprising 1 Bath/Shower Unit (With Hot and Cold Water) and may contain a WC (but see * below)	Separate WC compartment with wash hand basin with H & C	Ventilation (suitable and adequate)	Adequate size and layout: Minimum floor area for safe use of bathroom
Less than 5	1	0	Mechanical ventilation is required in all bathrooms and WC compartments which lack natural ventilation via an openable window. It will also be required, in addition to any natural ventilation, where necessary, to mitigate problems of damp and mould. It is always recommended that where possible, in addition to any natural ventilation, mechanical ventilation is provided in all bathrooms and WC compartments.	Bath only 2.3sqm Bath & WHB 2.5sqm Bath,WC&WHB 2.8sqm Shower only 1.7sqm Shower&WHB 2.0sqm Shower,WC&WHB 2.2sqm WC & WHB 1.2sqm
	1	1		
6	2*	1		
7	2*	1		
8	2*	1		
9	2*	1		
10	2	2		
Ensuite for 1 or 2	1	0	Comments as above	

- 7.15 The premises provides some 21m<sup>2</sup> of shared floorspace for kitchen and dining/sitting areas. 2 shared bathrooms are also provided. The communal areas are considered to be sufficient to accommodate needs for the number of occupants on site. All bedrooms on the premises exceed the minimum floorspace standard of 6.5m<sup>2</sup>. All rooms would benefit from acceptable outlook and natural light. The communal amenity space is considered to be sufficient for the number of rooms and maximum number of potential occupiers within the property.
- 7.16 The existing levels of accommodation are considered to be materially similar to those proposed and the increase in one unit (from 6 to 7 in total) with the addition of a communal kitchen/diner would provide an improved and greater level of communal living accommodation within the site. The development as a whole is considered to offer acceptable living standards for its current and future occupiers in planning terms.

### Impact on Residential Amenity

- 7.17 Policy DM1 of the Development Management Document requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities and also: *“having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight.*
- 7.18 The application site is neighboured by a car MOT garage to the east and a financial services business to the north. Due to the corner position of the plot, there are no immediate neighbours to the north and east. The proposed single storey linking extension would be sited against the western side boundary shared with the car MOT garage. Due to its single storey nature, the absence of direct residential neighbouring occupiers and its modest nature, it is not considered that the extension would result in a loss of amenity through overshadowing, loss of light, loss of privacy or an unacceptable level of perceived and actual dominance.

7.19 It is not considered that the proposed development consisting of an increase from 6 to 7 bedrooms and the resulting increase of one occupant would result in materially increased levels of activity associated with existing levels of occupation of the site. The proposal is not considered to result in material harm to the amenities of the nearest neighbouring residents and there are no reported noise complaints registered at the property. HMOs are generally compatible with a residential setting. The development is acceptable and policy compliant in these regards.

### **Traffic and Transportation Issues**

7.20 Policy DM15 of the Development Management Document states: *“Development will be allowed where there is, or it can be demonstrated that there will be, physical and environmental capacity to accommodate the type and amount of traffic generated in a safe and sustainable manner”*. The policy also requires that adequate parking should be provided for all development in accordance with the adopted vehicle parking standards.

7.21 The parking standards do not include any requirements for HMOs. The proposal would provide one parking space to the front, this is also part of the existing layout. Although there is no parking standard associated with HMOs, it is accepted that the lawful use of the site as a dwelling or as a six-bed HMO has the potential to attract some parking need.

7.22 The site is located approximately a 20 minute walk to Westcliff train station and a couple of minutes' walk to London Road for main bus routes. London Road is host to many local services and Hamlet Court Road District Centre is a 15 minute walk away. It is therefore considered that the site is within a relatively sustainable location whereby occupants would not need to rely on the use of a private motor car for their day to day needs.

7.23 Safe and secure parking for sustainable transport options is provided on site in the form of cycle racks within the rear garden for 7 bikes; one cycle parking space per room.

7.24 The parking requirements for a 6 bed HMO and a 7 bed HMO are materially similar and would not result in a significantly higher parking demand. Subject to conditions the development is, on balance, acceptable and policy compliant in the above regards.

### **Refuse and Recycling Storage**

7.25 The submitted plans show an area of waste storage within the site behind a gate which can be accessed from the front or the rear garden and contains a lockable store for two bins. This would be adequate to serve the level of accommodation proposed. The proposal is acceptable and policy compliant in this regard.

### **Community Infrastructure Levy (CIL)**

7.26 As the development does not create in new floorspace above 100m<sup>2</sup>, 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.

## **8 Conclusion**

- 8.1 Having taken all material planning considerations into account, it is found that the development would be acceptable and in line with the objectives of the relevant local and national policies and guidance. The development, on balance and subject to conditions, is considered to offer acceptable living conditions for its current and future occupiers and on balance to have an acceptable impact on highway safety and parking. The development would also result in acceptable impacts to neighbouring residential amenity and the character and appearance of the area and provides adequate refuse and recycling storage. This application is, therefore, recommended for approval subject to conditions.

## **9 Recommendation**

**GRANT PLANNING PERMISSION subject to the following conditions:**

- 01 The development hereby permitted shall begin no later than three years from the date of this decision.**

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

- 02 The development hereby permitted shall be carried out in accordance with the following approved plans: 620-200/1, 620-201/3, 620-203/2, 620/204/3.**

**Reason: To ensure the development is carried out in accordance with 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) Policy DM1, and the Design and Townscape Guide (2009).**

- 04 Prior to the occupation of the development hereby granted, at least seven secured and covered cycle parking spaces shall be provided on site in accordance with the details shown on drawing no. 620-203/2 and shall be made available for use for the benefit of the current and future occupiers of the approved development and shall be retained in perpetuity for the lifetime of the development.**

**Reason: To ensure the provision of adequate cycle parking in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policies DM1, DM3, DM8 and DM15, and the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).**



- 05** Prior to the occupation of the development hereby granted, secure bin storage shall be provided on site in accordance with the details shown on drawing no. 620-203/2 and shall be made available for use for the benefit of the current and future occupiers of the approved development and shall be retained in perpetuity for the lifetime of the development.

**Reason:** To ensure the provision of adequate bin storage and to ensure the development does not result in material harm to the character and appearance of the area and in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2, CP3, Development Management Document (2015) Policies DM1, DM3 and, and the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

- 06** The development hereby approved shall not at any time be adapted to enable formation of more than seven (7) bedrooms and shall not be occupied by more than seven (7) people at any one time.

**Reason:** To ensure the use hereby approved would offer acceptable living conditions for its occupiers in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM8.

- 07** The bedrooms within the building shall not at any time contain cooking facilities.

**Reason:** To ensure the use hereby approved would offer acceptable living conditions for its occupiers in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM8.

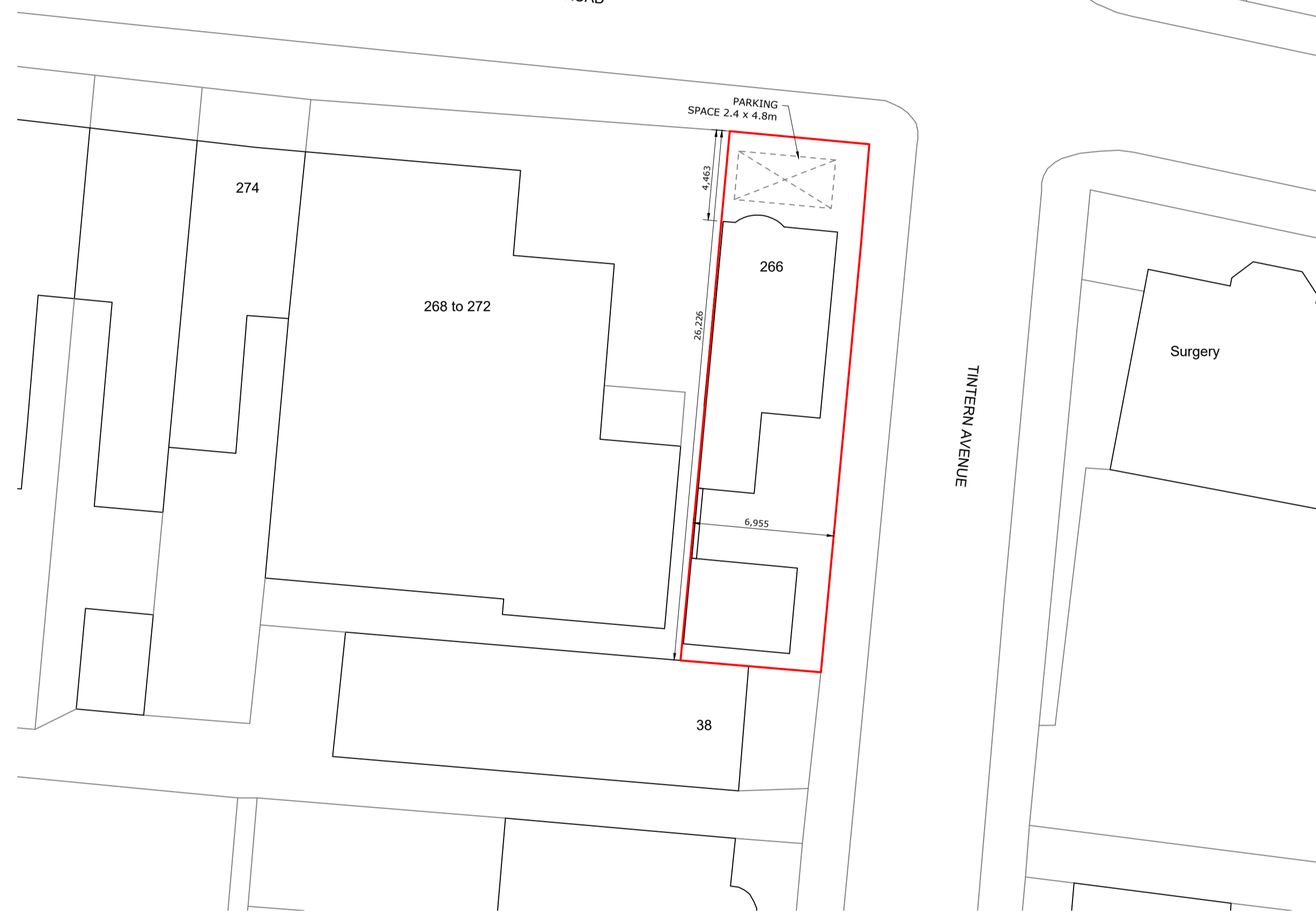
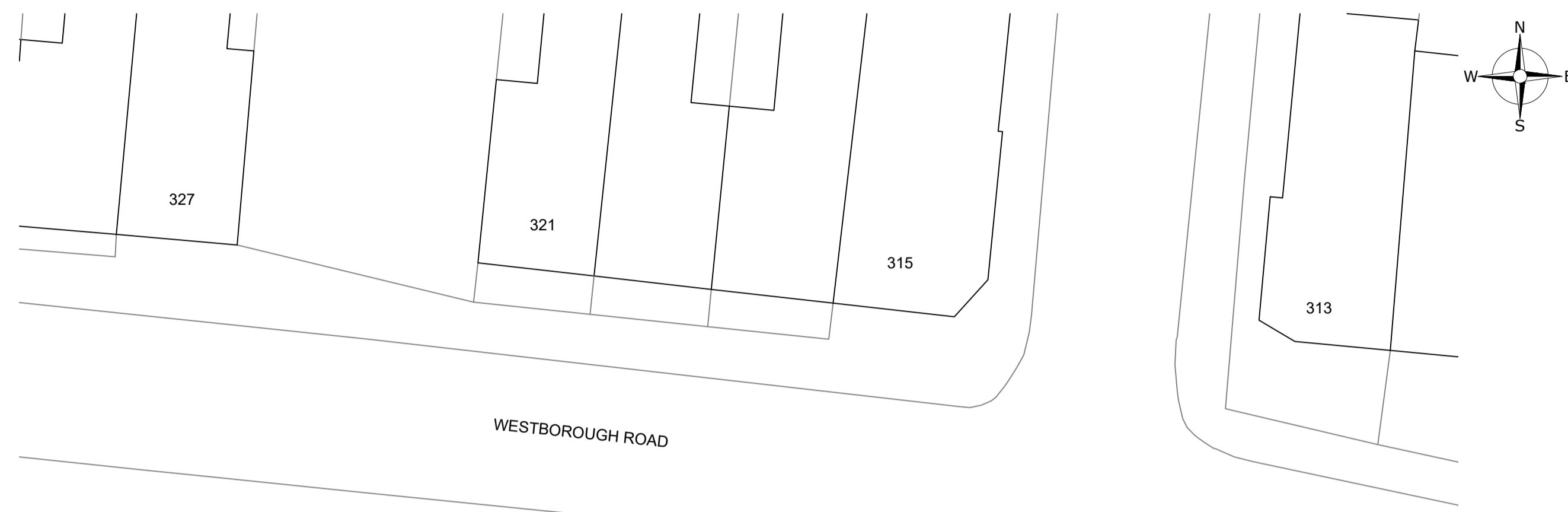
The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local 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**

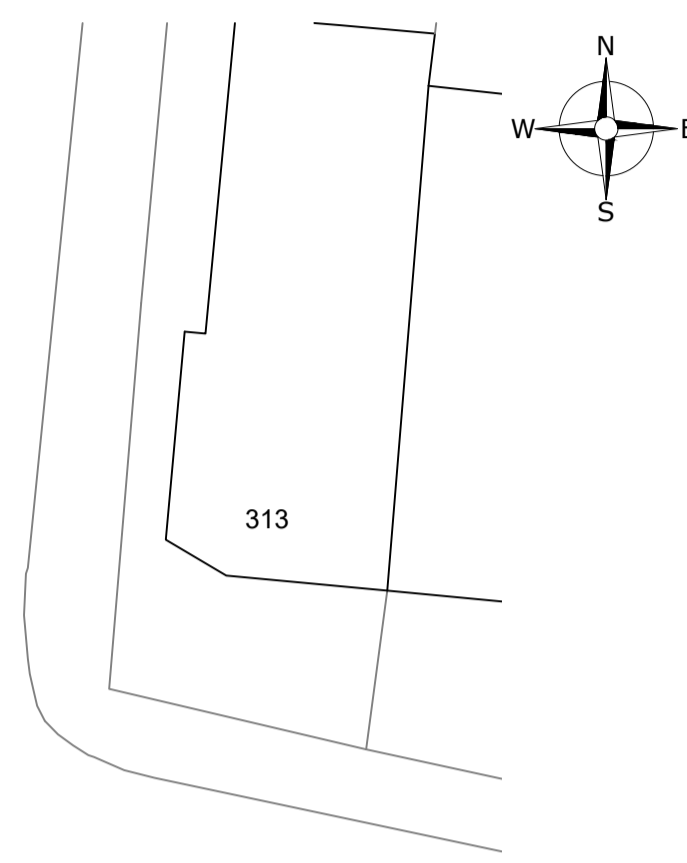
- 1** You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace, and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See the Planning Portal ([www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy](http://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy)) or the Council's website ([www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)) 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.**

NOTES:  
Do not scale this drawing. Work to figured dimensions only. Check all dimensions on site. Confirm any discrepancies prior to commencement of work.



SITE PLAN  
SCALE 1:200  
0 1 2 3 4 5m



LOCATION PLAN  
SCALE 1:1250  
0 10 20 30 40m



BLOCK PLAN  
SCALE 1:500  
0 5 10 15 20m

149

Rev:01	08/20	Revised Site Plan
Rev:00	07/20	First Issue
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<b>Project Address</b>		
266 Westborough Road, Southend, Essex,		
<b>Client Name</b>		
Property Point Investments		
<b>Drawing Title</b>		
Location, Block & Site Plans		
<b>Status</b>		
Planning Drawings		
<b>Drawing Number</b>		<b>Rev: 01</b>
<b>620-200</b>		
<b>Date</b>	<b>Scale</b>	<b>Drawn By</b>
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NOTES:  
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151



Rev-03	12/20	Revised Bin Store
Rev-02	08/20	Doors Switched
Rev-01	07/20	Revised Section
Rev-00	07/20	First Issue

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 266 Westborough Road, Southend, Essex,

**Client Name**  
 Property Point Investments

**Drawing Title**  
 Existing & Proposed Elevations

**Status**  
 Planning Drawings

**Drawing Number**  
**620-204**

**Date**  
 10.12.20

**Scale**  
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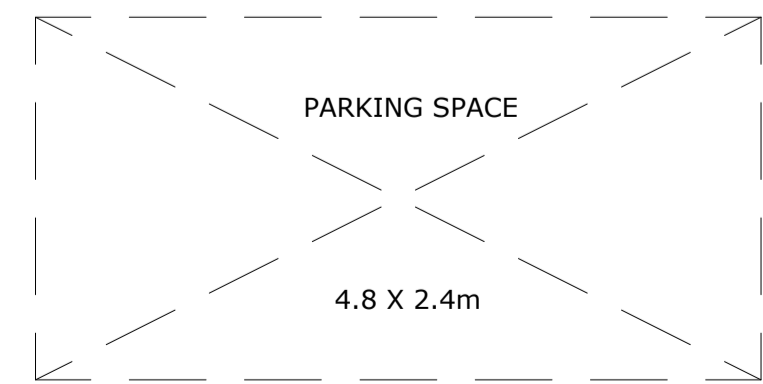
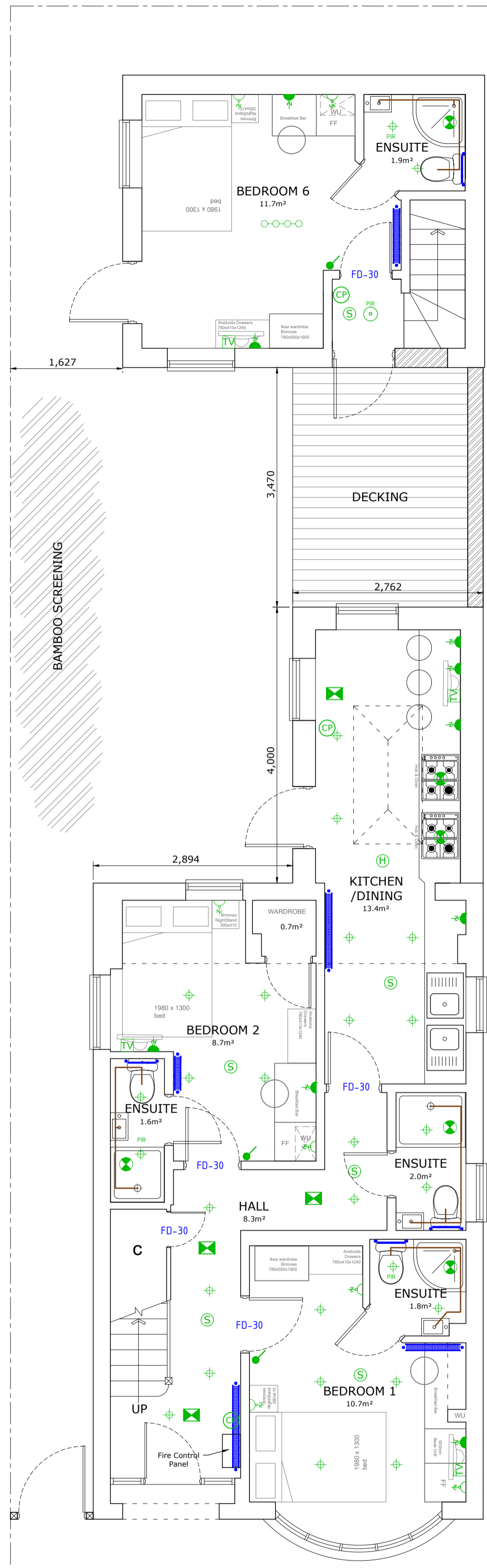
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**Rev: 03**

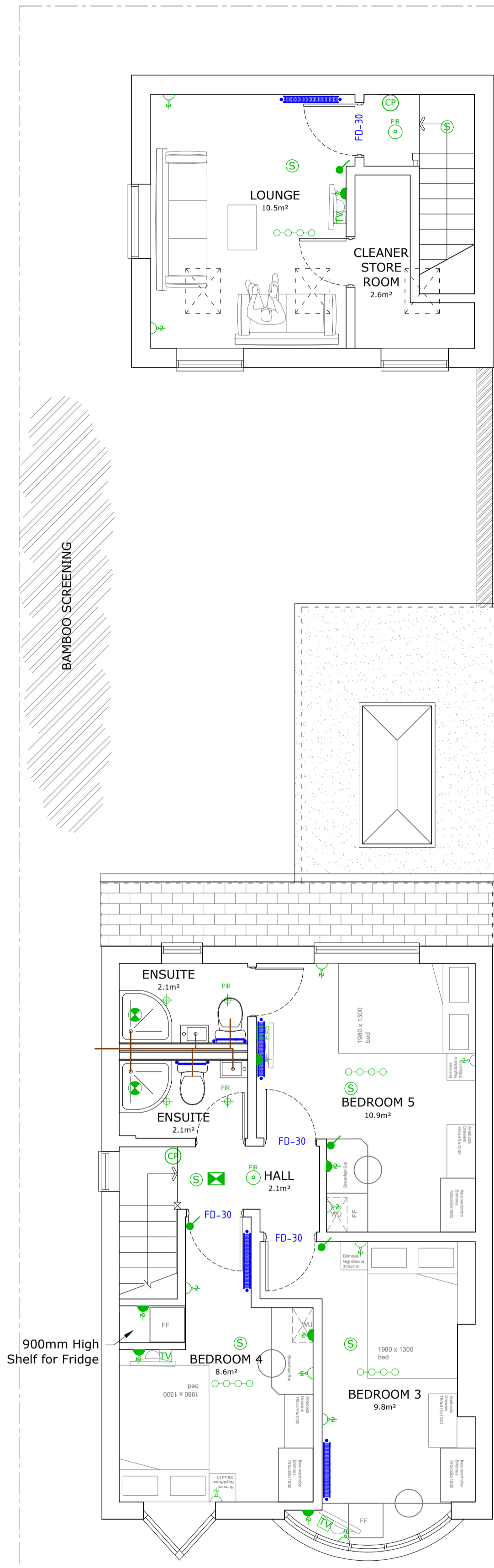
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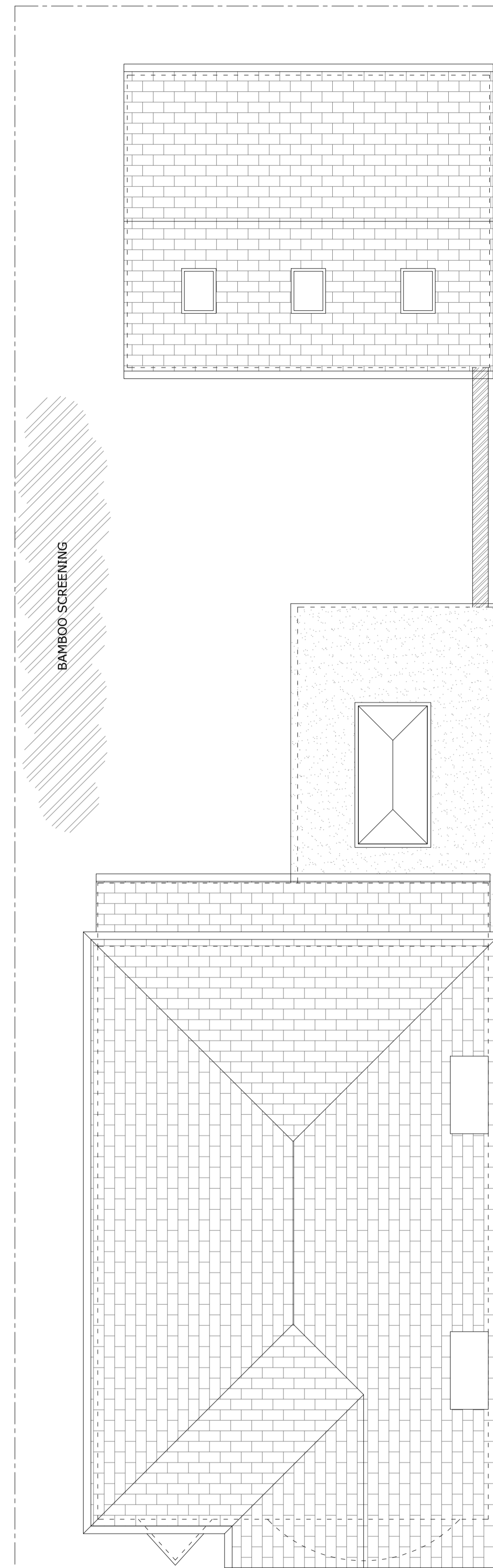
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EXISTING GROUND FLOOR  
SCALE 1:50



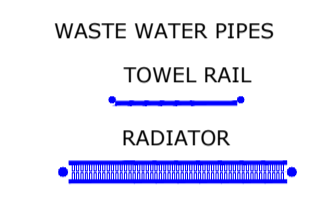
EXISTING FIRST FLOOR  
SCALE 1:50



EXISTING ROOF PLAN  
SCALE 1:50

**KEY**

	PENDANT LIGHTS
	PIR LIGHTS
	FIRE DOORS - 30 MINUTES
	CALL POINT
	EMERGENCY LIGHTS
	EXTRACTOR FANS
	TV AERIAL SOCKET
	HEAT DETECTOR
	BAR LIGHTS
	SMOKE DETECTOR
	SINGLE GANG LIGHT SWITCH
	DOUBLE SWITCHED WALL SOCKET LOW LEVEL
	DOUBLE SWITCHED WALL SOCKET HIGH LEVEL
	FRIDGE
	FRIDGE/FREEZER
	Internet Router



PLEASE NOTE  
PIR sensor lights in all communal areas (kitchen, hallways, entrance porch, external & at rear) and ensuites  
All waste water drainage connection to be agreed on site by Building Inspector and Contractor.

Furniture	Brand	W	D	H
Side Table	Brimmes	390	410	530
Wide Drawers	Brimmes	780	410	1240
Tall Drawers	Malm	400	485	1230
Wardrobe	Brimmes	780	500	1900

Rev:03	08/20	Revised Plans
Rev:02	07/20	Revised Lounge
Rev:01	07/20	Revised Plans
Rev:00	07/20	First Issue

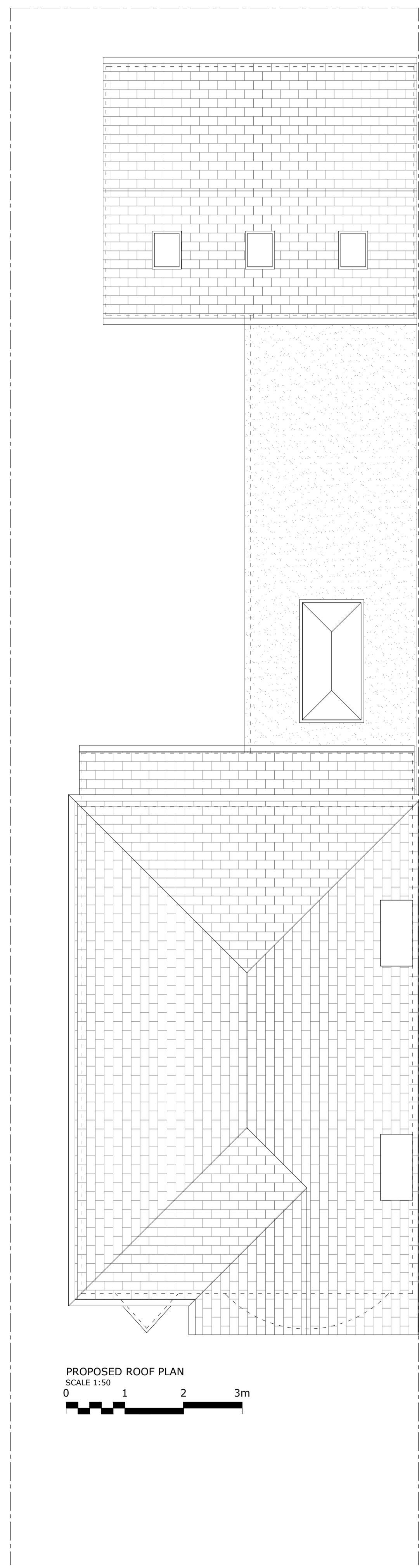
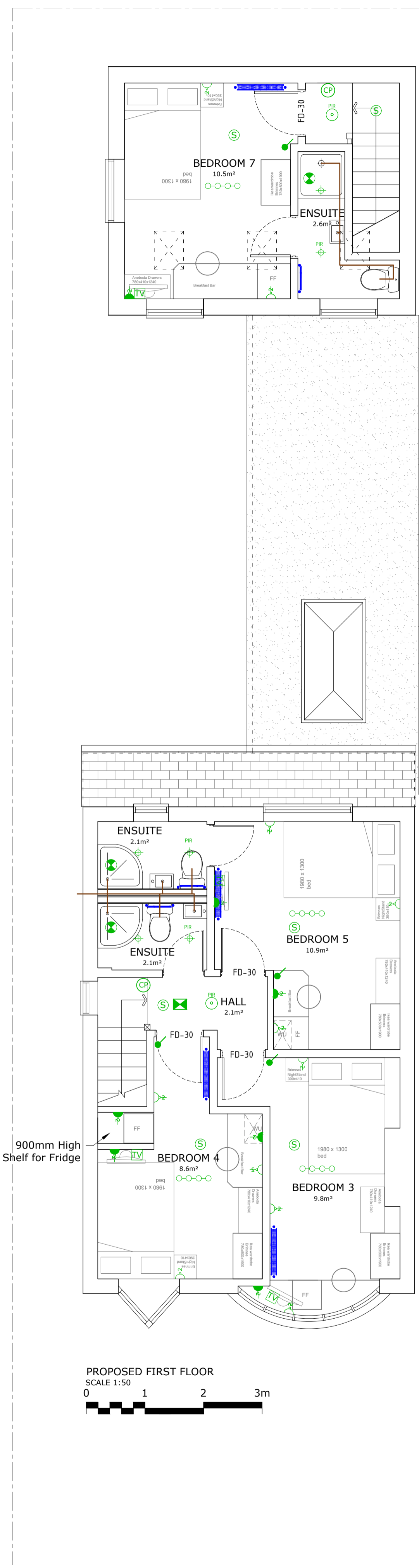
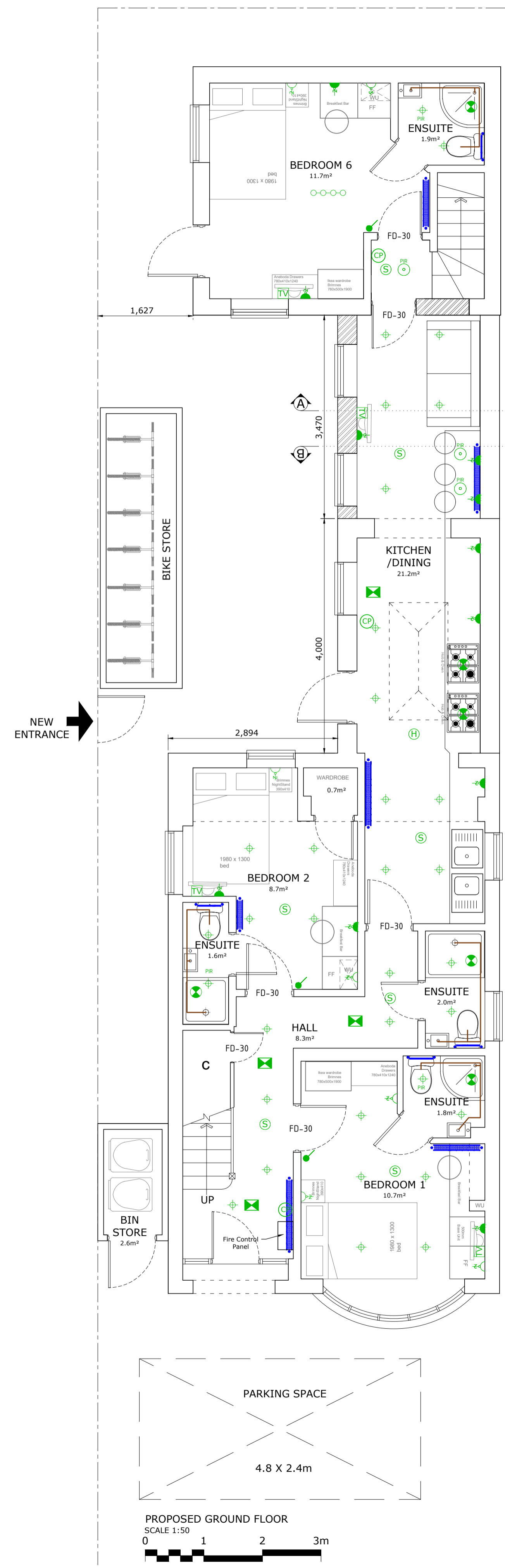
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**Client Name**  
Property Point Investments  
**Drawing Title**  
Existing Floor Plans  
**Status**  
Planning Drawings  
**Drawing Number**  
620-201  
**Rev: 03**  
**Date**  
28.08.20  
**Scale**  
1:50 @A1  
**Drawn By**  
WN



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**KEY**

	PENDANT LIGHTS
	PIR LIGHTS
	FIRE DOORS - 30 MINUTES
	CALL POINT
	EMERGENCY LIGHTS
	EXTRACTOR FANS
	TV AERIAL SOCKET
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WASTE WATER PIPES  
TOWEL RAIL  
RADIATOR

Furniture	Brand	W	D	H
Side Table	Brimnes	390	410	530
Wide Drawers	Brimnes	780	410	1240
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Wardrobe	Brimnes	780	500	1900

Rev:02	12/20	Revised Bin Stores
Rev:01	08/20	Revised Plans
Rev:00	07/20	First Issue

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**Client Name**  
Property Point Investments

**Drawing Title**  
Proposed Floor Plans

**Status**  
Planning Drawings

**Drawing Number**  
620-203

**Rev: 02**

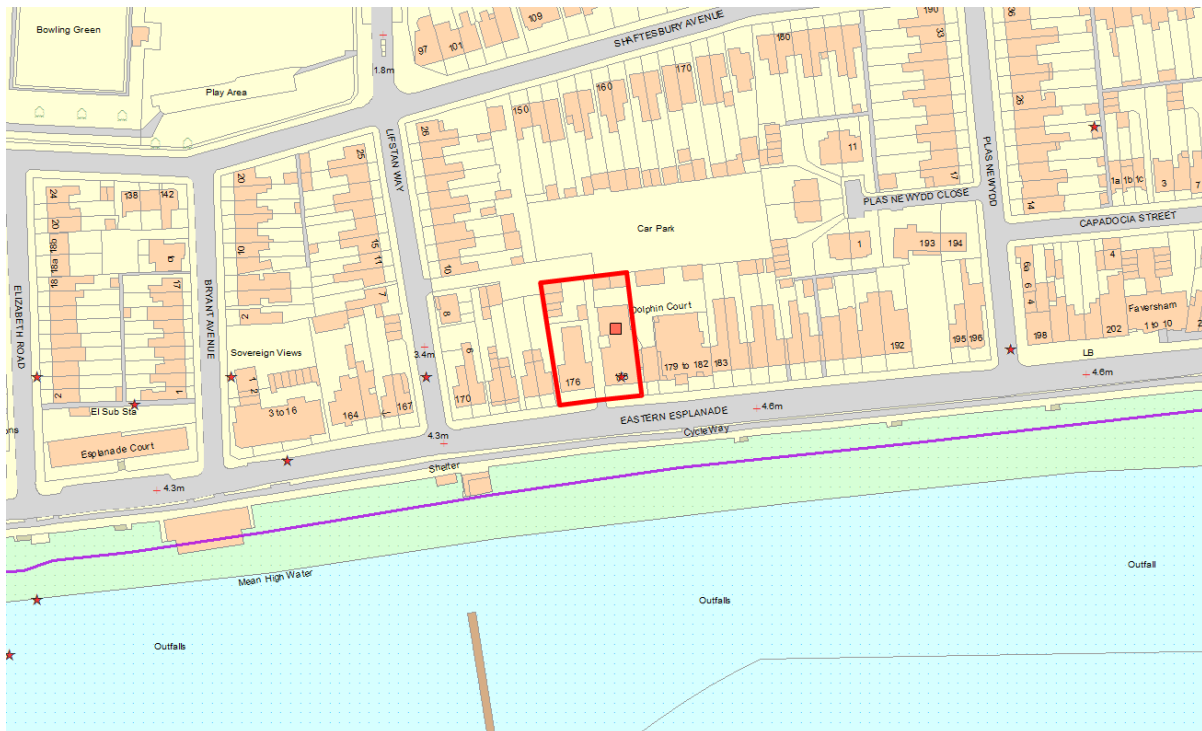
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10.12.20

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<b>Reference:</b>	19/01687/FUL	<h1>10</h1>
<b>Application Type:</b>	Full Application	
<b>Ward:</b>	Thorpe	
<b>Proposal:</b>	Demolish existing garage block to rear, erect two storey building with basement comprising of two additional hotel apartments, storage and bike store, lay out parking spaces to rear	
<b>Address:</b>	Camelia Hotel, 176 - 178 Eastern Esplanade, Southend-On-Sea	
<b>Applicant:</b>	C/o Agent	
<b>Agent:</b>	ABG Architecture	
<b>Consultation Expiry:</b>	28th February 2020	
<b>Expiry Date:</b>	7th January 2021	
<b>Case Officer:</b>	Robert Lilburn	
<b>Plan Nos:</b>	<b>101P01, 101P02, 101P03, 101P04, 101P05</b>	
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION</b>	



## **1 Site and Surroundings**

- 1.1 The site is located on the northern side of Eastern Esplanade and comprises a hotel within 2no. three storey buildings (nos.176 and 178 Eastern Esplanade) each with a two-storey rear projection. There is a vehicular access to the rear car park located between the buildings. It was identified in the previous application 18/01434/FUL that the established Camelia Hotel comprises 70 bed spaces arranged over 28 rooms and 6 apartments.
- 1.2 This part of Eastern Esplanade is mixed in character and comprises residential dwellings, hotels, guest houses and B&Bs. The scale of the neighbouring buildings along the Esplanade is some 3 to 4 storeys, falling to two storeys around the large surface car park behind the site.
- 1.3 The site is included within the Seafront Area and is located within Seafront Character Zone 5. It is located within Flood Zone 3.

## **2 The Proposal**

- 2.1 The application seeks to demolish several single-storey garages to the rear of the site and construct a detached building to provide two self-contained hotel apartments (use class C1) and incidental storage space for the hotel. The building would have a dual-pitched roof and would be formed of two storeys with an additional semi-basement.
- 2.2 Each hotel apartment would be set out over two storeys with open plan kitchen and living accommodation and WC, on the ground floor and two bedrooms and a bathroom on the first floor. Four parking spaces in 2 tandem rows would be provided between the proposed building and the existing hotel building.
- 2.3 The key differences between the submitted plans and the previously approved plans further to application 18/01434/FUL and which remain extant, are as follows:
  - The inclusion of a semi-basement to provide additional storage for the hotel;
  - The inclusion of a single storey element at the west elevation to form a cycle store and separately an access leading to the semi-basement;
  - The submitted plans show that the building would be situated some 5.8m to the north of the existing rear projection of the main hotel building at no.176 whereas previously it would have been situated some 6m to the north of this projection;
  - The ground floor layout has been altered to provide a more open plan space within each unit;
  - The first-floor dormers on the eastern elevation have been widened to provide additional space and daylight into the bedroom spaces and to allow for more flexible window opening options;
  - The inclusion of two low level windows on the flank elevations;
  - Reconfiguration of doors and windows on ground floor east elevation.
- 2.4 The first-floor layout of the units would be unchanged.
- 2.5 Proposed internal floor levels of the habitable accommodation would be unchanged from the earlier approved application at 4.91m AOD at ground floor and 7.56m AOD at first floor.

- 2.6 The front doors to the units would open onto a paved area to the east in common with the extant planning permission.
- 2.7 The approved access and parking arrangements would be unaffected and would be provided as per the existing planning permission with four parking spaces located to the south of the proposed apartments, between the proposed outbuilding and the existing rear projection at the rear of no.176.
- 2.8 The submitted plans show the ground level falling away from the proposed outbuilding; this appears to reflect the existing context, and the proposed floor levels and ground level associated with the proposed building appear to be unchanged from the previous approved application. No material changes to ground levels appear to be proposed over and above the existing extant approval.
- 2.9 The submitted plans show proposed hard surfacing materials as Marshalls Drivesett Argent priora permeable block paving, with box hedging indicated alongside small areas of artificial grass to the immediate west of the proposed units, and a 2m high close-boarded boundary fence along the west boundary of no.176.
- 2.10 The plans also indicate proposed external materials as Ketley Brick Staffordshire Brown Brindle, and Dreadnought Brown Brindle smooth-faced clay tiles, with slate-grey powder coated aluminium doors and window frames, and graphite grey cladding to form doorway and window canopies. Glass balustrades would also be provided to form Juliet balconies to the dormer windows. A sedum roof would be provided to the flat roof single story projection at the west elevation.
- 2.11 The applicant states that the waste and recycling needs of the proposal would be integrated into the existing provision which is located directly opposite the two units and identified on the submitted proposed site layout plan.
- 2.12 The application is supported by a revised Flood Risk Assessment (FRA) dated 27/01/2020 and a supporting statement from the agent.
- 2.13 The application has been called in to Development Control Committee by Councillor Woodley.

### **3 Relevant Planning History**

- 3.1 19/01686/FUL: Erect ground floor front extension incorporating bifold doors and two storey side extension to form new entrances, reception space, and additional restaurant and bar area, replacement windows with juliet balconies/two balcony terraces to front and alterations to west facing elevation. Approved.
- 3.2 18/01434/FUL: Demolish existing garage block to rear, erect two storey building comprising two additional hotel rooms and layout additional parking spaces to rear (Amended Proposal). Approved.
- 3.3 18/01016/FUL: Demolish existing garage block to rear, erect two storey building comprising two additional hotel rooms and layout additional parking spaces to rear (Amended Proposal). Refused for the following reason:

01. The proposed building would, by reason of its design, size, bulk, mass and siting, result in an overbearing relationship with and an increased sense of visual enclosure to 175 and 175B Eastern Esplanade, to the detriment of the residential amenities of the occupiers of these properties. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2012); 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).

3.4 17/02118/FUL: Demolish existing garage block to rear of Hotel and erect a two-storey building to form 2 additional hotel rooms and layout additional parking spaces. Refused.

3.5 02/00337/FUL: Use rear part of building as hotel rooms (Class C1) in association with neighbouring hotel and form an additional self-contained flat (Class C3). Approved.

## **4 Representation Summary**

### **4.1 Public Consultation**

22 neighbouring properties were notified, and a site notice was posted. One letter of representation has been received which is summarised as follows:

- Design, scale and character out of keeping in residential area;
- Overdevelopment;
- Impacts on neighbour amenities and amenities of area;
- Loss of privacy and overlooking;
- Noise impacts;
- Effects of traffic and parking on amenities and highways.

4.2 These concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.

### **4.3 Environmental Health**

No objection subject to conditions and informatives regarding construction hours and methods.

### **4.4 Highways Team**

No objections.

### **4.5 Resilience Team**

No objection provided flood plans are based on at least 1 in 200-year events and include evacuation routes and access to higher ground (i.e. access to upper floors).

### **4.6 Environment Agency**

Holding objection removed given higher refuge available at the application site.

### **4.7 Council's SuDS and Drainage Engineers**

Confirmation sought from emergency planners in relation to suitable rest centres and evacuation routes. The development should incorporate Suds and foul drainage - details to be submitted.



## **5 Planning Policy Summary**

- 5.1 National Planning Policy Framework (2019)
- 5.2 Planning Practice Guidance and National Design Guide (2019)
- 5.3 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles), KP3 (Implementation and Resourced), CP1 (Employment Generating Development) CP3 (Transport and Accessibility) and CP4 (Environment & Urban Renaissance).
- 5.4 Development Management Document (2015) Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land), DM6 (The Seafront), DM12 (Visitor Accommodation) and DM15 (Sustainable Transport Management)
- 5.5 Design and Townscape Guide (2015)
- 5.6 Community Infrastructure Levy (CIL) Charging Schedule (2015)

## **6 Planning Considerations**

- 6.1 The main considerations in relation to this application are the principle of the development including flood risk considerations, design and impact on the character of the area, impact on amenity of neighbouring properties and any traffic and transport issues and CIL. The earlier extant planning permission 18/01434/FUL for a development of similar scale, character and use, is also a material consideration carrying a degree of weight in the assessment.

## **7 Appraisal**

### **Principle of Development including Flood Risk**

- 7.1 The proposed development would provide additional visitor accommodation and would support economic activity within the town.
- 7.2 Paragraph 117 of the NPPF states '*Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions*'.
- 7.3 Paragraph 80 of the NPPF states '*Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.*'
- 7.4 The site is located within Seafront Character Zone 5 as set out in Policy DM6. The development principles of this zone include: '*(i) To encourage enhancements that promote this location as a tourist and leisure destination...*'.
- 7.5 Policy DM12 of the Development Management Document states 'New visitor accommodation will be focused within the Southend Central Area, London Southend Airport area and at locations with good access and a clear and strong relationship with the Seafront (the 'Key Areas'). Within the Key Areas visitor accommodation will be retained'.

- 7.6 The proposed development would provide additional visitor accommodation at a location on the seafront and would support economic activity. This would be acceptable further to the above-noted objectives of the NPPF and Policies DM6 and DM12 of the Development Management Document. Consistent with the assessment of the proposal in application 18/01434/FUL the proposal is acceptable as a matter of general principle in these respects.
- 7.7 The site is located within Flood Zone 3a and the proposal would intensify the use of the site by two units in a 'more vulnerable' use, as defined in the NPPF and Planning Practice Guidance.
- 7.8 Policy KP1 of the Core Strategy states that all development proposals within identified flood risk zones '*shall be accompanied by a detailed flood risk assessment appropriate to the scale and the nature of the development and the risk*'. It states that '*development will only be permitted where that assessment clearly demonstrates that it is appropriate in terms of its type, siting and the mitigation measures proposed, using appropriate and sustainable flood risk management options*'.
- 7.9 Paragraph 155 of the NPPF states that '*Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere*'.
- 7.10 Paragraphs 158 and 159 of the NPPF state '*The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in the area with a lower risk of flooding...If it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied*'.
- 7.11 The application site falls within the Seafront Area identified in Policy KP1 of the Core Strategy. This policy was adopted further to the Thames Gateway South Essex Partnership Strategic Flood Risk Assessment. The preamble to Policy KP1 notes there are limited options to achieve regeneration and growth within the Borough and that development on flood plains will be considered. Therefore, Policy KP1 directs development into the area which includes the application site.
- 7.12 The area is promoted for regeneration and growth. It is considered that further development in the Seafront area is acceptable in principle subject to a site-specific investigation. The proposal is therefore considered to pass the requirements of the sequential test.
- 7.13 Paragraph 160 of the NPPF states '*For the exceptions test to be passed it should be demonstrated that: a) The development would provide wider sustainability benefits to the community that outweigh the flood risk; and b) The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible will reduce flood risk overall*'.

- 7.14 The proposal would provide sustainability benefits by resulting in a more efficient use of land, providing additional hotel and tourist facilities located on previously developed land. The development would therefore provide wider sustainability benefits. Part A of the exceptions test of the National Planning Policy Framework is therefore considered to be satisfied in this instance.
- 7.15 Part B of the exceptions test set out in in the National Planning Policy Framework, requires development to be safe.
- 7.16 A Flood Risk Assessment by UK Flood Risk Consultants ref. QFRA 1563/814 v1.1 dated 27/01/2020 (FRA) has been submitted.
- 7.17 The Environment Agency (EA) has considered the FRA and note that the proposed first floor would flood internally by 0.47m depth in the 0.1% (1 in 1000) annual probability with climate change (breach) flood event. However, on the basis that higher refuge is available within the established hotel buildings, the EA has confirmed no objection to the proposal. The Borough Council's resilience team have commented that the provision of refuge through access to the existing upper floors is satisfactory. The proposal is therefore considered acceptable further to Part B of the exceptions test.
- 7.18 The principle of the development is therefore found acceptable.

### **Design and Impact on the Character of the Area**

- 7.19 Paragraph 124 of the NPPF states that: *"The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*.
- 7.20 The National Design Guide seeks well-designed places in which development integrates and relates well into its surroundings. This accounts for patterns of built form including routes and spaces around buildings.
- 7.21 Policy DM1 of the Development Management Document states that all development should: *"add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features"*. Policy DM6 seeks to protect the positive characteristics of the Seafront area. In Character Zone 5 it seeks to protect the existing architectural character and mix of uses; to resist inappropriate development fronting the Seafront; preserve the vernacular form and fine urban grain of the seafront; maintain the low-rise height of existing buildings in future development.
- 7.22 Policy KP2 of the Core Strategy states that new development should: *"respect the character and scale of the existing neighbourhood where appropriate"*. Policy CP4 of the Core Strategy requires that development proposals should: *"maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development"*.

- 7.23 The Design and Townscape Guide also states that: *“the Borough Council is committed to good design and will seek to create attractive, high-quality living environments”*.
- 7.24 The position, scale and layout of the proposed building would not be materially different to that approved in application 18/01434/FUL, except for the proposed single storey projection. Since application 18/01434/FUL was determined, the revised National Planning Policy Framework (2019) has come into force. It is considered that the contents of the revised NPPF do not materially alter the assessment of the impacts of the proposal relative to that application. The addition of the single storey projection would not compromise the character and appearance of the proposed building or its context.
- 7.25 The detailed design would be acceptable, and the proposed red-brown finish of the external materials specified would be acceptable in this location. The proposed soft landscaping and hard surfacing would be acceptable. The development would be reasonably integrated into the existing built form. The application is found acceptable and policy compliant with development plan policies for the reasons identified regarding design, character and appearance.

### **Impact on Residential Amenity**

- 7.26 Paragraph 127 of the NPPF seeks to secure a good standard of amenity for all existing and future occupants of land and buildings. Policy KP2 of the Core Strategy seeks to secure improvements to the urban environment through quality design. Policy CP4 seeks to maintain and enhance the amenities, appeal and character of residential areas.
- 7.27 Policies DM1 and DM3 of the Development Management Document seek to support sustainable development which is appropriate in its setting, and that protects the amenity of the site, immediate neighbours, and surrounding area, having regard to matters including privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight.
- 7.28 The Guide also states that *“the Borough Council is committed to good design and will seek to create attractive, high-quality living environments”* and that *“extensions must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties”*.
- 7.29 The position, layout, scale, and design of the proposed building, except for the single storey projection, are not materially different to the earlier scheme where these aspects were found acceptable in relation to neighbouring occupiers. The amount of visitor accommodation and the layout of car parking would not be materially changed.
- 7.30 Since application 18/01434/FUL was determined the revised National Planning Policy Framework (2019) has come into force, it is considered however, that the contents of the revised NPPF do not materially alter the assessment of the impacts of the proposal relative to that application.
- 7.31 The proposed single storey projection and associated stores would not have a materially harmful impact on neighbouring occupiers, given its scale, position and use ancillary to the hotel.

- 7.32 The windows proposed in the south and north elevations of the building would face the existing hotel and car park area. The proposed east facing windows would overlook the access road into the rear car park and ancillary buildings and would not result in any material overlooking or loss of privacy.
- 7.33 On the west elevation each apartment would be provided with large ground floor rear doors, a first-floor rear window and two roof lights. These windows would be in close proximity to the western boundary, overlooking the private amenity area of nos.175 and 175b Eastern Esplanade.
- 7.34 The ground floor doors could be largely screened by standard boundary treatments, which can be secured via a planning condition. The first-floor western rear windows proposed serve the staircases for each apartment and as such could be reasonably conditioned to be obscure glazed with limited openings to prevent any material overlooking or loss of privacy to the dwellings to the west.
- 7.35 The proposed roof lights, given their nature and positions within the roof, would not result in any material overlooking or loss of privacy. It is considered that this proposal would not result in material perceived or actual overlooking. The proposal is acceptable and policy compliant in this respect subject to conditions.
- 7.36 It is considered that the proposal is acceptable and compliant with development plan policies regarding neighbour amenities.

### **Traffic and Transportation Issues**

- 7.37 Policy CP3 of the Core Strategy states the aim of improving road safety, quality of life and equality of access for all. It also states that all development will need to reduce sole reliance on the car for accessibility.
- 7.38 Policy DM15 of the Development Management Document states that development will be allowed where there is, or it can be demonstrated that there will be, physical and environmental capacity to accommodate the type and amount of traffic generated in a safe and sustainable manner. All development should meet the adopted parking standards (including cycle parking).
- 7.39 Policy DM15 of the Development Management Document states that parking should be provided at a maximum rate of 1 space per bedroom for hotel uses (Class C1).
- 7.40 In common with the earlier approved application 18/01434/FUL, the proposed development is to be sited in a location which is currently used for informal parking and contains several garages. Whilst limited plans of the existing garages have been provided, they appear to be below the minimum size required (7m x 3m) and cannot therefore be counted as standard parking spaces.
- 7.41 This area can currently accommodate approximately 3 vehicles parked informally on the hardstanding. This proposal will include provision of 4 formal parking spaces provided in 2 tandem rows. Tandem parking is not ideal, however, the information submitted with this application indicates that the spaces would be for staff use. Tandem parking for staff will be easier to control than for customers and other users. It is also noted that the site is in a relatively sustainable location.

- 7.42 The quantity and accessibility of car parking to serve the development would be acceptable from a traffic and highways viewpoint, and it would not be materially different to the earlier arrangement, approved under application 18/01434/FUL. The Highway Team has raised no objections to the proposal in this respect. The proposal is therefore policy compliant and no objection is raised on this basis.
- 7.43 Policy DM15 provides maximum cycle parking standards for hotels of 1 space per 5 staff plus 1 space per 10 bedrooms. Secure and covered cycle storage would be provided for two cycles within the store at the rear single storey projection. The development would provide two hotel apartments and this provision is considered acceptable.
- 7.44 The application shows that the existing hotel bin store, within the single storey buildings at the east side of the site, would be utilised for waste arising from the proposed pair of apartments.
- 7.45 The proposal is found acceptable and policy compliant in relation to parking and highway and pedestrian safety.

### **Community Infrastructure Levy (CIL)**

- 7.46 This application is CIL liable and there will be a CIL charge payable. In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is being reported as a material 'local finance consideration' for the purpose of planning decisions. The proposed development includes a gross internal area of some 260.2sqm, which may equate to a CIL charge of approximately £3342 (subject to confirmation). Any existing floor area that is being retained/demolished that satisfies the 'in-use building' test, as set out in the CIL Regulations 2010 (as amended), may be deducted from the chargeable area thus resulting in a reduction in the chargeable amount.

## **8 Conclusion**

- 8.1 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The proposal would be acceptable in principle, including in flood risk terms, and would have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site, street scene and the locality more widely. There would be no materially adverse traffic, parking or highways impacts caused by the proposed development. This application is therefore recommended for approval subject to conditions.

## **9 Recommendation**

**GRANT PLANNING PERMISSION subject to the following conditions:**

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

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

- 02. The development shall be carried out in accordance with the approved plans: 101P01, 101P02, 101P03, 101P04, 101P05.**

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

- 03. The development shall be carried out only using external materials as identified on the approved plan 101P05, or otherwise in accordance with details to have been previously submitted to and approved in writing by the local planning authority.**

**Reason: In the interests of visual amenity further to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM6 of the Development Management Document (2015) and the Design and Townscape Guide (2009).**

- 04. Prior to the first use of the hotel apartments hereby approved, 4 off-street car parking spaces shall be provided at the site as shown on Drawing No. 101P05. The approved parking spaces shall thereafter be retained in perpetuity only for parking by the staff and customers of the hotel.**

**Reason: To ensure the adequate provision of parking at the site in accordance with Policy DM15 of the Development Management Document (2015).**

- 05. The hard landscaping works identified on the approved plan 101P05 shall be completed prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.**

**Reason: In the interests of visual amenity and to ensure a satisfactory standard of landscaping and drainage is implemented pursuant to Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM6 of the Development Management Document (2015).**

- 06. Prior to the first use of the hotel apartments hereby approved, the cycle and refuse and recycling storage facilities shown on the submitted plans shall be provided in full and made available for use, and shall be retained as such for the lifetime of the development thereafter.**

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



**07. The first floor west facing windows in the development hereby approved shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level before the development is brought into first use and shall be retained as such in perpetuity thereafter. 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: In the interests of the residential amenity of the adjoining residents and to ensure that the development complies with the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).**

**08. Hours of demolition and construction works associated with the development hereby approved shall be 8am - 6pm Monday to Friday, 8am - 1pm Saturday only and no works shall be carried out on Sundays or Bank Holidays.**

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

**09. Notwithstanding the provisions of Class T of Part 3, Schedule 2 to the Town and Country Planning General Permitted Development Order 2015 (or any statutory amendment, modification or re-enactment or replacement thereof (as the case may be) for the time being in force), the apartments hereby approved shall be retained for hotel use only (use class C1) and shall remain ancillary to the hotel at the application site in perpetuity.**

**Reason: To ensure the consent accords with the permission sought and because the flood refuge for the development is associated with the established hotel. This is in the interests of flood risk mitigation for the safety of occupants further to the National Planning Policy Framework and Policies KP1, KP2 and KP3 of the Core Strategy (2007).**

**10. The development permitted by this planning permission shall be carried out and operated in accordance with the mitigation measures identified in the Flood Risk Assessment (FRA) prepared by UK Flood Risk Consultants, referenced QFRA 1563/814 v1.1 dated 27/01/2020. The mitigation measures shall be fully implemented prior to first use of the development and the site shall be operated in accordance with the approved measures thereafter. Additional refuge shall be available at all times to occupiers, at the second floors of the established hotel buildings.**

**Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with National Planning Policy Framework and Policies KP1, KP2 and KP3 of the Core Strategy (2007).**

**11. Prior to first occupation of the development hereby approved, details of boundary treatments shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details before it is brought into use.**

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

**12. 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 the development hereby approved 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.**

**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.**

## **10 Informatives**

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

- 02.** You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.
- 03.** The applicant is reminded that this permission does not bestow compliance with other regulatory frameworks. In particular your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and construction noise provisions within the Control of Pollution Act 1974. Applicants should contact the Council's Environmental Health Officer for more advice on 01702 215005 or at Regulatory Services, P.O. Box 5558, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend-on-Sea, SS2 6ZQ.
- 04.** Prior to demolition of the existing buildings an appropriate Asbestos survey of the buildings shall be undertaken and a scheme implemented to remove and safely dispose of any asbestos-containing materials.
- 05.** It is recommended that the Council's building control department is notified of the demolition in order that requirements can be made under the Building Act 1984.
- 06.** The additional SuDS and drainage information that will need to be submitted as part of condition 12 includes:
- 1.** If permeable pavement or pervious surfaces are proposed, construction details, ancillary drainage elements (if applicable) and consideration of deterioration of groundwater quality and ground stability is required.
  - 2.** If partial or total infiltration measures are not proposed, the applicant should provide evidence of ground investigations or records to justify the expected ground conditions. It should be noted that source control options, like permeable pavement, can be used in areas of low infiltration.
  - 3.** The applicant should provide a detailed drainage plan including positively drained areas (permeable and impermeable), proposed SuDS (rainwater harvesting, permeable pavement, etc) and drainage systems, points of connection, discharge restrictions/flow controls and failure/exceedance overland flow routes.
  - 4.** The applicant should provide information showing final discharge points and rates where relevant up to 1 in 100 year storm (including climate change) and evidenced with calculations and approval from the appropriate body where necessary. The applicant should provide information on how the proposed drainage design satisfies SuDS in terms of water quality, attenuation and discharge quantity for the lifetime of the development.
  - 5.** The applicant should provide details of the body that will be responsible for the maintenance of proposed SuDS/drainage throughout the lifetime of the development. The applicant should also provide a management statement to outline the required maintenance for the site and a maintenance schedule.

**6. The applicant should provide a foul drainage strategy with detailed plans.**

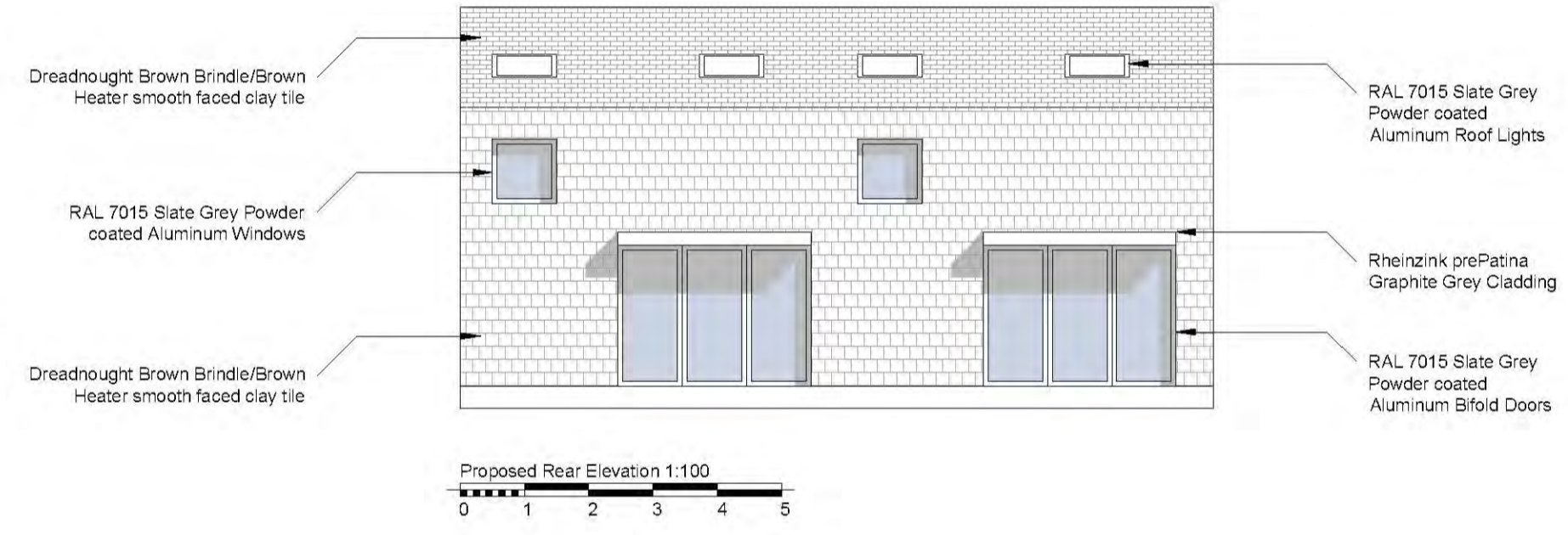
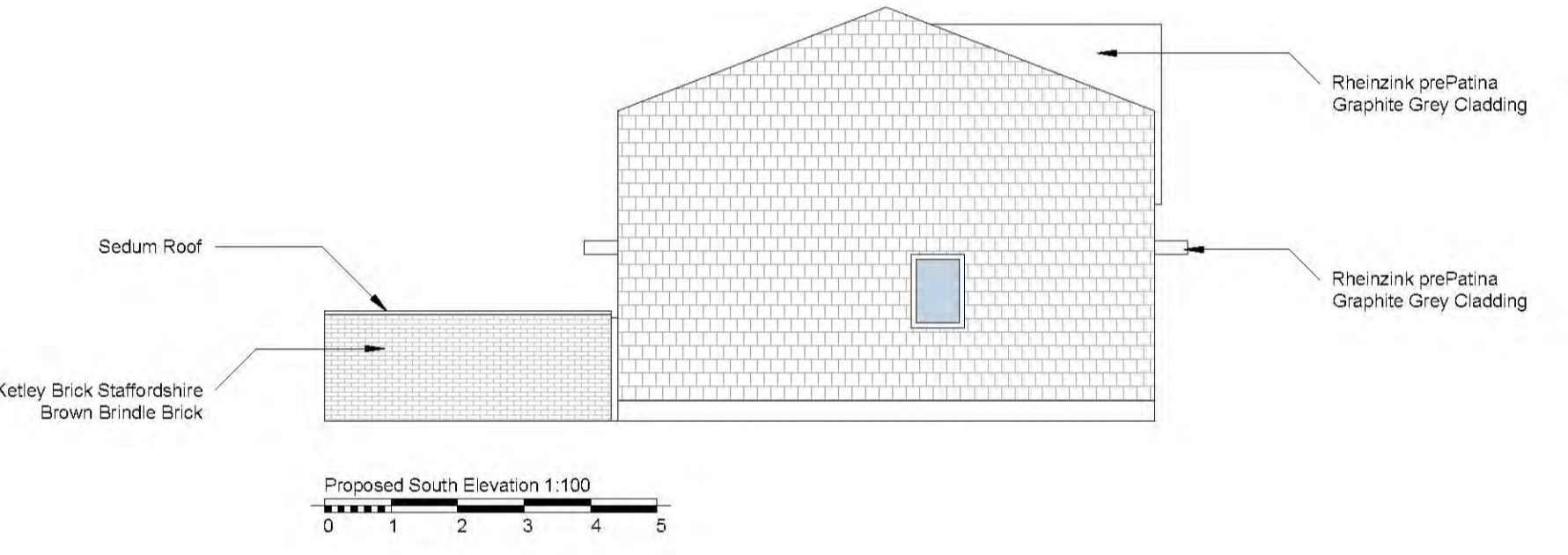
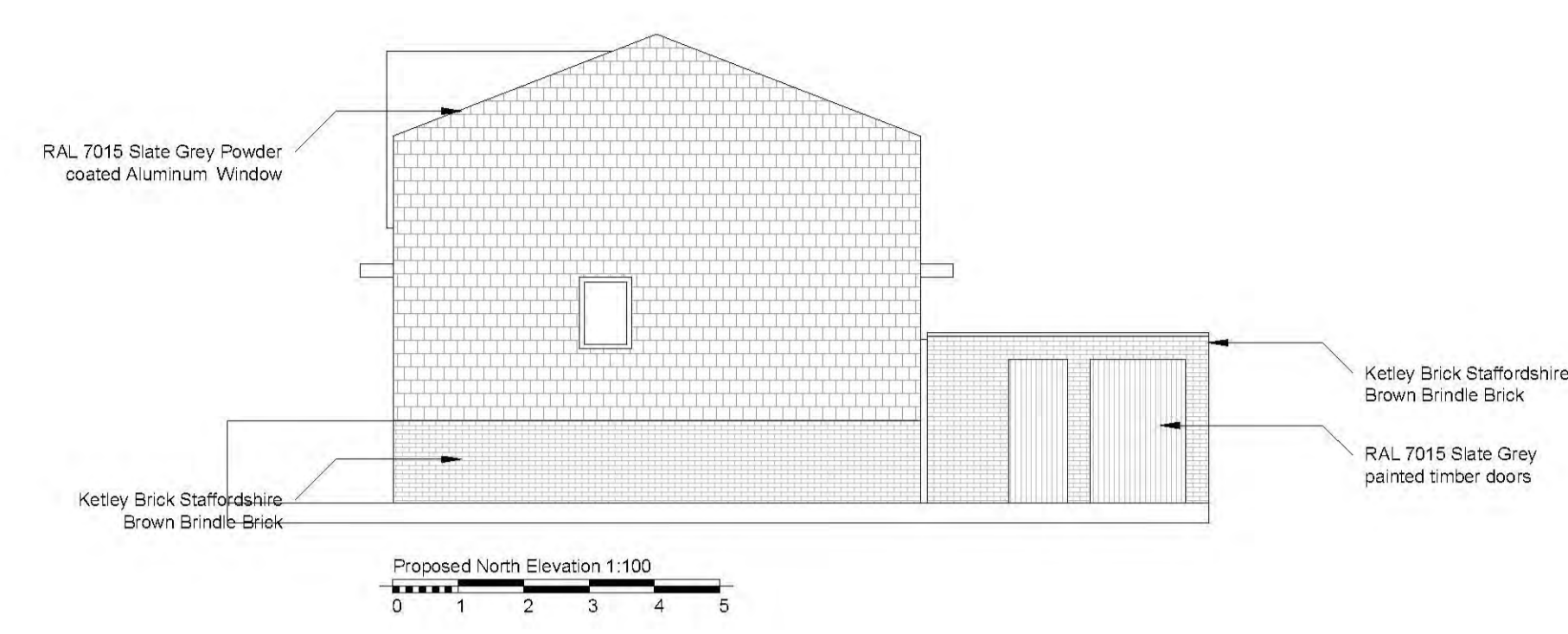
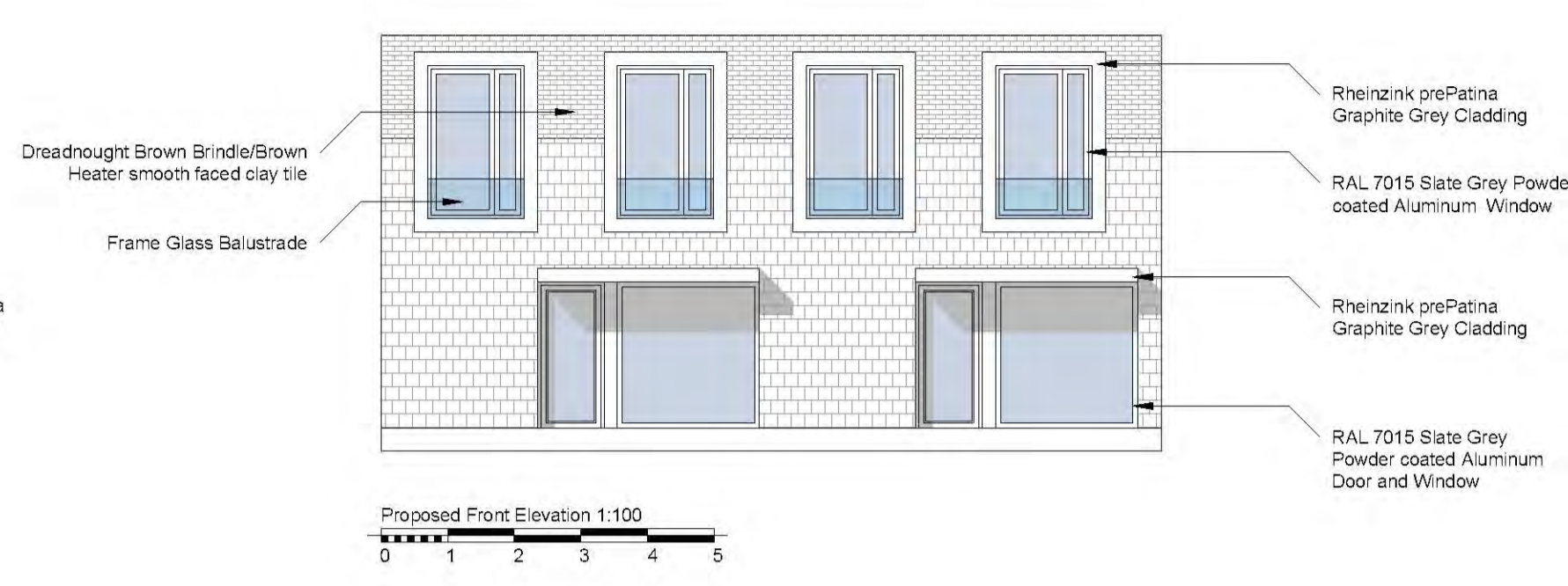
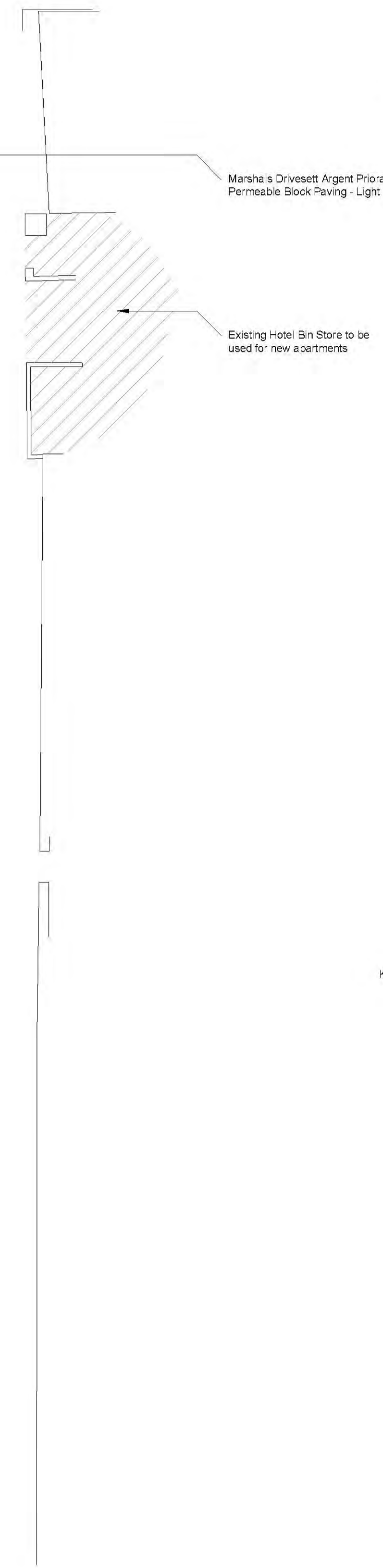
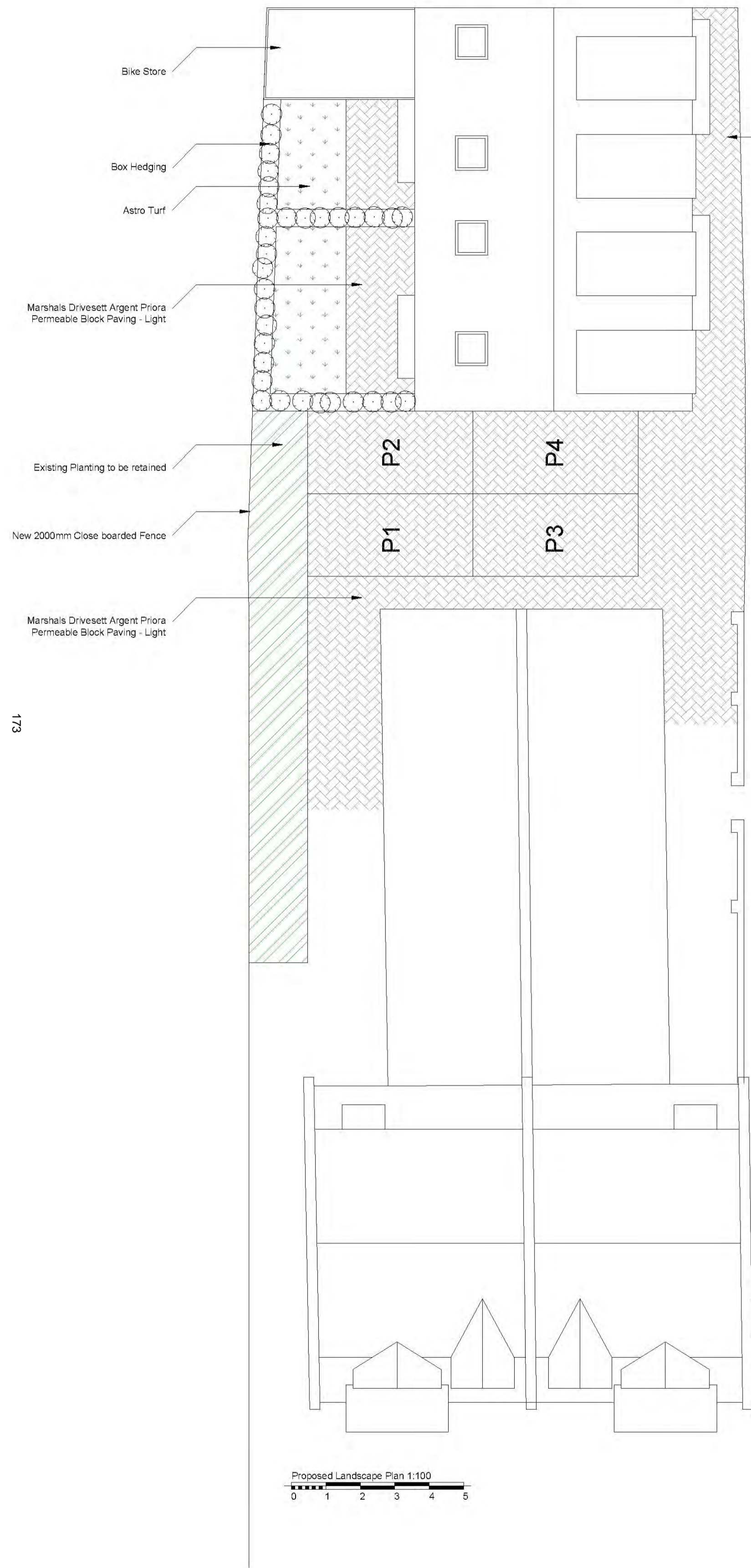
**7. The proposals do not address other items in the Detailed Drainage Design Checklist from Essex County Council. However, these may not be relevant due to the size and nature of the development: a. No information has been provided in relation to the management of Health and Safety Risks arising from the proposals. b. No information has been provided the long-term economic viability of the proposals. c. No information or method statement has been provided for the management of surface water during the construction phase.**

**07. The applicant should ensure the control of nuisances during construction works to preserve the amenity of the area and avoid nuisances to neighbours:**

- a. No waste materials should be burnt on the site, instead being removed by licensed waste contractors;**
- b. No dust emissions should leave the boundary of the site;**
- c. Consideration should be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site;**
- d. Hours of works: works should only be undertaken between 0730 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays.**

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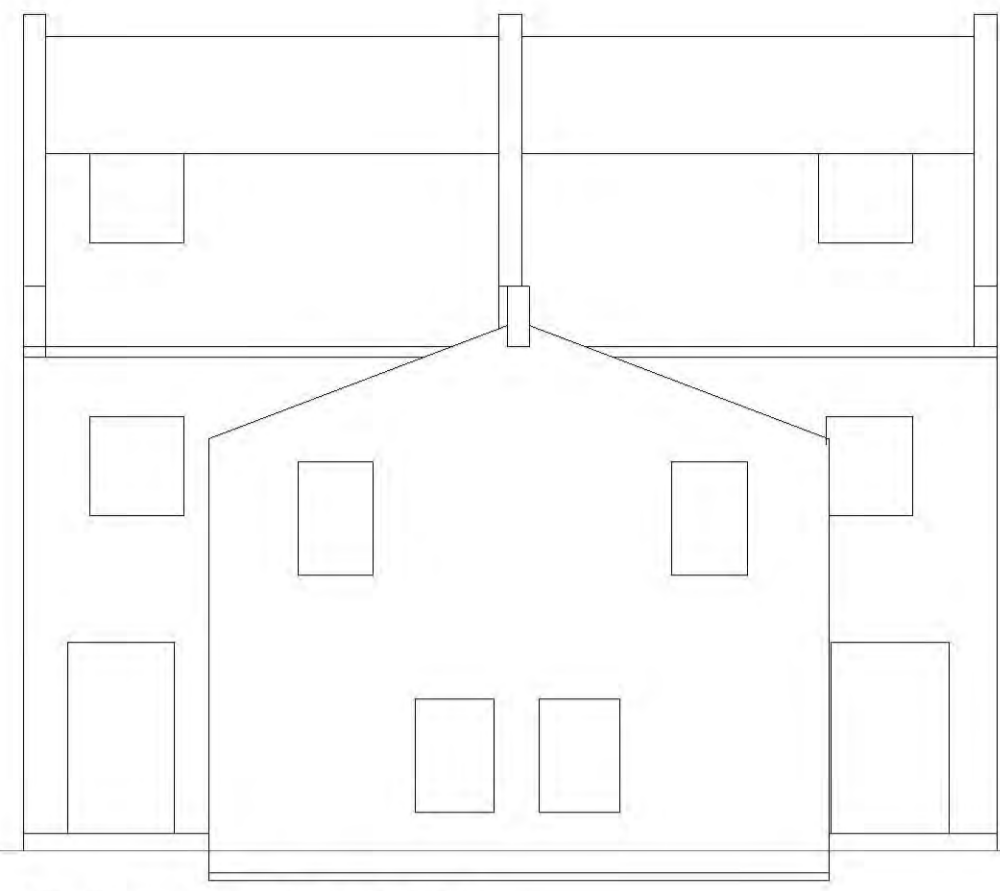


Notes			
Planning Submission		ABG	23/03/2019
Rev	Comment	By	Date
Stage: 3 - Developed Design			
Client: Camelia Hotel			
Project: Camelia Hotel			
Drawing Title: Conditions			
Drawing no:	101P05	Revision:	
Project no:	101	Drawn by:	YVES
Scale:	1:100, 1:500, 1:1250 @A1	Chkd by:	ABG
<b>ABG ARCHITECTURE LTD</b> 8A Nelson Road Leigh-on-Sea SSS 3HU Tel 07739 185 192			
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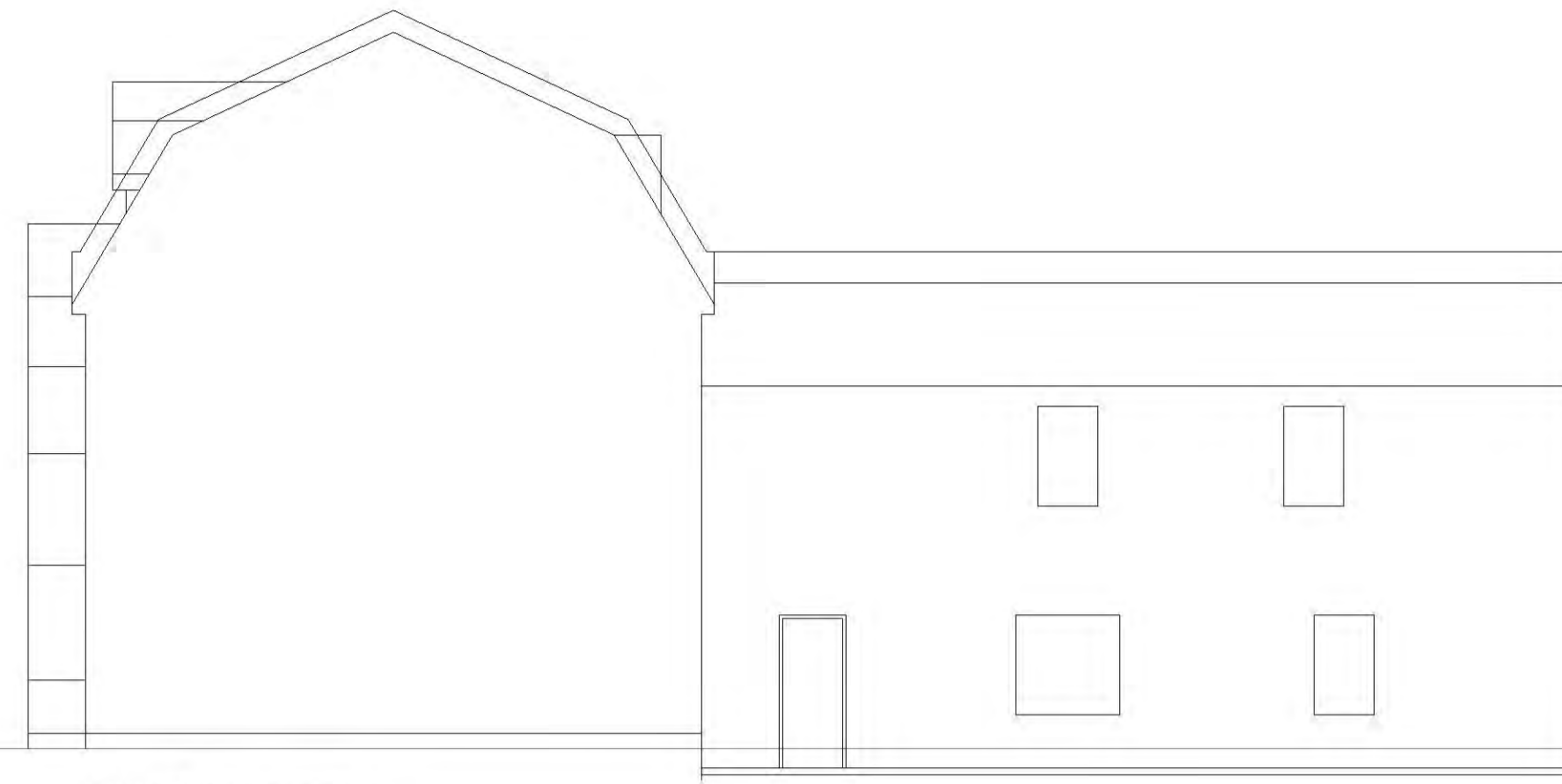




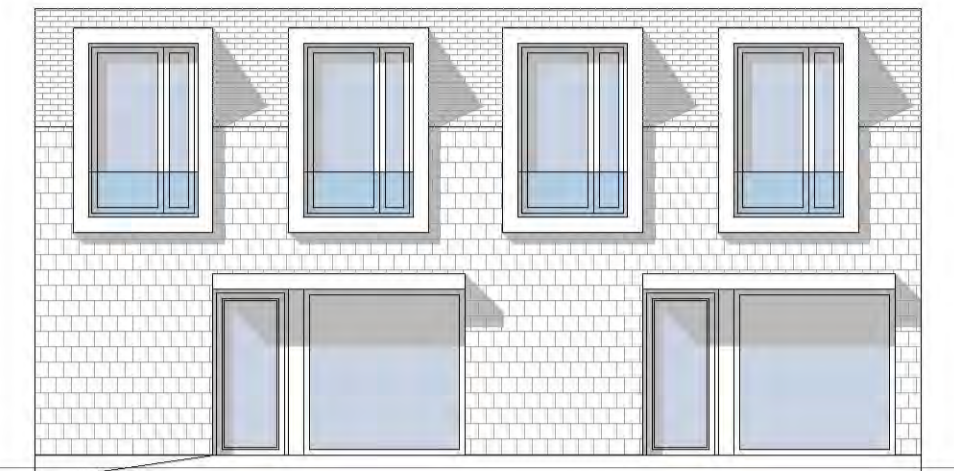
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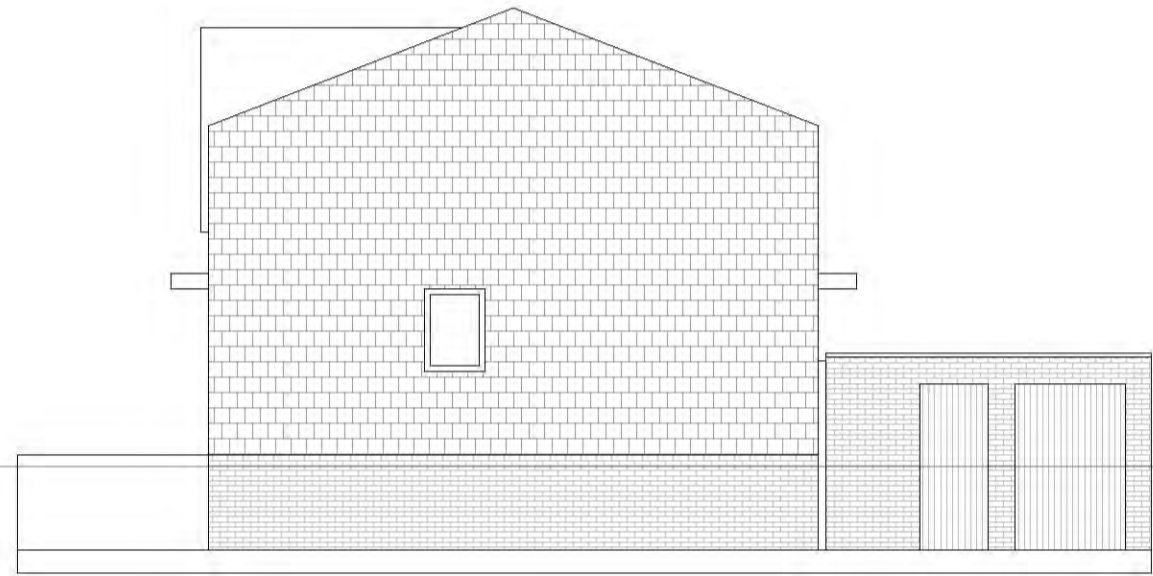
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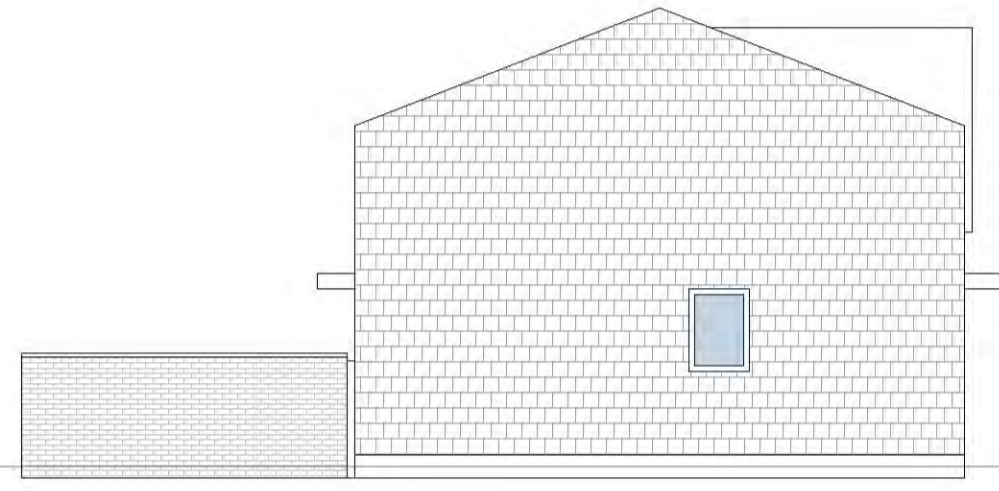
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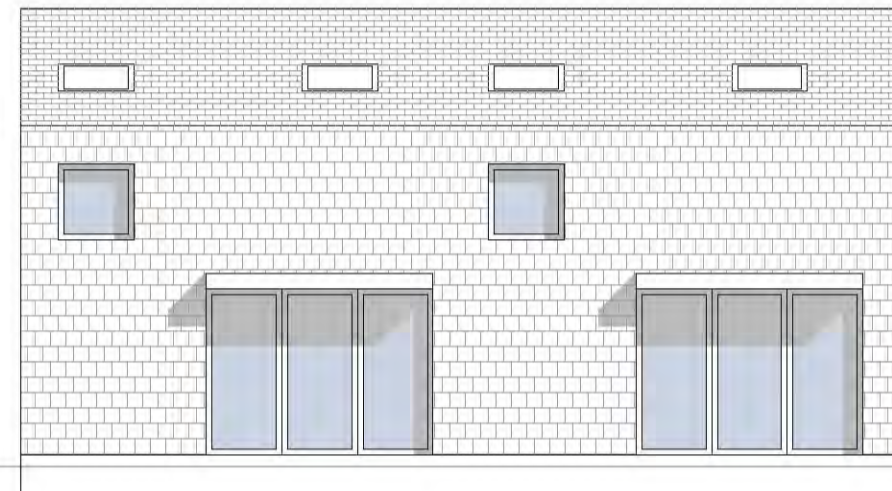
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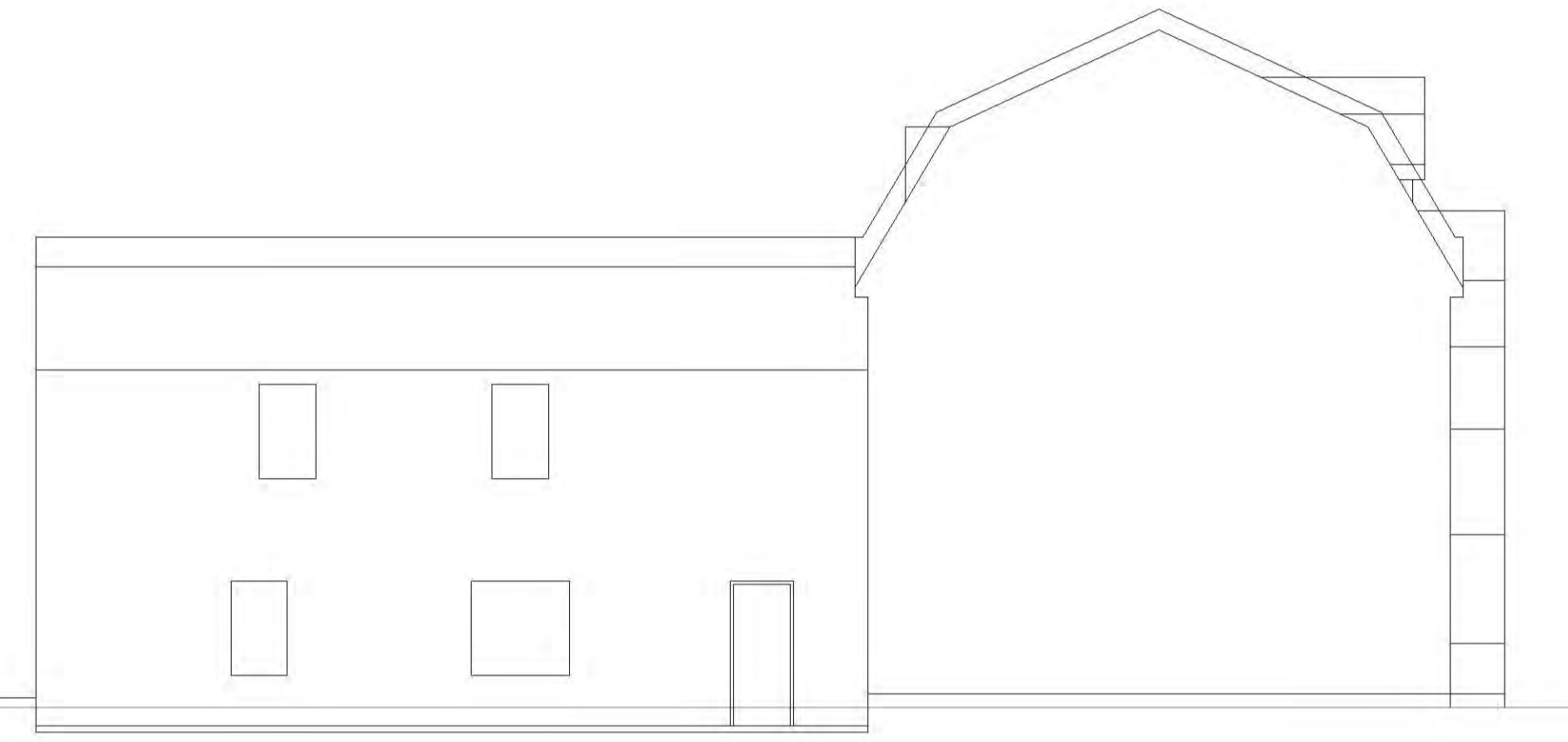
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Proposed South Elevation (Rear Building) 1:100



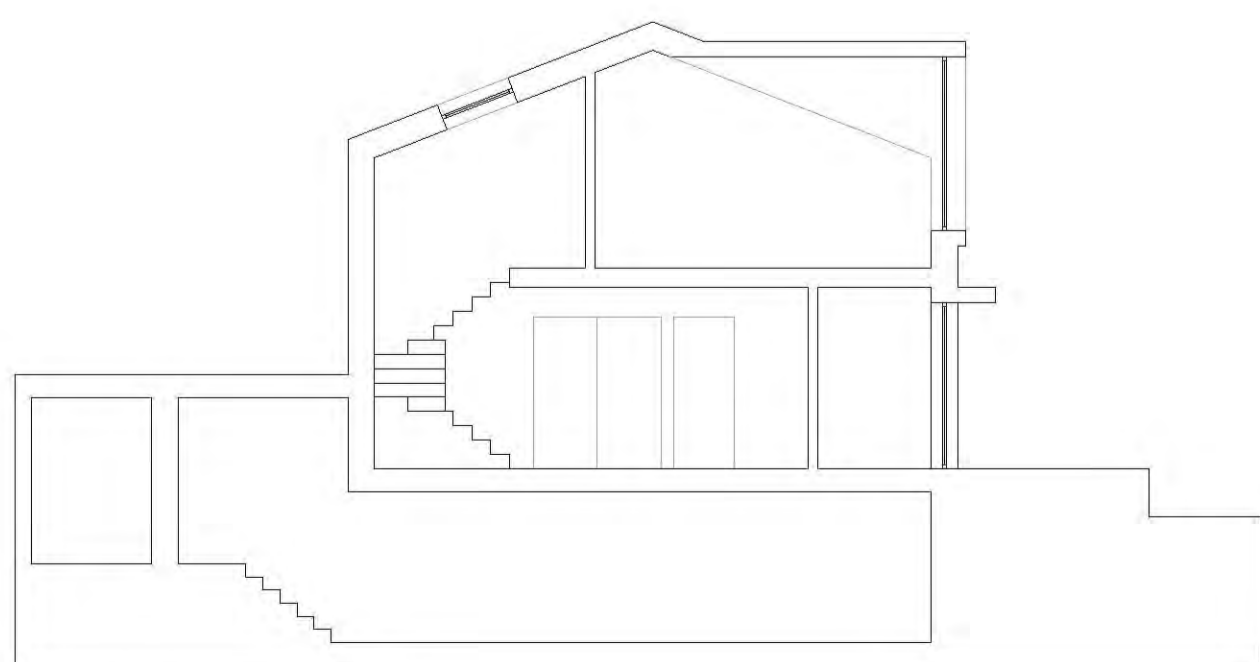
Proposed West Elevation 1:100



Proposed Long Section 1:100



Proposed Block Plan 1:500



Proposed Cross Section 1:100

Notes			
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Rev	Comment	By	Date
1	Planning Submission	ABG	23/03/2019

Stage:	3 - Developed Design
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Client:	Camelia Hotel
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Project:	Camelia Hotel
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Drawing Title:	Proposed
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Drawing no:	101P04	Revision:	
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Project no:	101	Drawn by:	YVES
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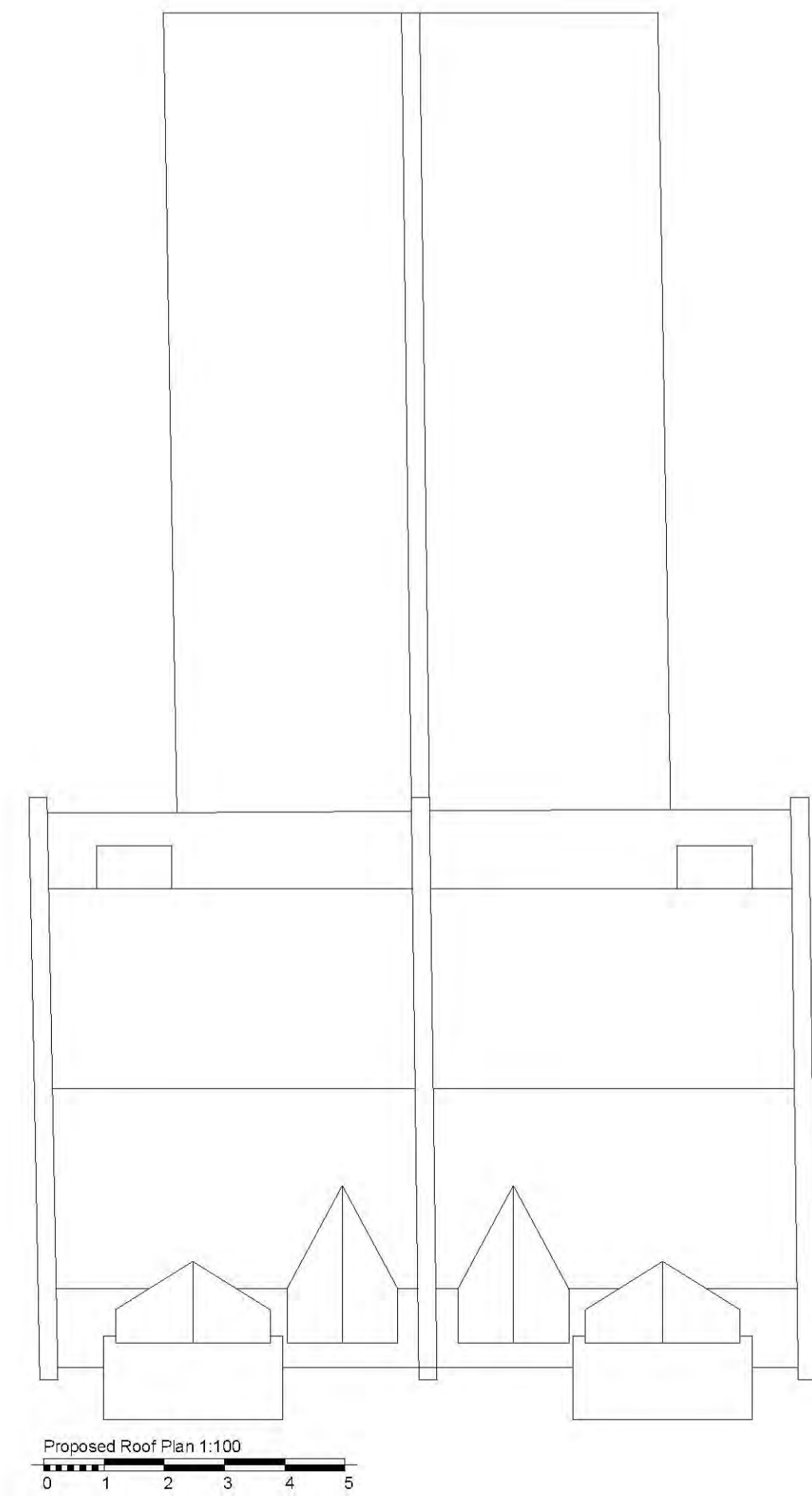
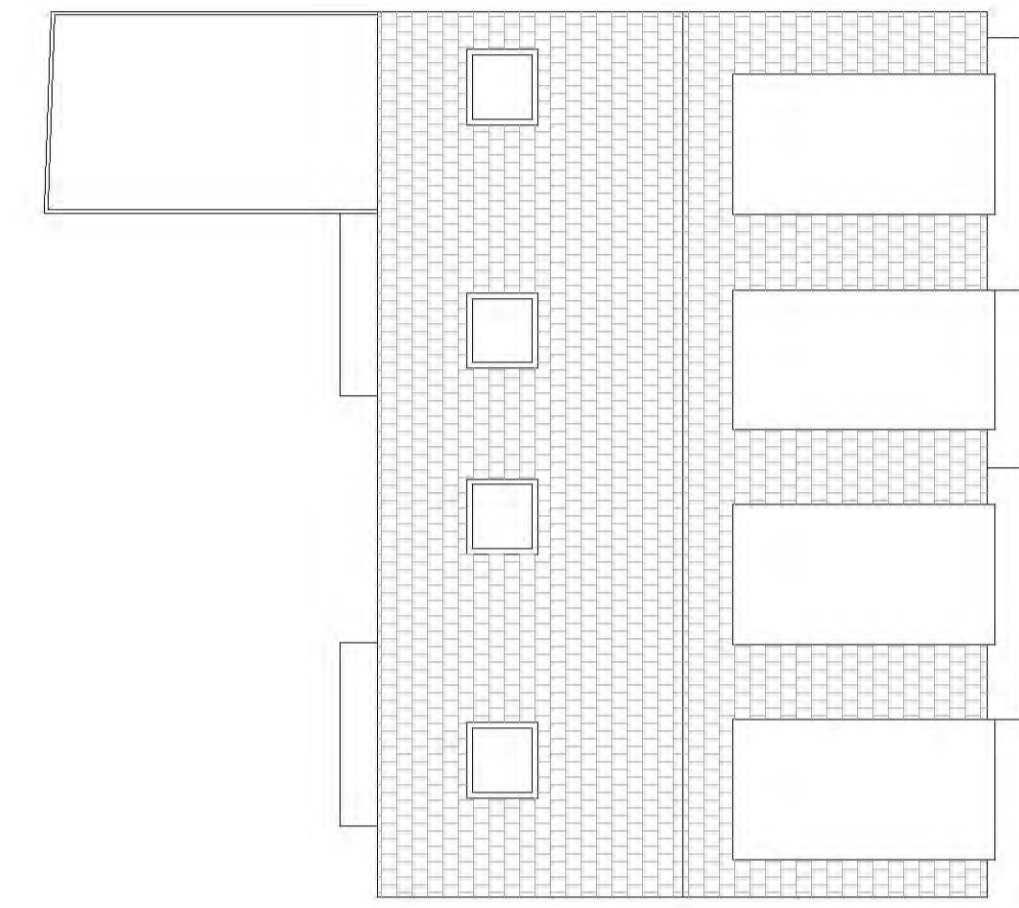
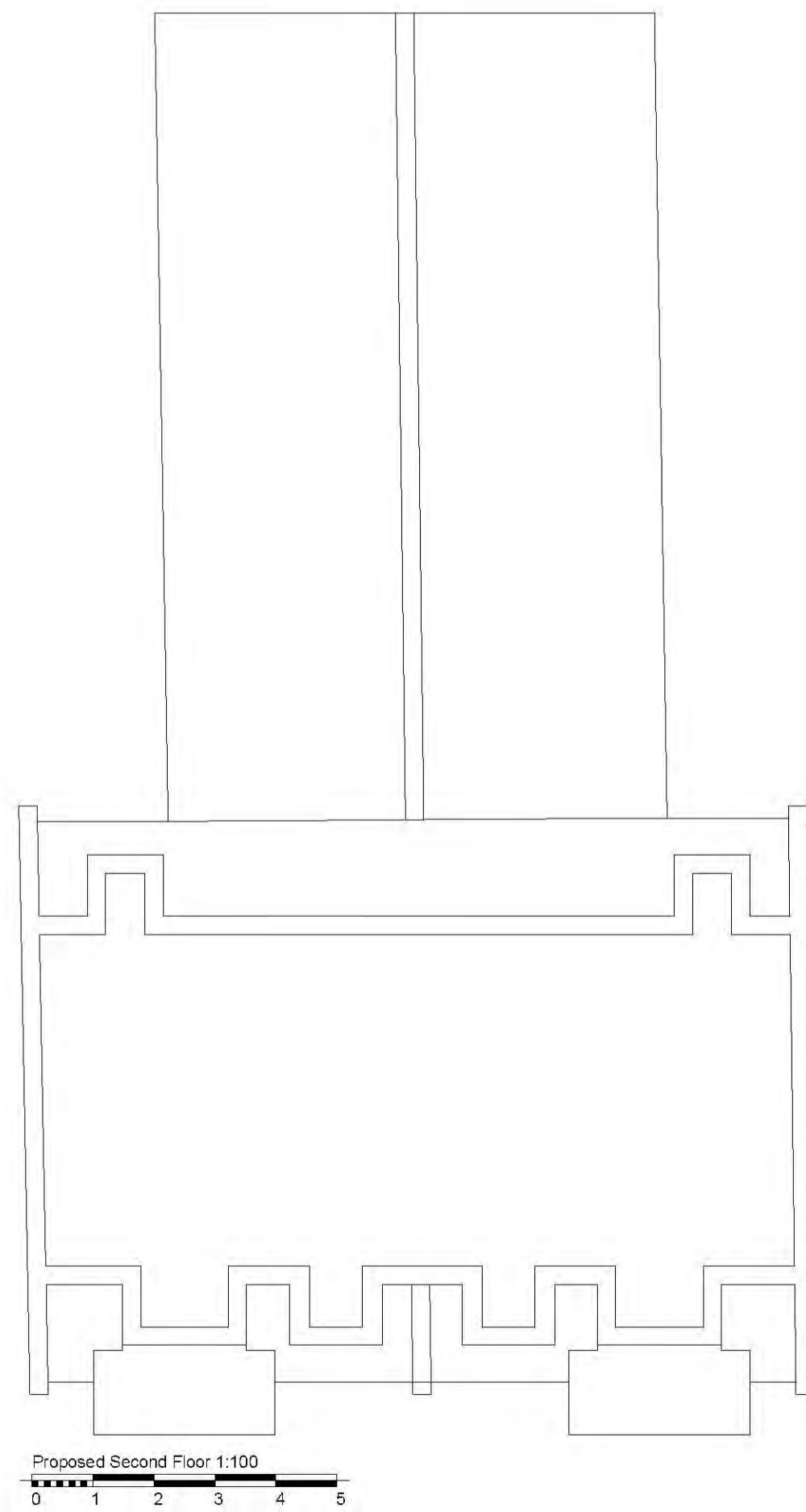
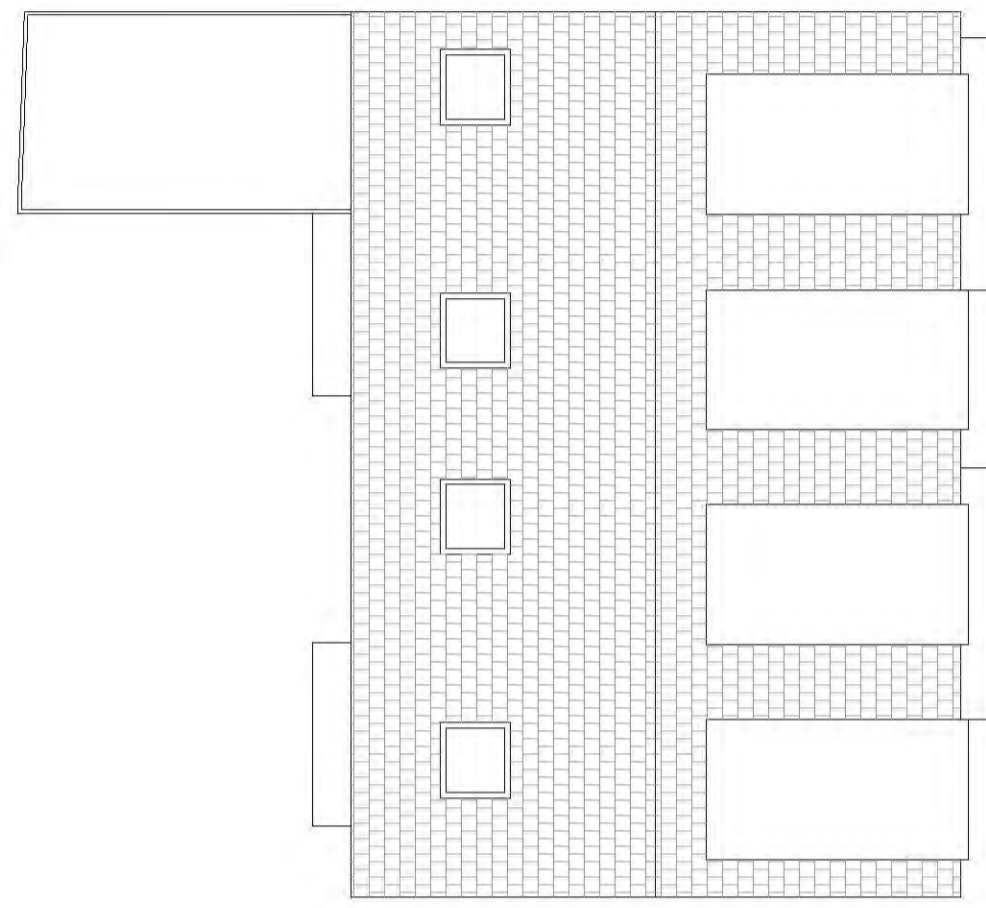
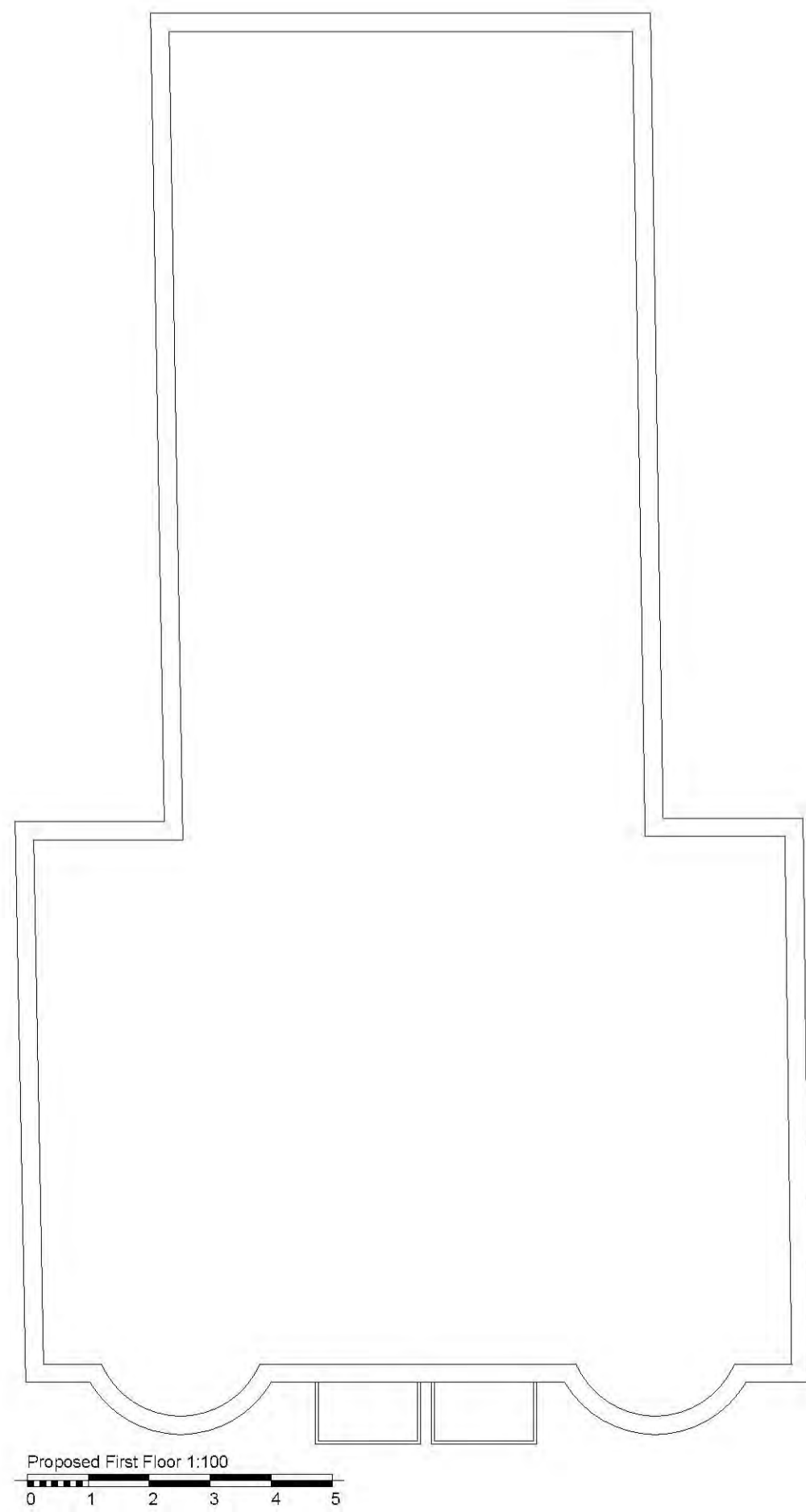
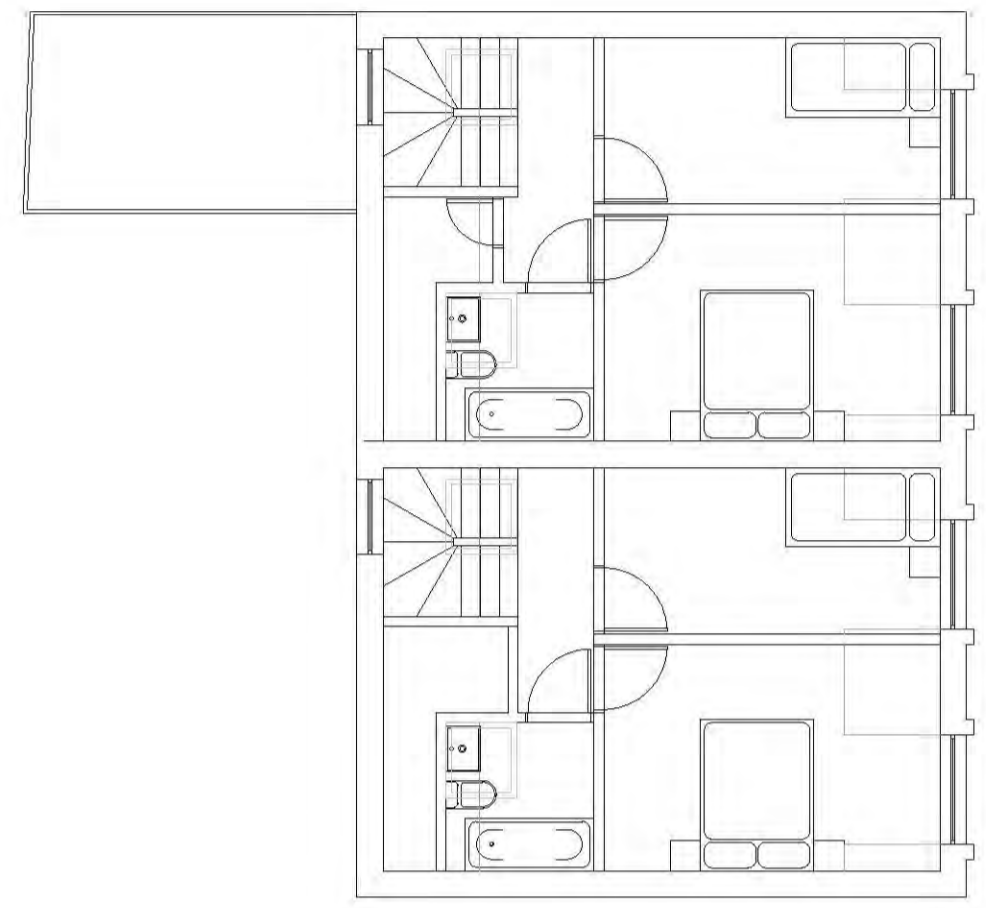
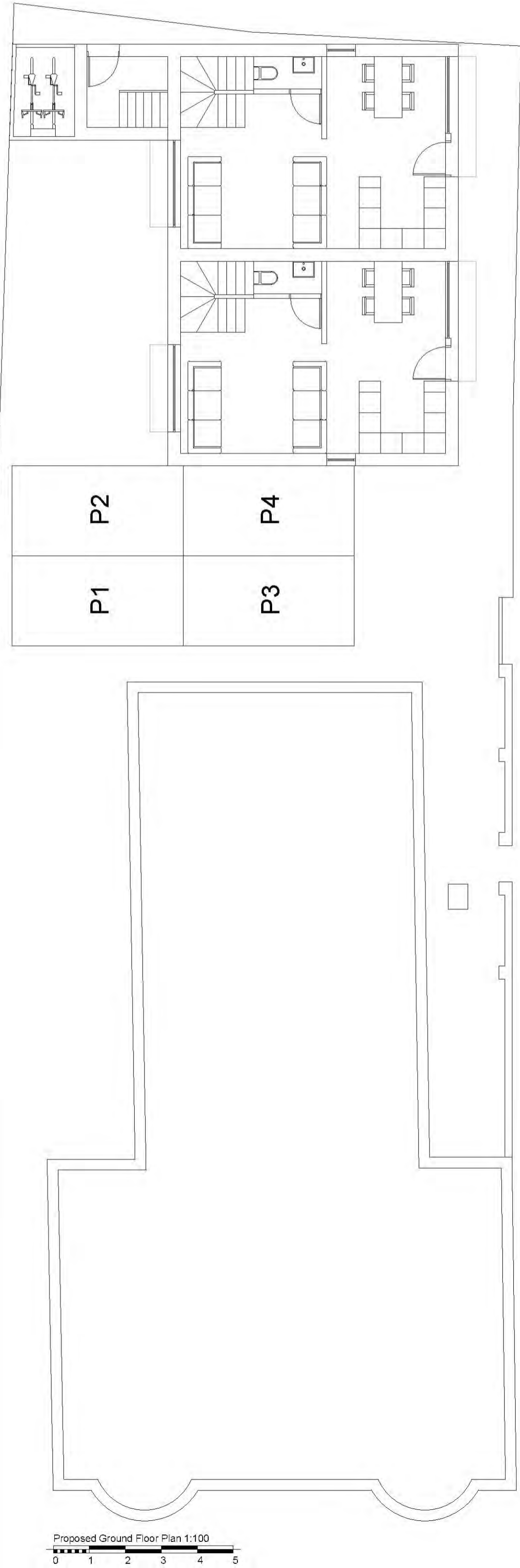
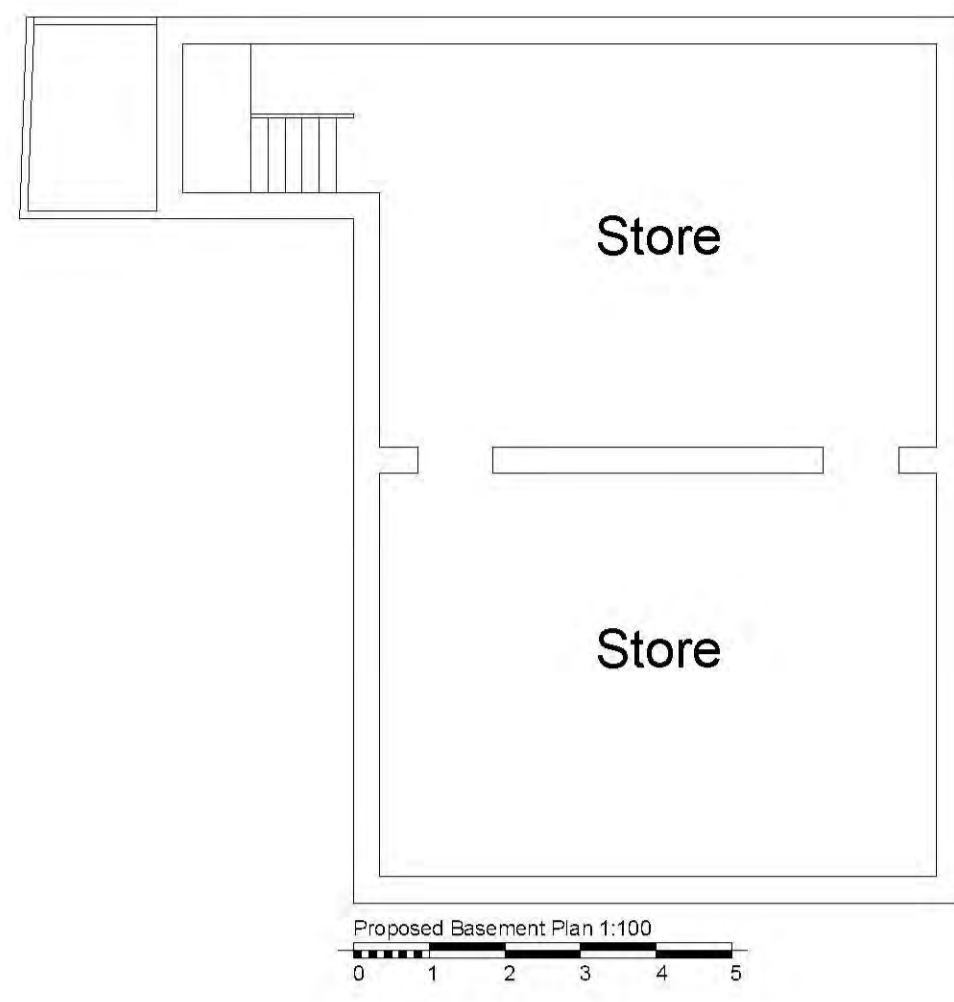
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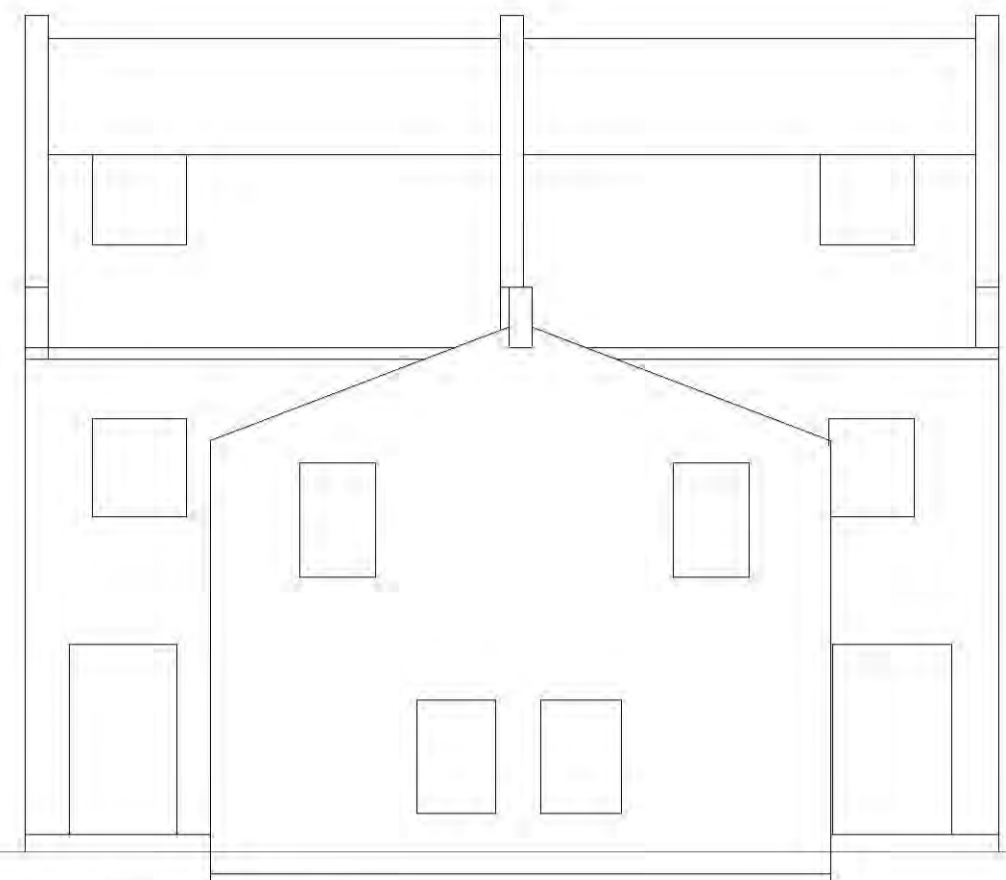




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Planning Submission		ABG 23/03/2019	
Rev	Comment	By	Date
Stage: 3 - Developed Design			
Client: Camelia Hotel			
Project: Camelia Hotel			
Drawing Title: Proposed			
Drawing no:	101P03	Revision:	
Project no:	101	Drawn by:	YVES
Scale:	1:100, 1:500, 1:1250 @A1	Chkd by:	ABG
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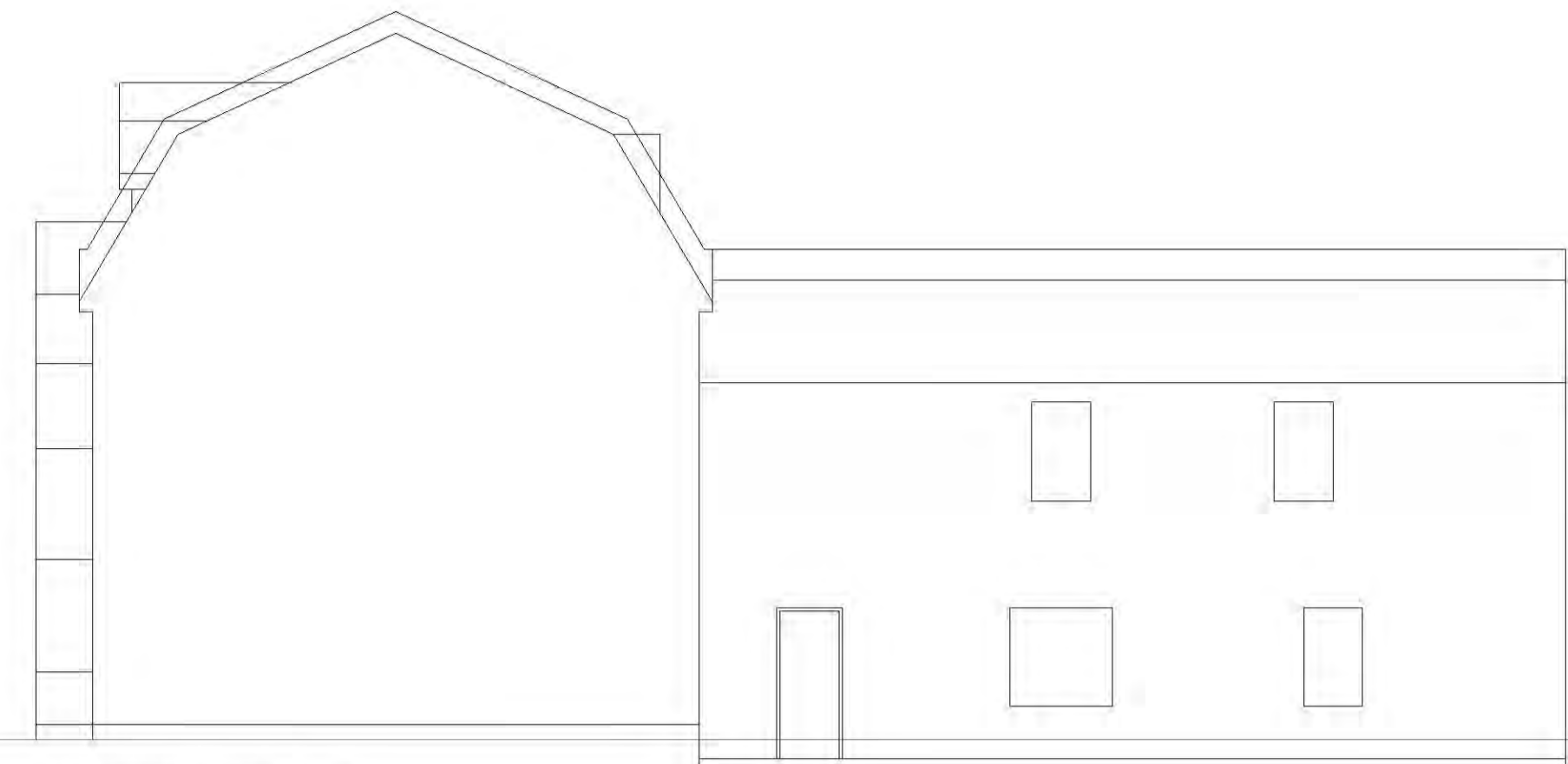




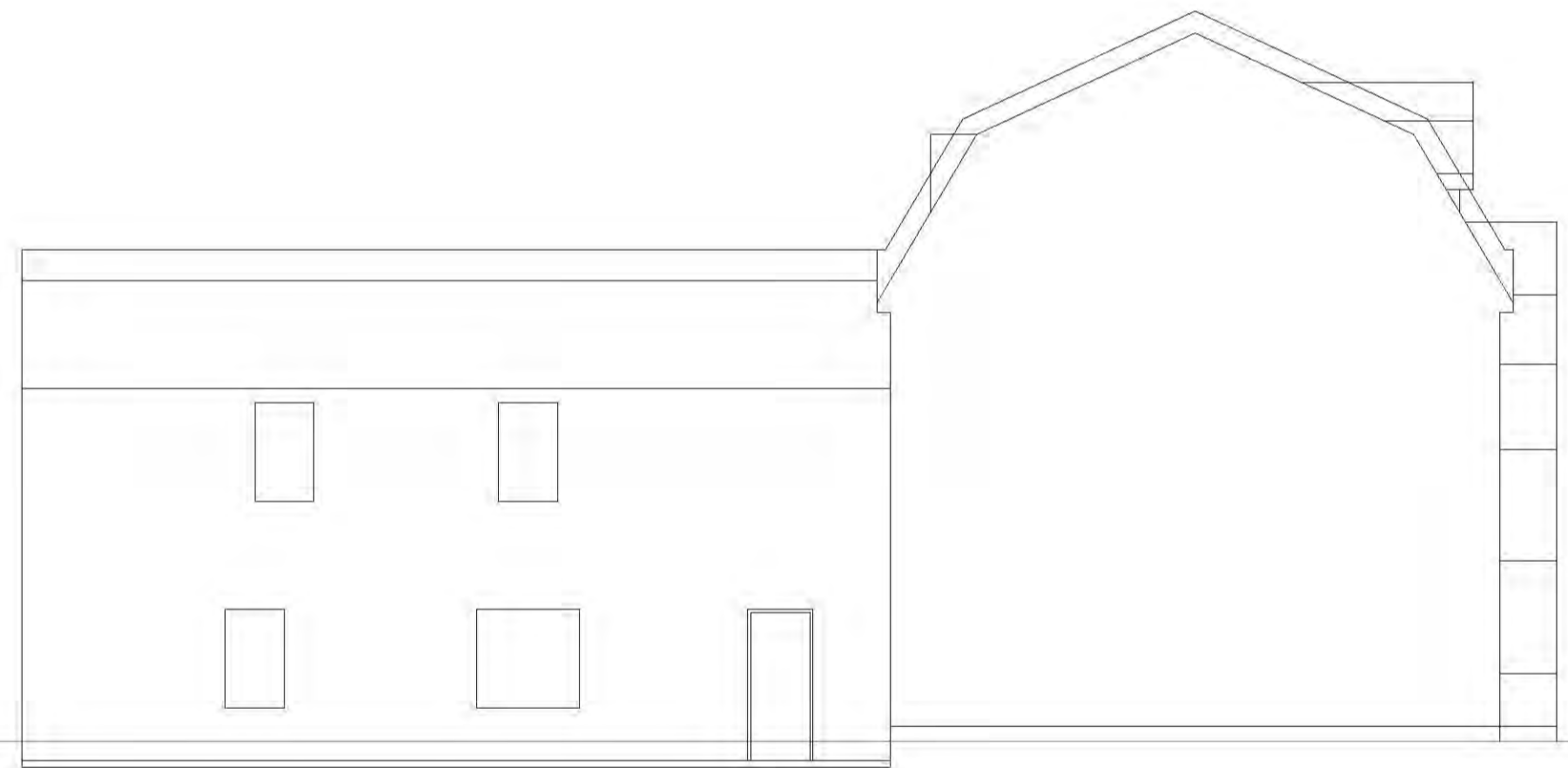
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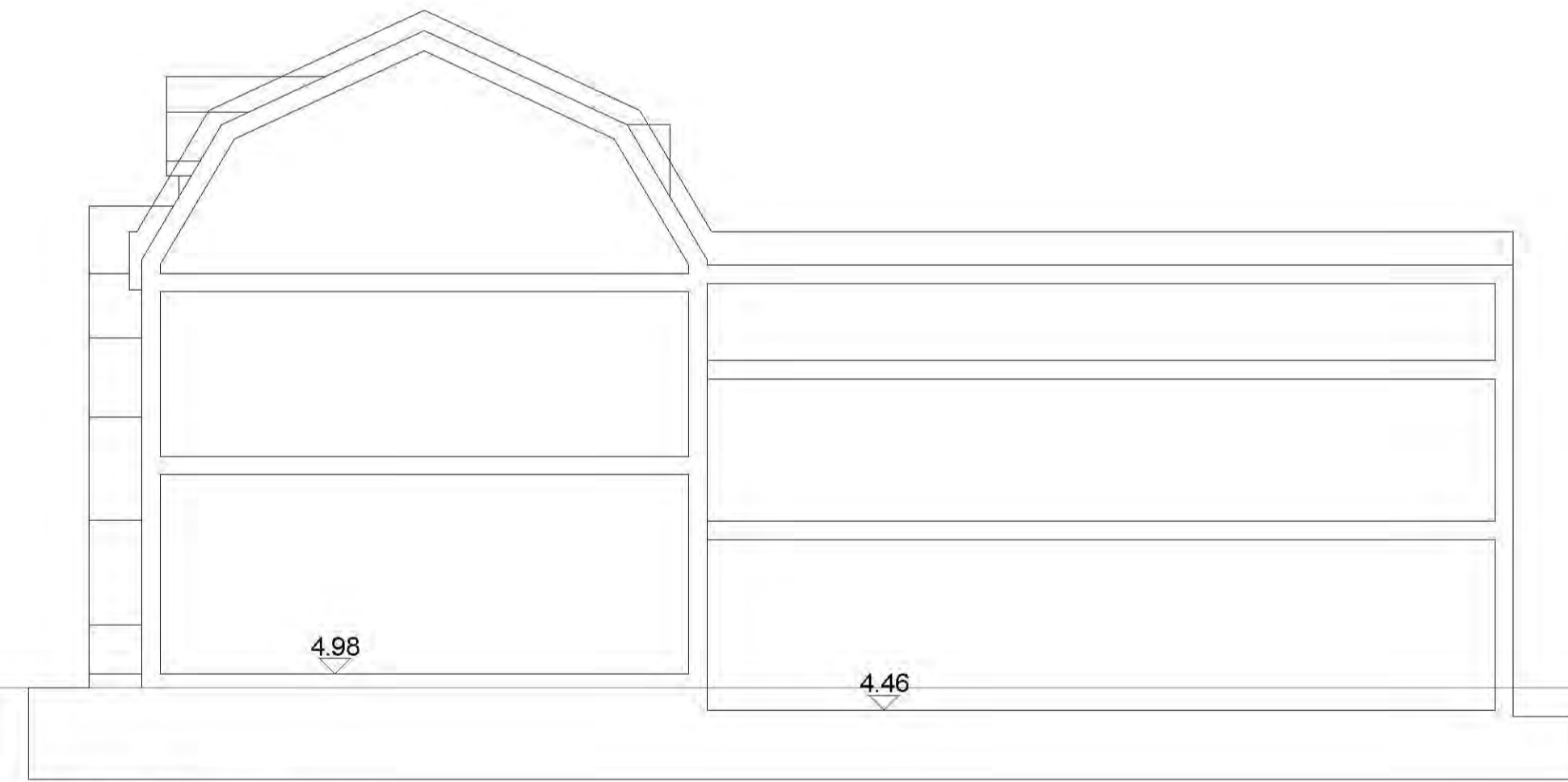
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0 1 2 3 4 5



Existing East Elevation 1:100  
0 1 2 3 4 5



Existing West Elevation 1:100  
0 1 2 3 4 5



Existing Section 1:100  
0 1 2 3 4 5

Notes			
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Rev	Comment	By	Date
1	Planning Submission	ABG	23/03/2019

Stage:  
3 - Developed Design

Client:  
Camelia Hotel

Project:  
Camelia Hotel

Drawing Title:  
Existing

Drawing no: 101P02      Revision: 1

Project no: 101      Drawn by: YRS

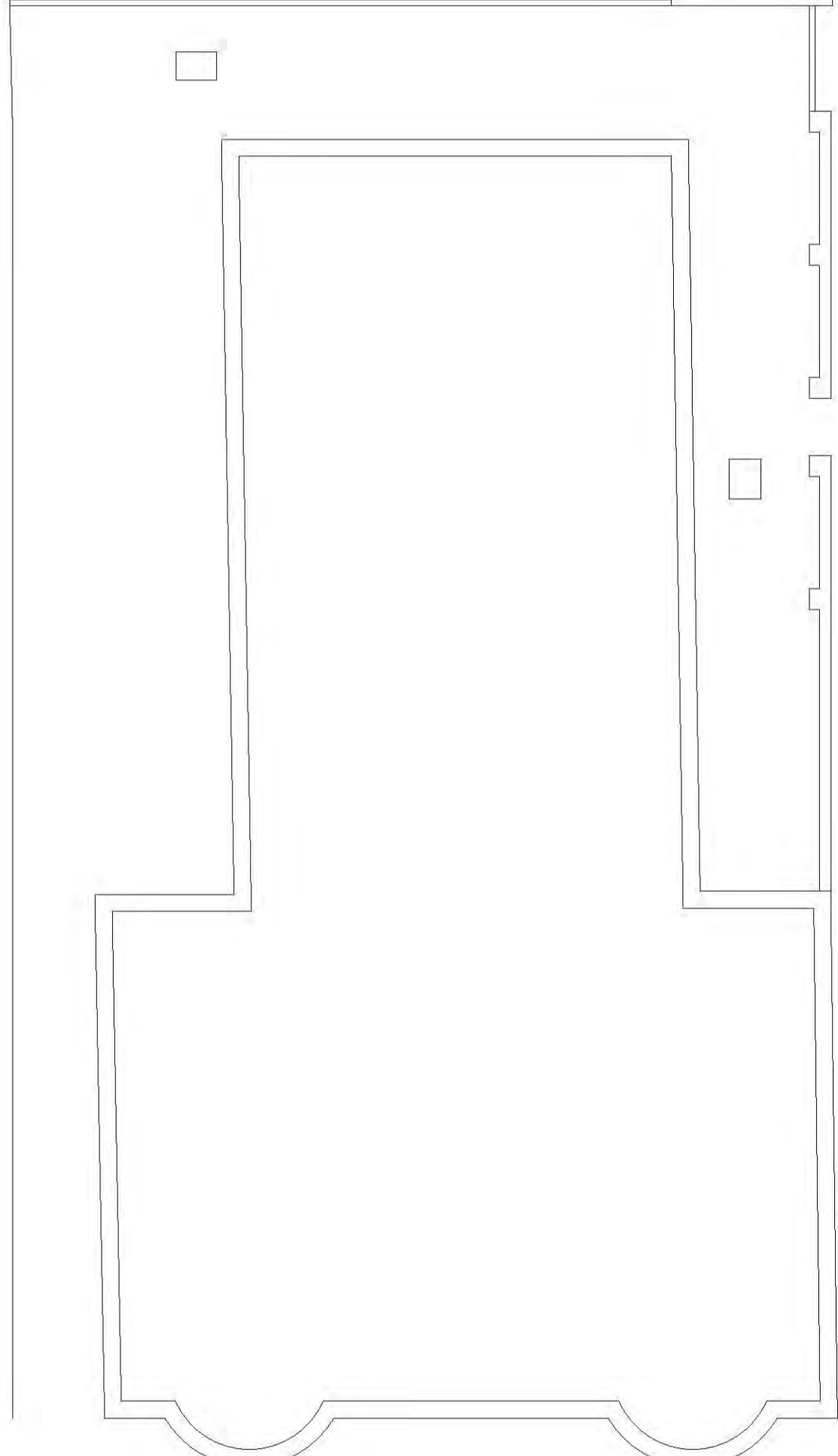
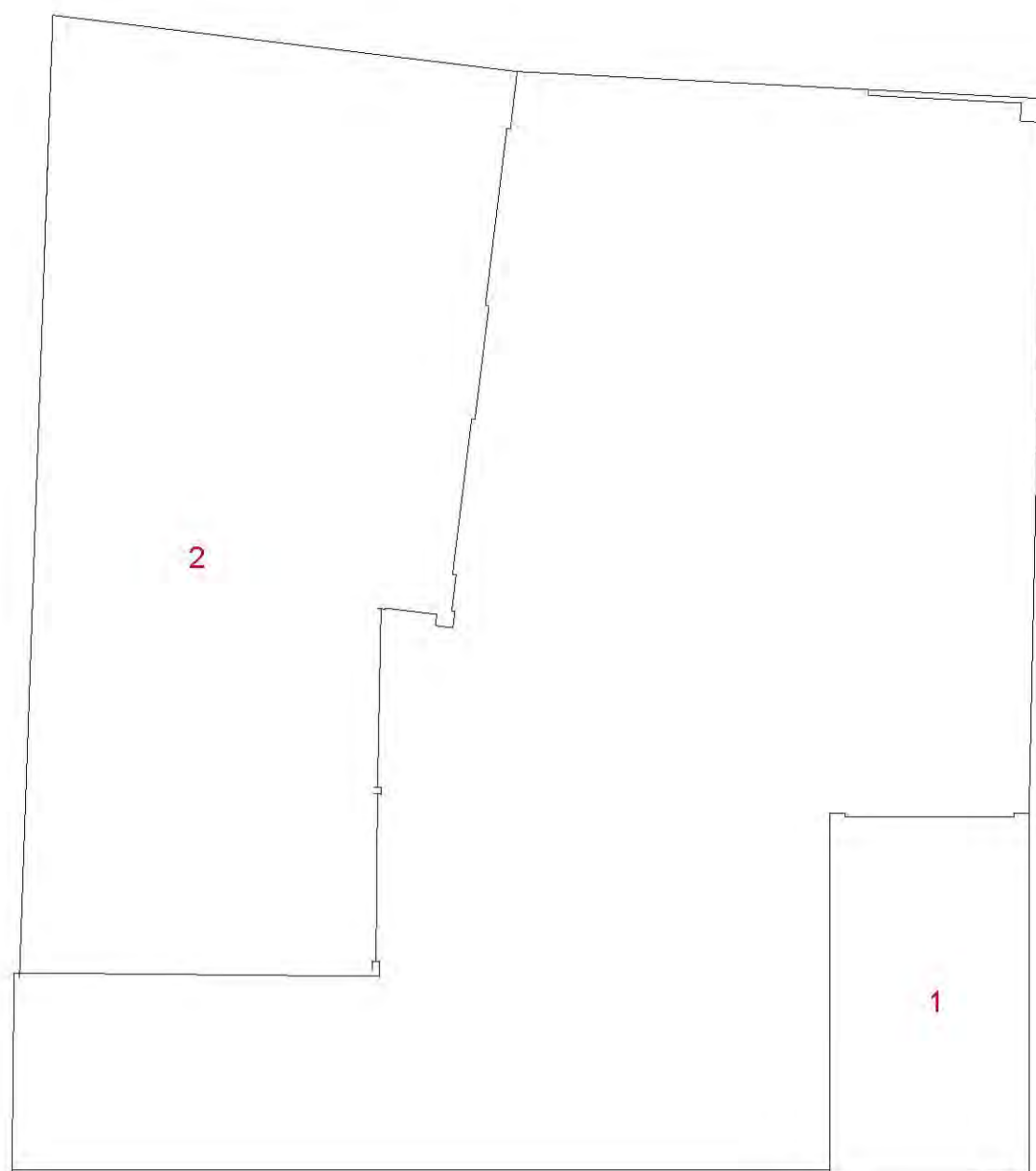
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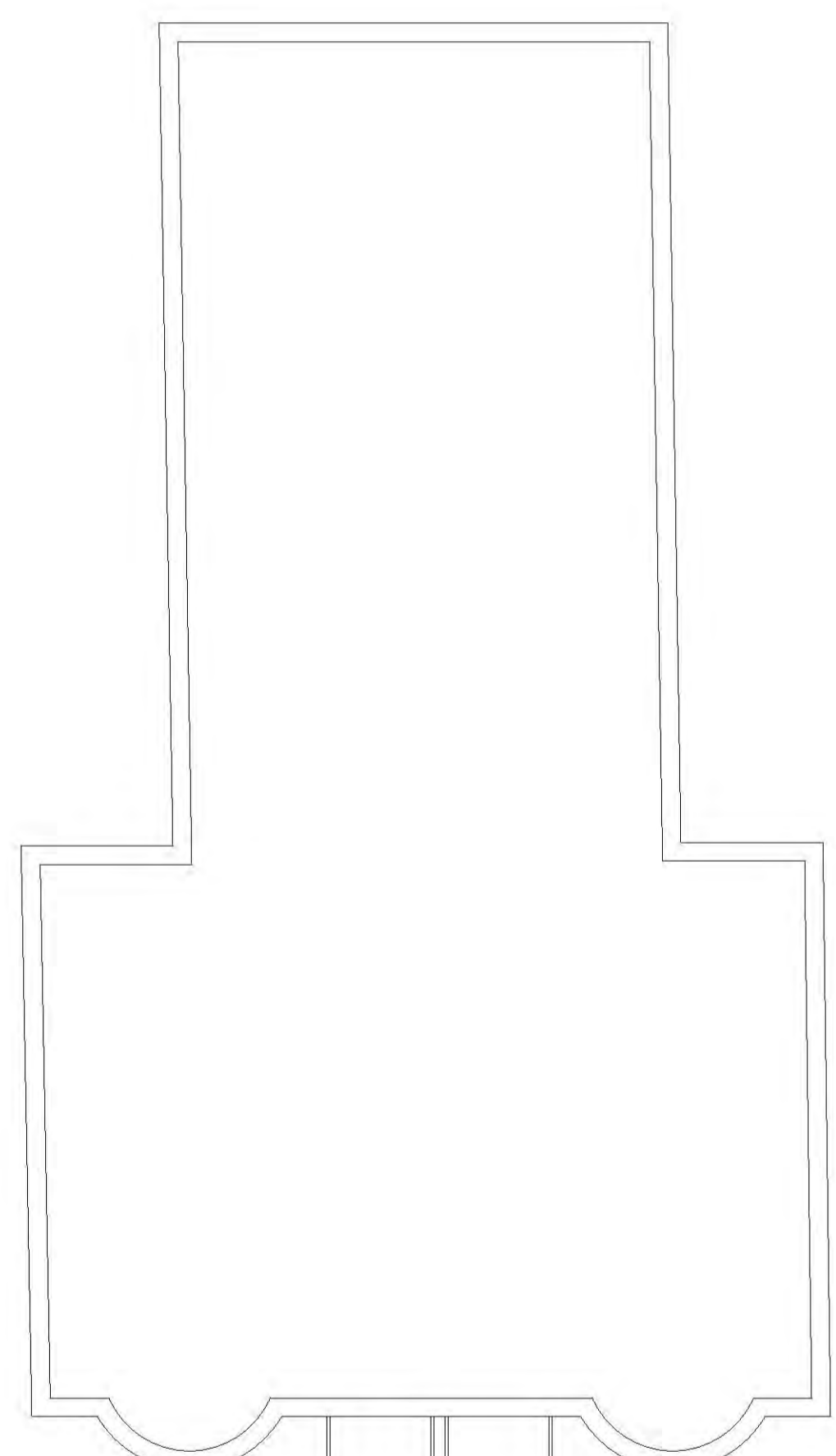
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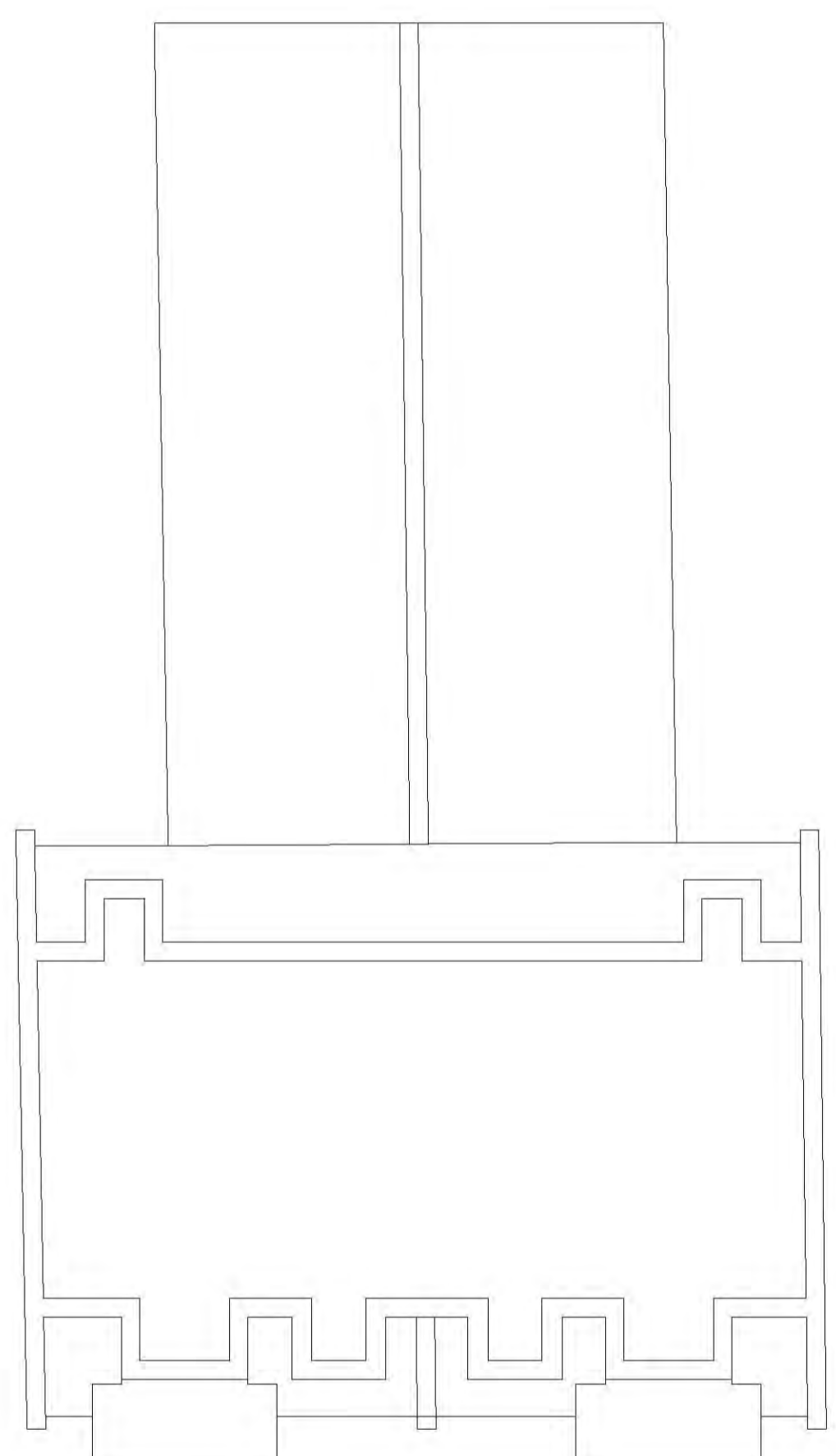




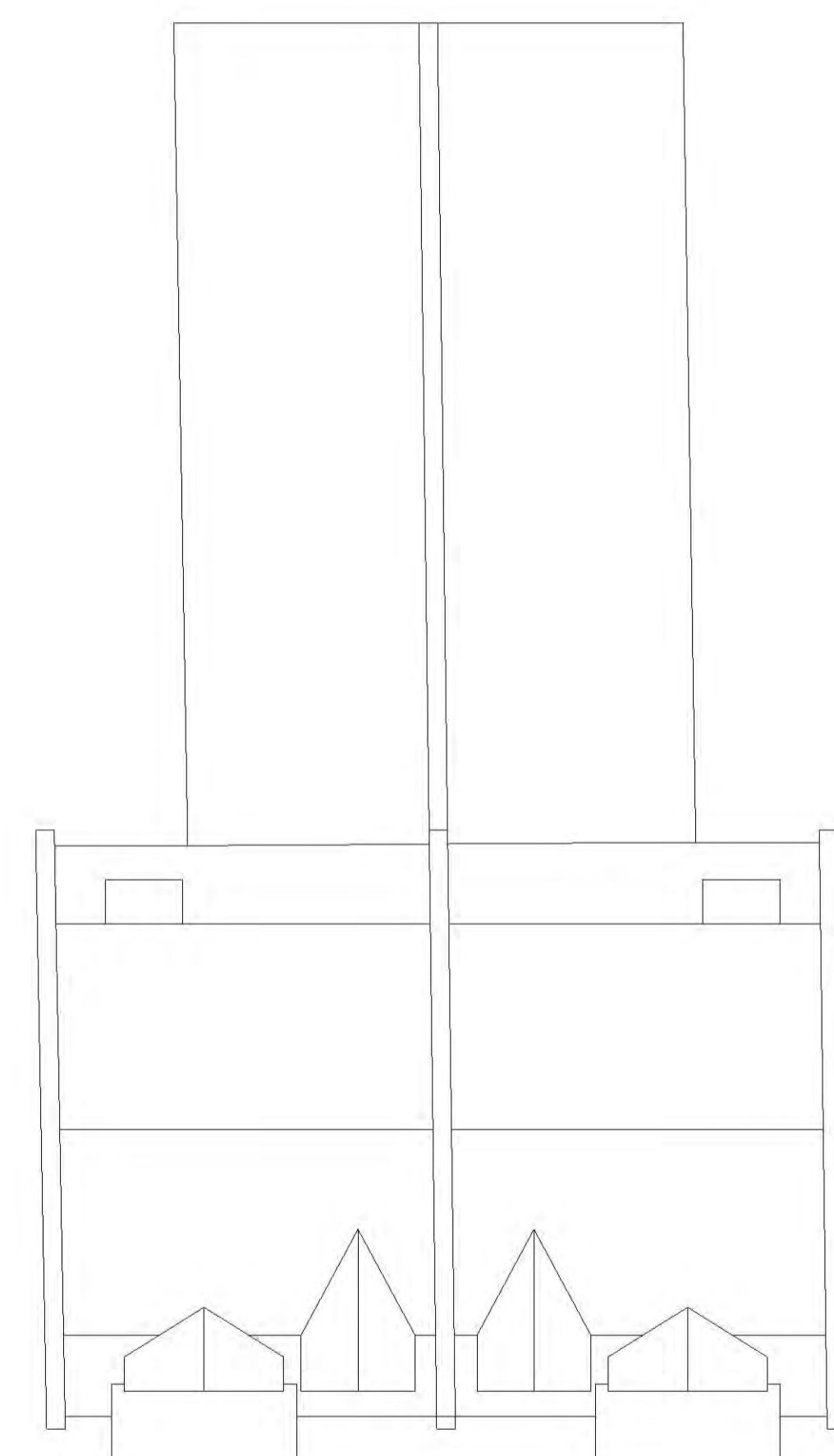
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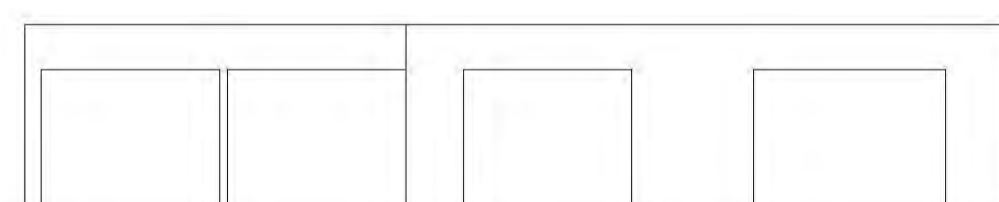
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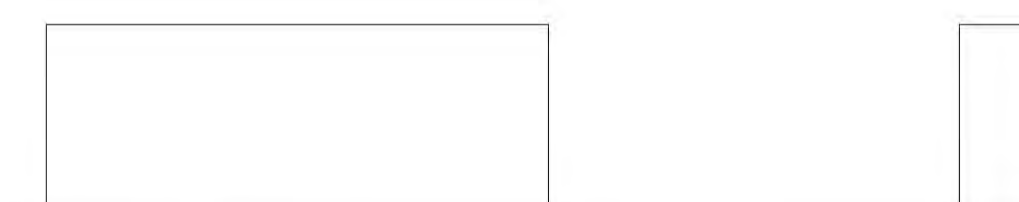
Existing Second Floor Plan 1:100



Existing Roof Plan 1:100



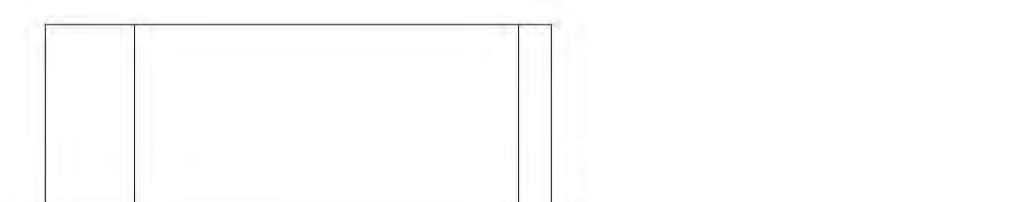
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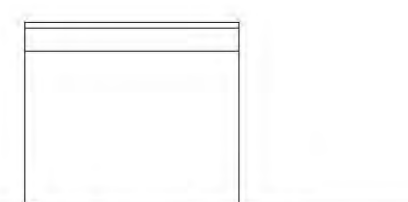
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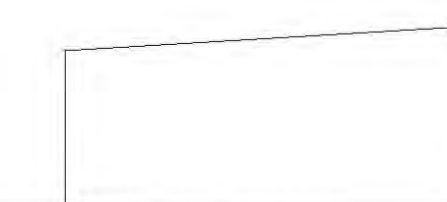
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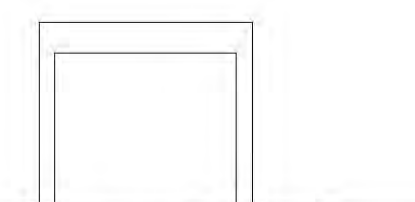
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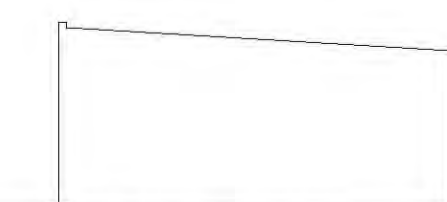
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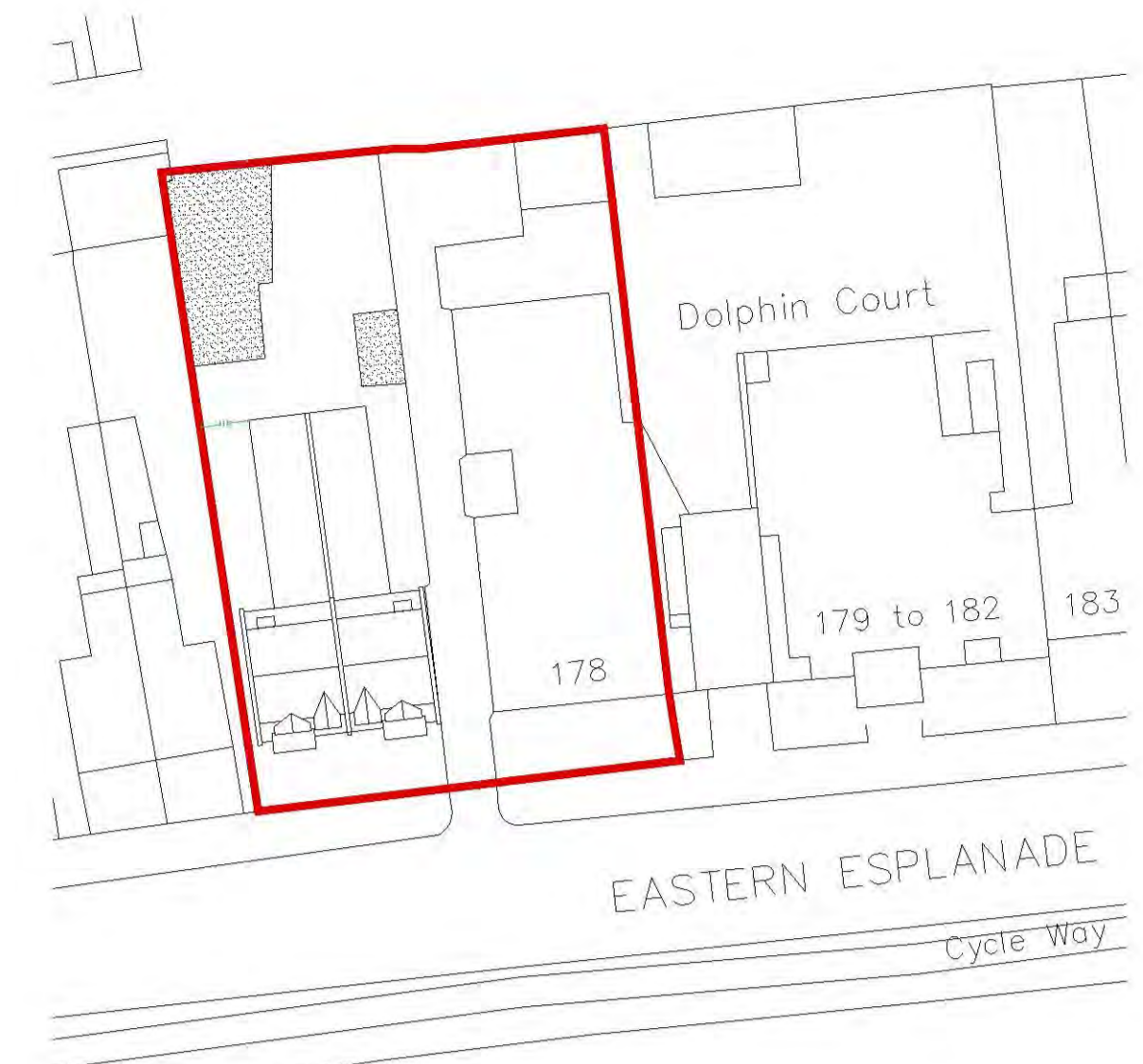
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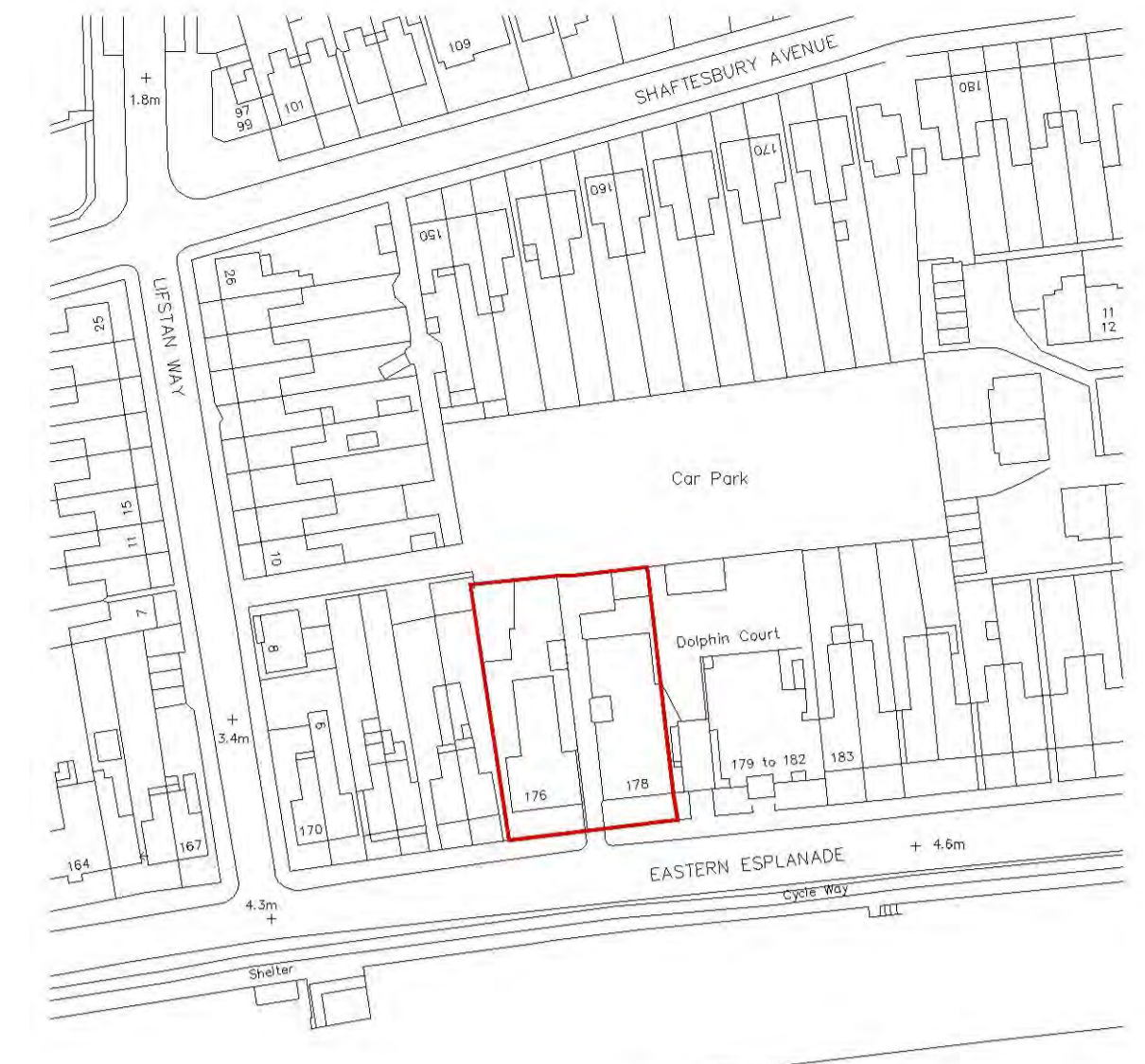
Garage 1 North Elevation 1:100



Garage 1 West Elevation 1:100



Existing Block Plan 1:500



Existing Site Location Plan 1:1250



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Notes			
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Planning Submission	ABG	23/03/2019
Rev	Comment	By Date

Stage: 3 - Developed Design

Client: Camelia Hotel

Project: Camelia Hotel

Drawing Title: Existing

Drawing no: 101P01	Revision:
Project no: 101	Drawn by: VRS
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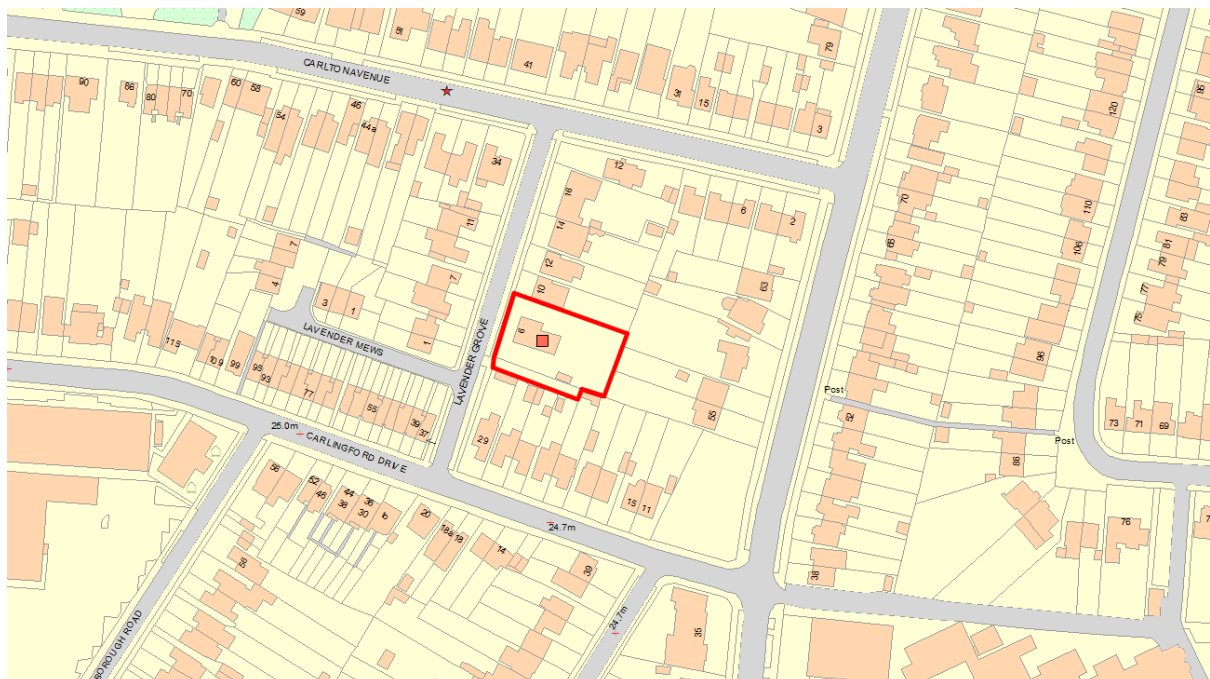
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<b>Reference:</b>	20/01619/FUL	<h1>11</h1>
<b>Ward:</b>	Prittlewell	
<b>Proposal:</b>	Demolish existing bungalow, erect two residential buildings comprising no7 self-contained flats with associated amenity space, parking, bin and cycle store	
<b>Address:</b>	6 Lavender Grove, Westcliff-On-Sea, Essex, SS0 0QP	
<b>Applicant:</b>	Mr David Bromage of Architectural Properties Dev Ltd	
<b>Agent:</b>	N/A	
<b>Consultation Expiry:</b>	29/10/2020	
<b>Expiry Date:</b>	11/12/2020	
<b>Case Officer:</b>	Scott Davison	
<b>Plan Nos:</b>	10A, 15, 16, 17 & 18, Noise Impact Assessment (Climate Acoustics dated 22/10/2020), Ecological Report, Arboricultural Report, Design and Access Statement	
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION</b>	



## **1 Site and Surroundings**

- 1.1 The application site is located on the eastern side of Lavender Grove and is occupied by a modest, single-storey detached bungalow set within a plot some 42m deep and 24m wide. The application dwelling is vacant and the site has been largely cleared of vegetation and trees. There is a service access road off Lavender Grove that falls within the application site. It gives vehicular access to the application site and to the rear of other properties facing Carlingford Drive to the south of the site. There is a large white lined, permit controlled parking bay immediately to the front of the site and there are double and single yellow lines to either side of the street.
- 1.2 The surrounding area is largely residential in nature. Lavender Grove is made up of predominantly single storey and chalet style dwellings. Carlingford Drive to the south of the site is comprised of a mix of single and two storey dwellings.
- 1.3 The site is not located within a conservation area and does not have any specific policy designation within the Development Management Document Proposals Map.

## **2 The Proposal**

- 2.1 The application seeks planning permission to demolish the existing dwelling and to erect 2 x two storey buildings comprising 7 flats in total and to layout parking and amenity space for the flats. A Design and Access statement, ecological report, arboricultural report and noise impact assessment report have been forwarded with the application.
- 2.3 The proposal would create seven new flats contained within two buildings. Building A would contain 3 flats and would be some 17m in depth, 8.4m wide and maximum height of 8.3m. Building B would contain 4 flats and would be some 16m in depth, 10.9m wide and maximum height of 8.3m. Building A would follow the same building line as dwellings to the north of the site. The front elevation of Building B would be set some 2m further back than building A. The buildings would contain a mix of pitched and hipped roof elements.

Building A would contain flats A1, A4 & A7

A1 – 51 sqm 1 bedroom 2 person flat. Bedroom 13.6 sqm

A4 – 57 sqm 1 bedroom 2 person flat. Bedroom 12.7 sqm

A7 -- 73.5 sqm 2 bedroom 4 person flat. Bedrooms 12.6 sqm & 17 sqm

Building B would contain flats A2, A3, A5 & A6

A2 – 72 sqm 2 bedroom 4 person flat. Bedrooms 15 sqm & 13.1 sqm

A3 – 72 sqm 2 bedroom 4 person flat. Bedrooms 12.3 sqm & 16.5 sqm

A5 – 72.1 sqm 2 bedroom 4 person flat. Bedrooms 15 sqm & 13.1 sqm

A6 – 73.5 sqm 2 bedroom 4 person flat. Bedrooms 12.3 sqm & 16.5 sqm

- 2.4 The flats would be accessed from entrances in the front and side elevations of the buildings. Seven parking spaces would be provided within the site using an existing vehicle crossover and an access off Lavender Grove. Some 290 sqm of communal amenity space is provided to the rear of the site. A cycle store is provided to the rear of the buildings and a bin store to the south of building B.

2.5 Details of the external finishing material include red and terracotta bricks and brown pantiles.

2.6 A Noise Impact Assessment (NIA), Ecological Report, Arboricultural Report and Design and Access Statement have been submitted in support of the application.

### **3 Relevant Planning History**

3.1 No relevant planning history

### **4 Representation Summary**

#### **Public Consultation**

4.1 Councillor Garston has called the application in for consideration by the Development Control Committee.

17 neighbours were notified and a site notice was displayed. 7 letters of representation were received, two in support and five objecting to the application (including four from the same address). They are summarised as follows:

#### Support

- The proposal would be in character with the street scene
- The development would provide suitable accommodation for the older persons and the disabled.
- The proposal would result in an untidy site being regenerated.

#### Objection

- Proposal would be an overdevelopment of the site
- Security concerns from the open rear garden / car parking
- Impact on neighbouring amenity i.e. loss of privacy and loss of daylight, sunlight. Concerns over proximity to the site boundary.
- Inadequate parking. No parking provided for visitors

Officer Comments: The concerns in the above representations are noted and where they refer to material planning considerations they have been taken into account in the assessment of the application, but have not been found to represent reasons justifying refusal of planning permission on those grounds.

#### **Environmental Health**

4.2 No objection subject to conditions controlling construction hours and erection of fencing to mitigate the impact of noise from the parking area

#### **Parks**

4.3 No objections. It is noted that all trees on site have been felled which is undesirable. To mitigate for biodiversity loss, the soft landscaping scheme should include biodiversity enhancing features and planting of species with known ecological value.

#### **Essex Fire**

4.4 No objections, subject to informatives relating to water supplies for firefighting and sprinkler systems.

## **5 Planning Policy Summary**

- 5.1 The National Planning Policy Framework (NPPF) (2019).
- 5.2 Planning Practice Guidance and National Design Guide (2019).  
  
Nationally Described Space Standards - Technical Housing Standards Policy Transition Statement (2015)
- 5.3 Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles) KP3 (Implementation and Resources) CP3 (Transport and Accessibility) CP4 (Environment and Urban Renaissance) and CP8 (Dwelling Provision).
- 5.4 Development Management Document (2015) DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM7 (Dwelling Mix, Size and Type), DM8 (Residential Standards), and DM15 (Sustainable Transport Management).
- 5.5 Design & Townscape Guide (2009).
- 5.6 Community Infrastructure Levy (CIL) Charging Schedule 2015.
- 5.7 RAMS (Essex Coast Recreational disturbance Avoidance Mitigation Strategy) SPD (2020)
- 5.8 Waste Storage, Collection and Management Guide for New Developments (2019)

## **6 Planning Considerations**

- 6.1 The main considerations in relation to this application are the principle of the development, design and impact on the character of the area, living conditions for future occupiers, impact on neighbouring properties, any traffic and transport issues, sustainability and CIL (Community Infrastructure Levy) and RAMS considerations.

## **7 Appraisal**

### **Principle of the development**

- 7.1 This proposal is considered in the context of the relevant Council policies relating to new development and design. Also of relevance are the National Planning Policy Framework including section 12 (Achieving well-designed places) and Core Strategy Policies KP2, CP4 and CP8.
- 7.2 Policy KP2 of the Core Strategy requires that all new development contributes to economic, social, physical and environmental regeneration in a sustainable way through securing improvements to the urban environment through quality design, and respecting the character and scale of the existing neighbourhood. Policy CP4 requires that new development be of appropriate design and have a satisfactory relationship with surrounding development. Policy CP8 of the Core Strategy identifies the need of 6,500 homes to be delivered within the whole Borough between 2001 and 2021 and that the intensification of the use of land should play a significant role in meeting the housing needs of the Southend Borough, providing approximately 40% of the additional housing that is required to meet the needs of the Borough.

7.3 The figures of the Housing Delivery Test (HDT) and the Five Year Housing Land Supply (5YHLS) show that there is a need for housing in the Borough and the South Essex Strategic Housing Market Assessment shows that the Borough needs a higher proportion of family units. The proposed development contains 2 bedrooms flats and does not include family sized units.

7.4 Policy DM3 of the Development Management Document promotes *“the use of land in a sustainable manner that responds positively to local context and does not lead to over-intensification, which would result in undue stress on local services, and infrastructure, including transport capacity.”*

7.5 The location of the proposed development would be considered infill development. Policy DM3 is applicable. Policy DM3(2) requires that all development on a land that constitutes backland and infill development will be resisted where the proposal:

- “(i) Create a detrimental impact upon the living conditions and amenity of existing and future residents or neighbouring residents; or*
- (ii) Conflict with the character and grain of the local area; or*
- (iii) Result in unusable garden space for the existing and proposed dwellings in line with Policy DM8; or*
- (iv) Result in the loss of local ecological assets including wildlife habitats and significant or protected trees.”*

Policy DM3 (4) of the Development Management Document states that *“The conversion or redevelopment of single storey dwellings (bungalows) will generally be resisted. Exceptions will be considered where the proposal:*

- (i) “Does not create an unacceptable juxtaposition within the streetscene that would harm the character and appearance of the area; and*
- (ii) Will not result in a net loss of housing accommodation suitable for the needs of Southend’s older residents having regard to the Lifetime Homes Standards.”*

7.6 The existing site is occupied by a modest bungalow located on the eastern side of the road. The streetscene is characterised predominantly by bungalows and chalet bungalows and Carlingford Drive contains two storey dwellings. The proposal would result in the loss of a bungalow and a Design and Access Statement has been submitted which states that the proposal will provide appropriate facilities for the needs of older residents and that the proposal would meet the M4 (2) standard, which replaced the Lifetime Homes Standard. Therefore the broad principle of the loss of the bungalow and redevelopment of the site is considered to be acceptable subject to the following detailed considerations such as the suitability of the site to accommodate the dwellings as proposed. In this regard other material planning considerations, including the impact on the design and character of the area, living conditions for future occupiers, the impact residential amenity and parking availability are assessed below.

### **Design and Impact on the Character of the area**

7.7 Good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF (section 12) and in Policies KP2 and CP4 of the Core Strategy and also in Policies DM1 and DM3 of the Development Management Document.



The Design and Townscape Guide also states that “the Borough Council is committed to good design and will seek to create attractive, high-quality living environments.”

- 7.8 The NPPF states “*The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this.*” (Section 12 Para 124 – ‘Achieving well-designed places’).
- 7.9 Policy KP2 of the Core Strategy advocates the need for all new development to “*respect the character and scale of the existing neighbourhood where appropriate and secure improvements to the urban environment through quality design*”.
- 7.10 Policy DM1 of the Development Management Document states that all development should “*add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features*”.
- 7.11 Policy DM3 (1.) advises that: *The Council will seek to support development that is well designed and that seeks to optimise the use of land in a sustainable manner that responds positively to local context and does not lead to over-intensification, which would result in undue stress on local services, and infrastructure, including transport capacity.*
- 7.12 DM3 (2) states *All development on land that constitutes backland and infill development will be considered on a site-by-site basis. Development within these locations will be resisted where the proposals:*
- (i) Create a detrimental impact upon the living conditions and amenity of existing and future residents or neighbouring residents; or
  - (ii) Conflict with the character and grain of the local area; or
  - (iii) Result in unusable garden space for the existing and proposed dwellings in line with Policy DM8; or
  - (iv) Result in the loss of local ecological assets including wildlife habitats and significant or protected trees.
- 7.13 The proposed development is comprised of two buildings giving the appearance of two dwellings when viewed from the street scene, with entrance doors and porches. The building frontages would be some 8.4m & 12m onto Lavender Grove projecting some 17m and 16m in depth. The roof heights at some 8.4m would match the existing chalets to the north of the site. The buildings would be separated by a minimum 1m gap increasing to 2m at the front. The front elevation of Building A would not project any further forward than the neighbouring dwelling, No.10. Building B would be set some 2m behind the prevailing building line. The rear elevation of the Building A would project beyond the rear elevation of the neighbouring dwelling, No.10 by some 5m however the section nearest to No.10 projects by 2.9m only and then steps in a further 2.3m, which is a measure to limit the impact on the amenities of the neighbouring dwellings.

- 7.14 The proposed development would have greater coverage of the frontage compared with the existing bungalow, however, the scale and form of the proposed development in the street scene would be comparable to dwellings to the north of the site in Lavender Grove. It draws reference from their pitched roof form and eaves height. The roof forms of the buildings to the rear and flank elevations are fairly consistent and coherent. Lavender Grove is comprised of single family dwellings of various designs fronting onto the highway. They are generally of a similar scale, and a degree of cohesion is provided by the prevailing building line, set back from the highway and the scale of frontages, use of traditional materials and entrances to the street providing an active frontage to the properties. The proposed development is comprised of two, 2 storey buildings with main entrances to the front and sides of the building and which, on balance, would not appear out of character in the streetscene. The development is split into two buildings and the degree of projection rearwards would project beyond the prevailing rear building line. On balance, the scale and height of proposal would not appear overly dominant or harmful to the character of the street scene or rear environment and visual amenities of the wider area. In this respect the proposal would be compliant with the above-noted policies.
- 7.15 In terms of design detail and materials, the windows and doors across the proposed development are consistent in design, scale and proportions. The building would be finished in brick, tile and uPVC windows. The detailed matters of materials can be dealt with as a condition of any planning permission.
- 7.16 Areas to the front and rear of the site would be given over to car parking. A significant area to the rear of the site would provide a communal amenity space. Given the existing service access and garages to the rear of dwellings in Carlingford Drive and that the parking area would be set to the southern side of plot adjacent to the access and garages, it is not considered that it would adversely impact on the rear garden setting to the building or be harmful to the domestic character of the rear garden scene surrounding the plot. Details of hard landscaping can also be secured by condition.
- 7.17 An arboricultural report was forward with the application. All trees on the site have been removed prior to the submission of the application (without the need for planning permission). There are limited details of the soft landscaping to the front and rear of the building shown on the submitted plans. Parks have requested that any soft landscaping scheme should include biodiversity enhancing features and planting of species with known ecological value and this can be secured by condition.
- 7.18 For the reasons set out above, it is considered that the proposed development would be acceptable and policy compliant in the above regards.

## Traffic and Transport Issues

- 7.19 Policy DM15 states that each flat should be served by one parking space. Policy DM15 also states that “*Residential vehicle parking standards may be applied flexibly where it can be demonstrated that the development is proposed in a sustainable location with frequent and extensive links to public transport and/or where the rigid application of these standards would have a clear detrimental impact on local character and context.*”
- 7.20 A total of seven parking spaces would be provided for the proposed development, which would be policy compliant. Five spaces would be to the rear of the site and two to the front. The site is considered to be a sustainable location with public transport within walking distance.
- 7.21 The site would be accessed by an existing vehicle crossover to the south leading to an existing access presently serving the rear of dwellings in Carlingford Drive. The access to these properties would be retained. It is considered that vehicles would be able to enter the site and access the parking spaces from the access. Separate planning permission would be required if the applicant wanted to extend the existing crossovers
- 7.22 Residential cycle storage facilities indicated are shown on the plans, but full details are required. Details can be secured by a planning condition.
- 7.23 The proposal is acceptable and policy compliant in the above respects.

## Impact on Neighbouring Properties

- 7.24 Paragraph 343 of The Design and Townscape Guide (2009), under the heading of Alterations and Additions to Existing Residential Buildings states, amongst other criteria, that extensions and alterations must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties. Policy DM1 of the Development Management Document also states that development should “*Protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight.*”
- 7.25 To the north of the site is No.10 Lavender Grove, a chalet bungalow with windows in its flank elevation. The proposed development would be set some 1m in from the shared boundary and approx. 2m from the flank elevation of No.10 A single storey pitched roof projection some 6.3m to ridge height and 2.5m would project some 2.9m beyond the rear of the no.10. The roof of this projection would be pitched away from the boundary with No.10. There is a further single storey projection which projects beyond the section nearest to No.10 by some 2.1m and is some 3.9m high. It would be stepped in from the shared boundary by 3.3m. The ground floor of the flank elevation would contain four windows and the first floor would contain two obscure glazed windows. On balance, it is considered that the development would not be overbearing, have perceived or actual dominant impacts or result in an undue sense of enclosure or a materially harmful loss of daylight or sunlight.

Subject to the provision of obscure glazing to the first floor windows, the proposal is not considered to result in a loss of privacy or overlooking of these neighbouring dwelling.

- 7.26 Given the 27m separation distance from the side of the proposed development to the rear of the dwellings in Carlingford Drive, the first floor windows of the proposed flats are not considered to result in a loss of privacy or overlooking of these neighbouring dwellings or amenity areas. It is not considered that the proposed development would give rise to any detrimental overbearing, perceived or actual dominant impacts or loss of light on these neighbouring occupiers to the south of the site.
- 7.27 To the west of the site on the other side of Lavender Grove, there are mix of single storey dwellings and chalet bungalows. The proposed development is not considered to result in loss of privacy or overlooking of the front elevations of the buildings to the west of the site given separation distances which are in excess of 25m. It is not considered that the proposed development would give rise to any detrimental overbearing, perceived or actual dominant impacts upon the residential properties to the east of the site
- 7.28 To the rear of the site are residential dwellings in Hogleythick Lane. The separation distances to dwellings would be in excess of 40m. Given the separation distance from the proposed development to the rear of the neighbouring dwellings the proposed flats are not considered to result in a loss of privacy or overlooking of these neighbouring building or amenity areas. It is not considered that the proposed development would give rise to any detrimental overbearing, perceived or actual dominant impacts or loss of light on these neighbouring dwellings to the east of the site.
- 7.29 The use of the service road by up to 7 additional vehicles and the resultant parking and manoeuvring would introduce activity into what is presently a tranquil rear garden location. A Noise Impact Assessment (NIA) was submitted with the application which examined noise impact from the proposed car parking activities on the neighbouring noise sensitive premises. Environmental Health considers the NIA to be satisfactory and is satisfied that impacts would be within acceptable limits.
- 7.30 No objections to the proposed development are raised in regard to impacts on the amenities on future occupiers of the proposed development. The proposed development would be acceptable and policy compliant in the above regards.

**Standard of Accommodation:**

- 7.31 Paragraph 127 of the NPPF states that “Planning policies and decisions should ensure that developments: create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users”. It is considered that most weight should be given to the Technical Housing Standards that have been published by the government which are set out as per the below table:

- Minimum property size for a 1 bedroom, 2 person flat (one storey) is 50 sqm.
- Minimum property size for a 2 bedroom, 4 person flat (one storey) is 70 sqm.
- Bedroom Sizes:

The minimum floor area for bedrooms to be no less than 7.5sqm for a single bedroom with a minimum width of 2.15m; and 11.5sqm for a double/twin bedroom with a minimum width of 2.75m or 2.55m in the case of a second double/twin bedroom.

- Floorspace with a head height of less than 1.5 metres should not be counted in the above calculations unless it is solely used for storage in which case 50% of that floorspace shall be counted.

- A minimum ceiling height of 2.3 metres shall be provided for at least 75% of the Gross Internal Area.

7.32 Weight should also be given to the content of policy DM8 which has standards in addition to the national standards including provision of amenity space, storage facilities and refuse facilities.

7.33 The gross internal floorspace for the dwellings and bedroom sizes would exceed the minimum sizes required by the technical housing standards. All habitable rooms will be provided with sufficient windows and openings to provide adequate light, ventilation and outlook.

7.34 The Council has no adopted standards for amenity space provision and policy DM8 states, "*Residential schemes with no amenity space will only be considered acceptable in exceptional circumstances*". No private amenity space is provided for the flats however a communal amenity space of some 290 sqm is provided to the rear of the buildings. The garden area for would be provided within a single irregular shaped area, would be sufficiently screened and private and would provide an acceptable and usable amenity space for future occupants.

7.35 Policy DM8 of the Development management Document states that all new dwellings should meet the Lifetime Homes Standards, which from the 1st October 2015 have been substituted by Building Regulation M4(2). The Design and Access statement states that the proposal would meet Building Regulations 2010 Part M including M4 (2) and M4 (3) 2015/2016 amendments. Subject to the use of conditions to secure this the proposal is found to be acceptable in these regards.

7.36 The development is therefore considered acceptable and policy compliant.

### **Sustainability**

7.37 Policy KP2 of the Core Strategy requires that "at least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources), such as those set out in the Design and Townscape Guide, wherever feasible. How the development will provide for the collection of re-usable and recyclable waste will also be a consideration." Policy DM2 of the Development Management Document also states that "to ensure the delivery of sustainable development, all development proposals should contribute to minimising energy demand and carbon dioxide emissions"

7.38 The plans show solar panels on the roof of each building however no information has been submitted in relation to the details of provision of renewables on site. It would be possible to address this matter through the imposition of a condition

- 7.39 Policy DM2 (iv) of the Development Management Document requires all new development to provide “*water efficient design measures that limit internal water consumption to 105 litres per person per day (ldp) (110 lpd when including external water consumption). Such measures will include the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting.*” No information has been submitted but this could be achieved by condition.
- 7.40 As such, subject to conditions it is considered that the development is acceptable and policy compliant and in the above regards.

### **Waste Storage**

- 7.41 Policy DM8 states that refuse stores should be located to limit the nuisance caused by noise and smells and should be provided with a means for cleaning, such as a water supply.
- 7.42 The submitted plans contain details of the location of refuse storage for the proposed flats to the side of Building B which is acceptable in principle. There is scope within the application site for the provision of facilities for refuse storage and details of the location and type of refuse storage facilities can be secured by condition.
- 7.43 The proposal is therefore acceptable and policy compliant in the above regards

### **Community Infrastructure Levy (CIL)**

- 7.44 This application is CIL liable and there will be a CIL charge payable. In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is being reported as a material ‘local finance consideration’ for the purpose of planning decisions. The proposed development includes a gross internal area of 487 sqm, which may equate to a CIL charge of approximately £12 511. 03 (subject to confirmation). Any existing floor area that is being retained/demolished that satisfies the ‘in-use building’ test, as set out in the CIL Regulations 2010 (as amended), may be deducted from the chargeable area thus resulting in a reduction in the chargeable amount.

### **Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS)**

- 7.45 The site falls within the Zone of Influence for one or more European designated sites scoped into the emerging Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS). It is the Council’s duty as a competent authority to undertake a Habitats Regulations Assessment (HRA) to secure any necessary mitigation and record this decision within the planning documentation. Any new residential development has the potential to cause disturbance to European designated sites and therefore the development must provide appropriate mitigation. This is necessary to meet the requirements of the Conservation of Habitats and Species Regulations 2017. The RAMS Supplementary Planning Document (SPD), which was adopted by Full Council on 29th October 2020, requires that a tariff of £125.58 (index linked) is paid per dwelling unit. This will be transferred to the RAMS accountable body in accordance with the RAMS Partnership Agreement.



The applicant has made this this payment and therefore the ecological implications of the site can be considered acceptable and policy compliant.

## **8 Conclusion**

- 8.1 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance on balance. The principle of the development is found to be acceptable and the proposal would provide satisfactory internal living conditions for future occupiers of the proposed flats. The proposal would have an acceptable impact on the amenities of neighbouring occupiers, highway safety and parking and on balance, the character and appearance of the application site, the street scene and the locality more widely. The provision of additional housing is considered to be a public benefit of the scheme. This scheme is therefore recommended for approval subject to conditions.

## **9 Recommendation**

**GRANT PLANNING PERMISSION subject to the following conditions:**

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

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

- 02 The development hereby permitted shall be carried out in accordance with the approved plans: 10A, 15, 16, 17 & 18.**

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

- 03 Prior to the occupation of the development hereby approved car parking spaces shall be provided and made available for use in accordance with the details shown on approved plan 5606 15 and shall be permanently retained as such thereafter. The car parking spaces shall be kept available solely for the parking of motor vehicles of occupiers of the dwellings hereby approved and their visitors.**

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

- 04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved the development hereby permitted shall not commence other than for groundworks and site preparation works unless and until details and appropriately sized samples of the materials to be used for all the external surfaces of the proposed building at the site including for elevations, brickwork, render, glazing, doors, windows and roofing materials have been submitted to and approved in writing by the Local Planning Authority.**

The development hereby permitted shall be implemented in full accordance with the details and samples approved under this condition before it is occupied.

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

- 05 Prior to the first occupation of the development hereby approved full details of refuse and secure bicycle storage facilities for the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the development, refuse and bicycle storage facilities shall be provided at the site in accordance with the approved details and retained in perpetuity thereafter.

Reason: In the interests of residential amenity for future occupants, to ensure the provision of adequate cycle parking and in the interests of visual amenity as set out in the National Planning Policy Framework (2018), 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).

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

- i. means of enclosure, of the site including any gates or boundary fencing;
- ii. car parking layouts;
- iii. other vehicle and pedestrian access and circulation areas;
- iv. hard surfacing materials;
- v. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
- vi. details of measures to enhance biodiversity within the site;

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

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

- 07** Notwithstanding the details shown on the plans submitted and otherwise hereby approved the development shall be carried out in a manner to ensure that the dwellings labelled 1, 4, 5, 6 & 7 on plan number 5606 015 comply with the building regulation M4 (2) 'Accessible and Adaptable Dwellings' standard before they are occupied.

**Reason:** To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM8 and the advice contained in the Southend Design and Townscape Guide (2009).

- 08** Notwithstanding the details shown on the plans submitted and otherwise hereby approved the development shall be carried out in a manner to ensure that the dwellings labelled A2 & A3 on plan number 5606 015 comply with the building regulation M4 (3) 'Wheelchair User Dwellings' standard before they are occupied.

**Reason:** To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM8 and the advice contained in the Southend Design and Townscape Guide (2009).

- 09** 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 and implemented in full prior to the first occupation of the development. This provision shall be made for the lifetime of the development.

**Reason:** In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (2007).

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

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

- 11** No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors**
- ii. loading and unloading of plant and materials**
- iii. storage of plant and materials used in constructing the development**
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate**
- v. wheel washing facilities**
- vi. measures to control the emission of noise, dust and dirt during construction**
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works**

**Reason: To minimise the environmental impact and disturbance to existing residents, during construction of the development in accordance with National Planning Policy Framework, Core Strategy (2007) policies KP2 and CP4; and Development Management Document (2015) policies DM1 & DM3**

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

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

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

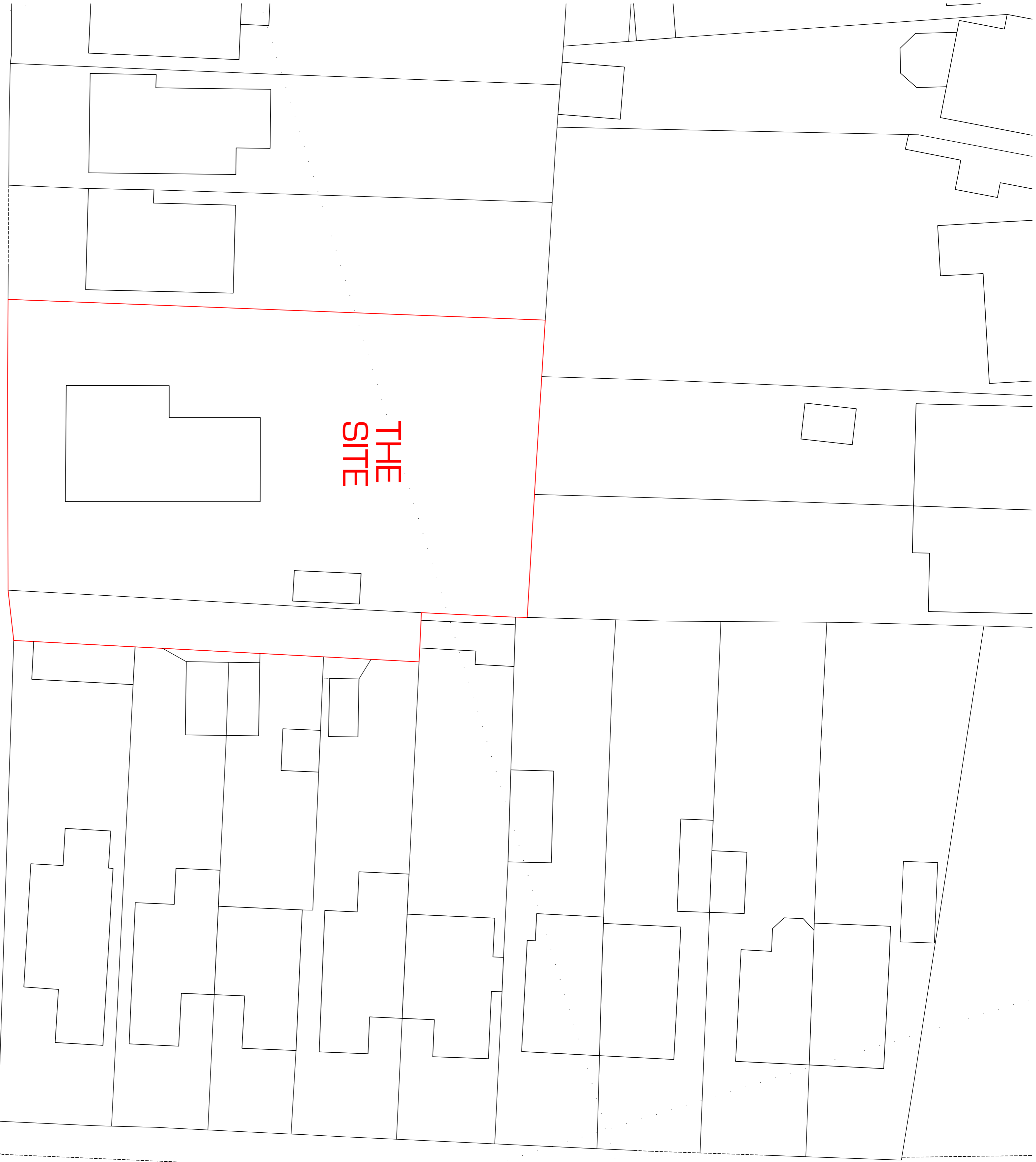
**Reason: In order to protect the amenities of surrounding occupiers and to protect the character the area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).**

**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**

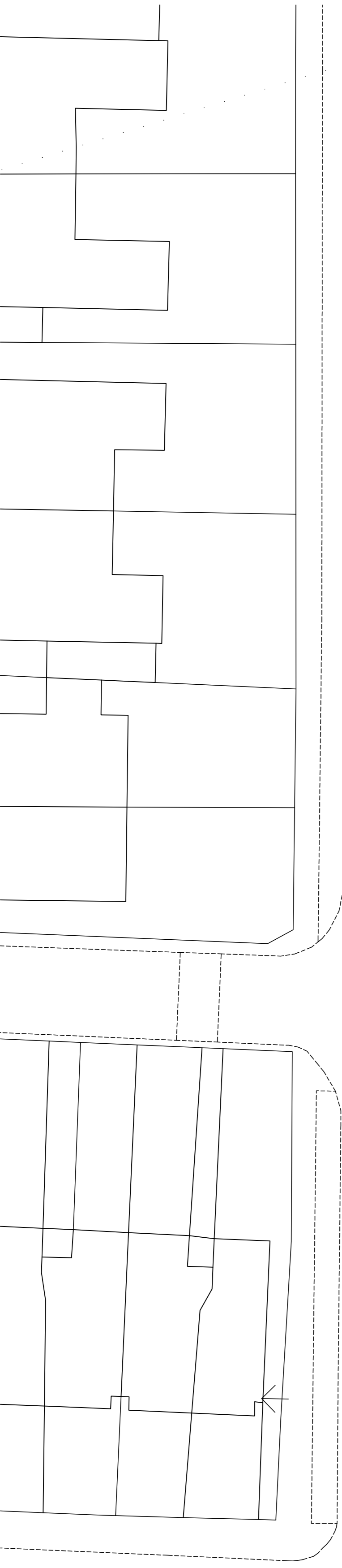
- 1** Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact [S106andCILAdministration@southend.gov.uk](mailto:S106andCILAdministration@southend.gov.uk) to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters can be found on the Planning Portal or the Council's website ([www.southend.gov.uk/cil](http://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** 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.

**Notes**  
 Any errors or omissions to be reported to the Architect immediately. This drawing and any other drawings are the property of the Architect and shall remain their property. The Client and the Contractor shall be responsible for obtaining all necessary planning and building regulations approvals and for ensuring that the proposed development complies with all applicable laws and regulations. The Client and the Contractor shall be responsible for obtaining all necessary planning and building regulations approvals and for ensuring that the proposed development complies with all applicable laws and regulations. The Client and the Contractor shall be responsible for obtaining all necessary planning and building regulations approvals and for ensuring that the proposed development complies with all applicable laws and regulations.

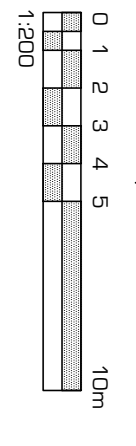


**LAVENDER GROVE**

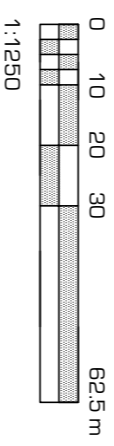
CARLINGFORD DRIVE + 24.7m



SITE PLAN 1:200



SITE LOCATION PLAN 1:1250



Rev:		date:	drawn:	approved:

**HUGGINS BROMAGE FERGUSON LTD**  
 RIBA Chartered Practice

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**Client:** ARCHITECTURAL PROPERTIES  
**Project:** PROPOSED DEVELOPMENT,  
 6 LAVENDER GROVE, WESTCLIFFE,  
 SOUTHEND, ESSEX, SSO OGP.  
**Subject:** SITE PLAN

Scale:	1:200 & 1:1250@ A1	Approved:	Drawn:
		Date:	Date:
			JAN 2020

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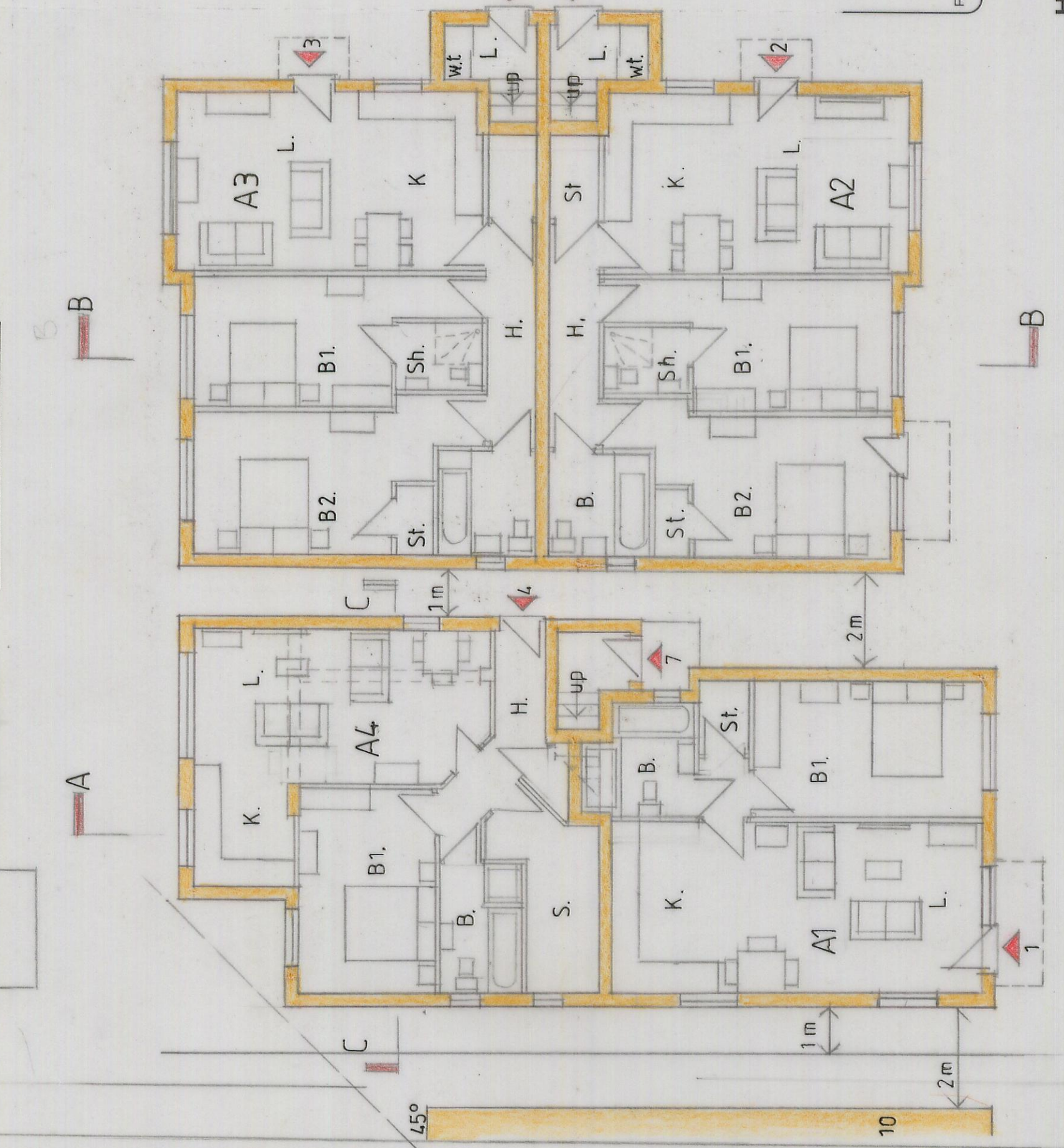
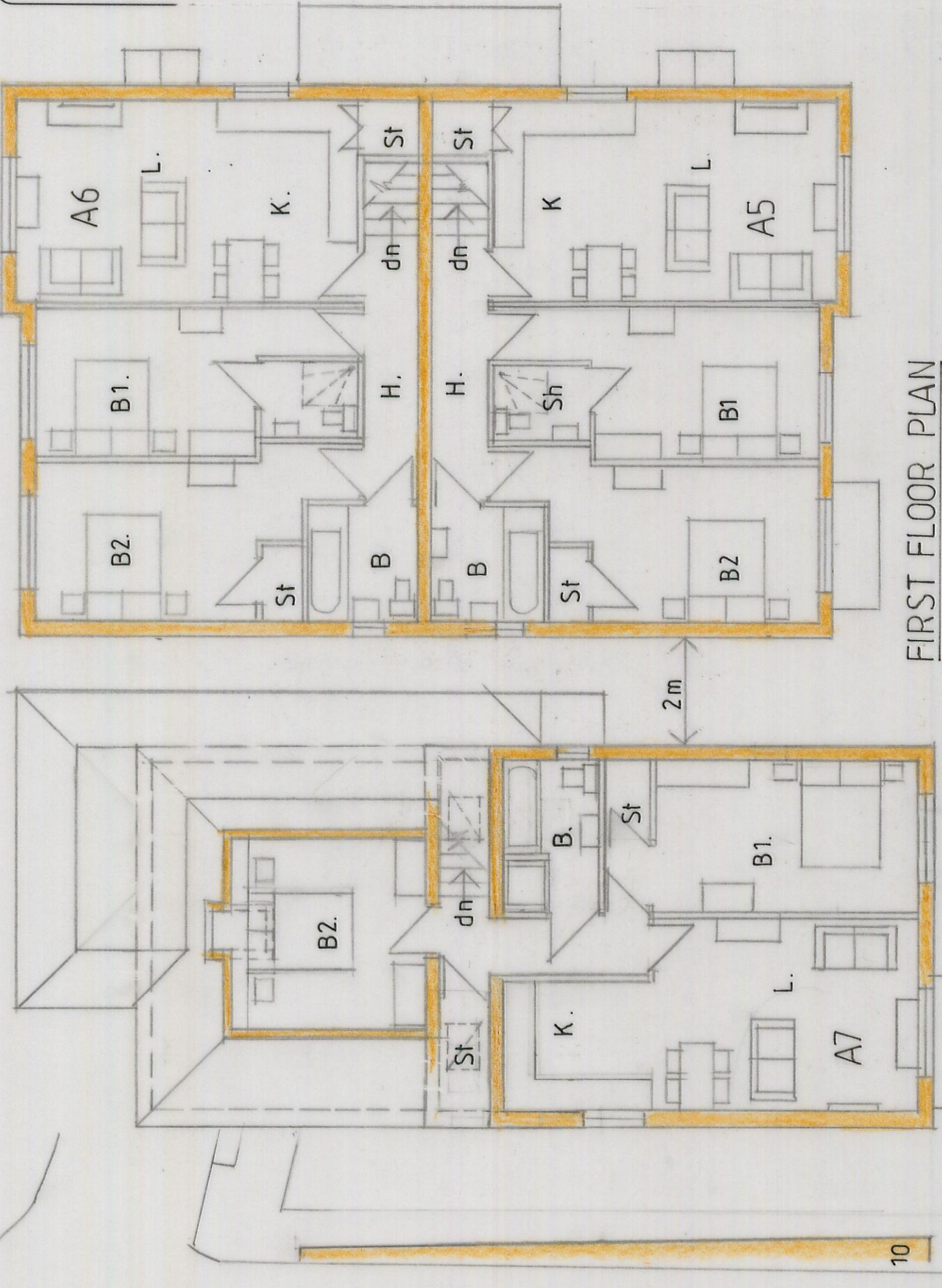
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**KEY**

L.	Lounge
K.	Kitchen
B1.	Bedroom 1
B2.	Bedroom 2
B.	Bathroom
Sh.	Shower Room
H.	Hall
St.	Store
S.	Study
Sp.	Solar Panel
rw	Roof Window
wt	Wheelchair

**ACCOMMODATION**

Apartment	sq. m	Building Regulations
1	51.5	M4(2) accessible + wheelchair
2	72	M4(3) wheelchair
3	72	"
4	57.14	M4(2)
5	72.7	"
6	73.47	"
7	73.47	"



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 www.hbf-architects.co.uk

Client: Architectural Properties Dev. Ltd.  
 Project: 6 Lavender Grove  
 Westcliff on Sea SSO OQP  
 Subject: LAYOUT/ROOF PLAN  
 + FLOOR PLANS

Scale	1:100	Approved	Drawn
	1:200	Date	Date
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CARLINGFORD DRIVE



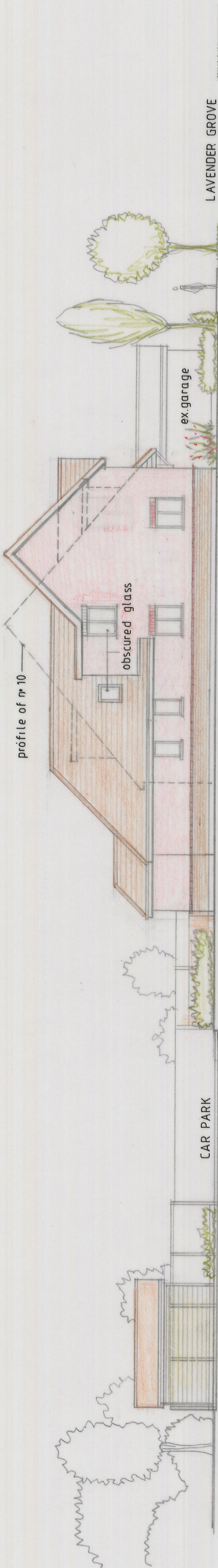
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**Notes**

Any errors or omissions to be reported to the Architects immediately. This drawing and any other drawings are to be used for the purposes of the contract. Obtaining Planning and Building Regulations approval is the responsibility of the client. You are advised to take advice from specialist consultants where your project might require Party Wall Act notices or require a Notice of Light Agreement.

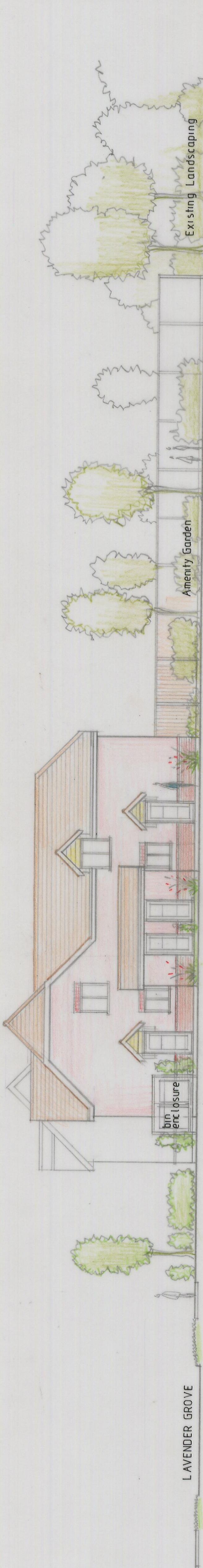
Rev.	date	drawn	approved



NORTH ELEVATION Apartments 1, 4 & 7



REAR GARDEN East Elevation



ACCESS DRIVE South Elevation Apartments 2, 3, 5 & 6



LAVENDER GROVE Street Elevation

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Client	Architectural Properties Dev Ltd.
Project	6 Lavender Grove Westcliff on Sea SSO OQP
Subject	ELEVATIONS

Scale	1:100	Approved	Drawn
Date	25.9.20.	Date	25.9.20.
Dwg. No.	5 6 0 6 - 16	rev'n	16



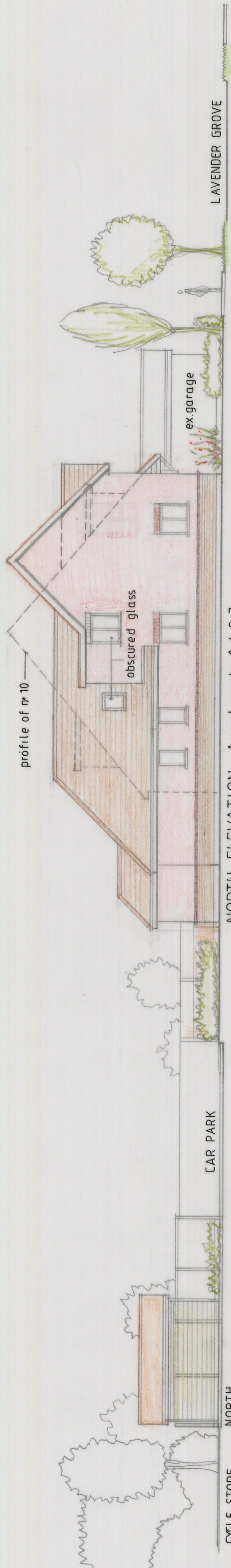
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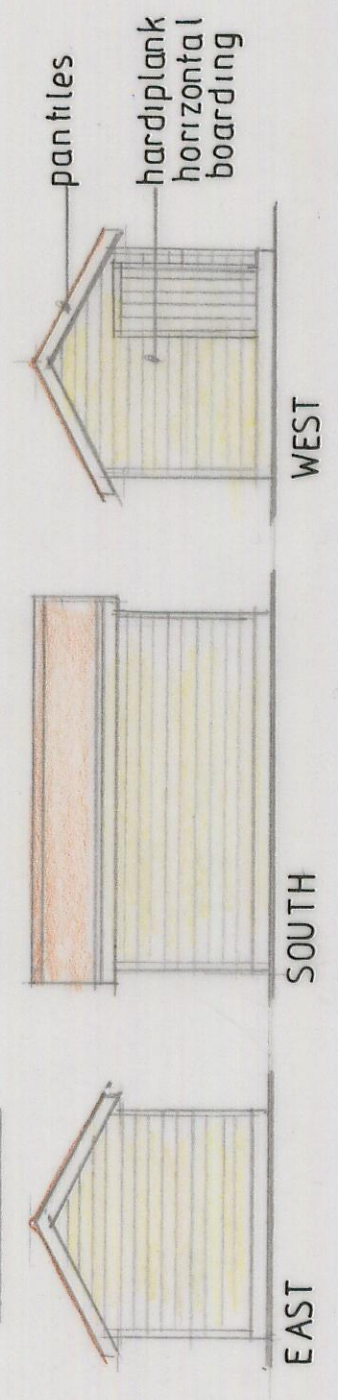
**Notes**

Any errors or omissions to be reported to the Architects immediately. This drawing and any other drawings are to be used for the purposes of the contract. Obtaining Planning and Building Regulations approval is the responsibility of the client. You are advised to take advice from specialist consultants where your project might require Party Wall Act notices or require a Notice of Light Agreement.

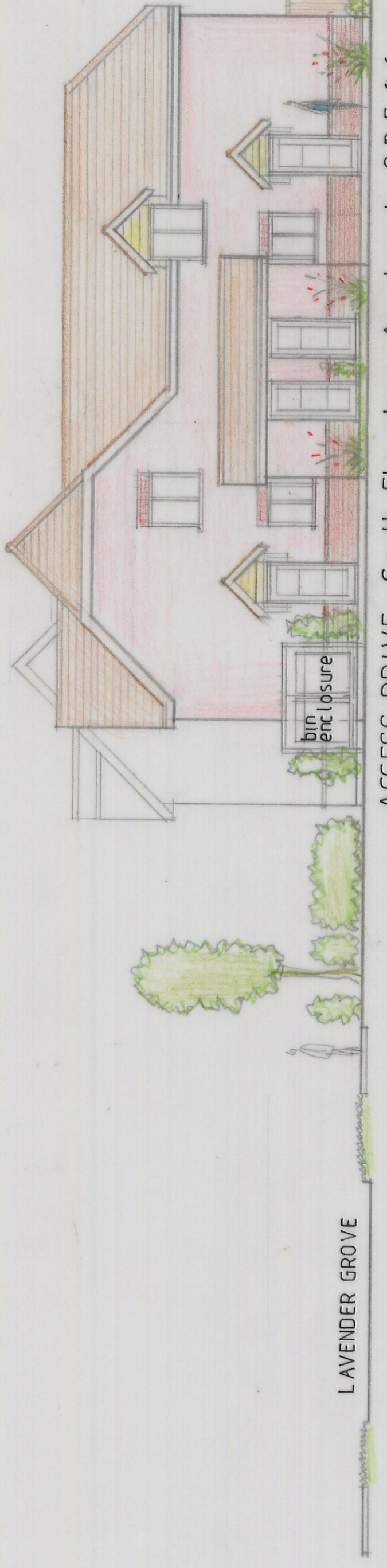
Rev.	date	drawn	approved



NORTH ELEVATION Apartments 1, 4 & 7



REAR GARDEN East Elevation



ACCESS DRIVE South Elevation Apartments 2, 3, 5 & 6



LAVENDER GROVE Street Elevation

**HUGGINS BROMAGE FERGUSON LTD**  
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Client	Architectural Properties Dev Ltd.
Project	6 Lavender Grove Westcliff on Sea SS0 0QP
Subject	ELEVATIONS

Scale	1:100	Approved	Drawn
		Date	Date
			25.9.20.
Dwg. No.	5 6 0 6 - 16		rev'n

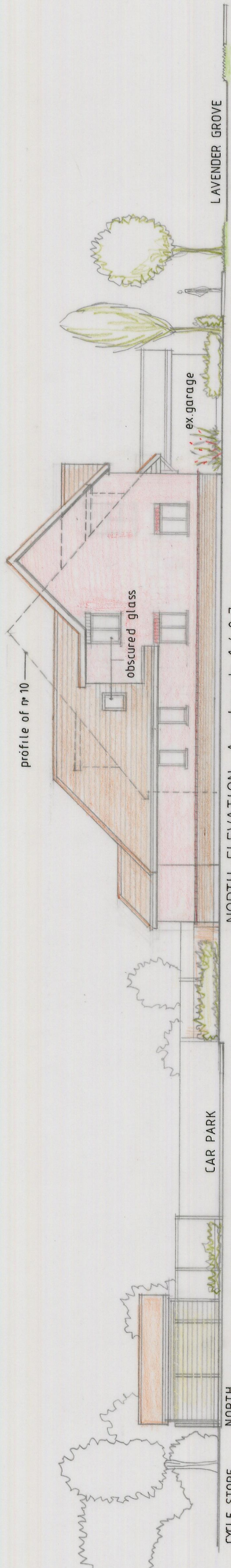


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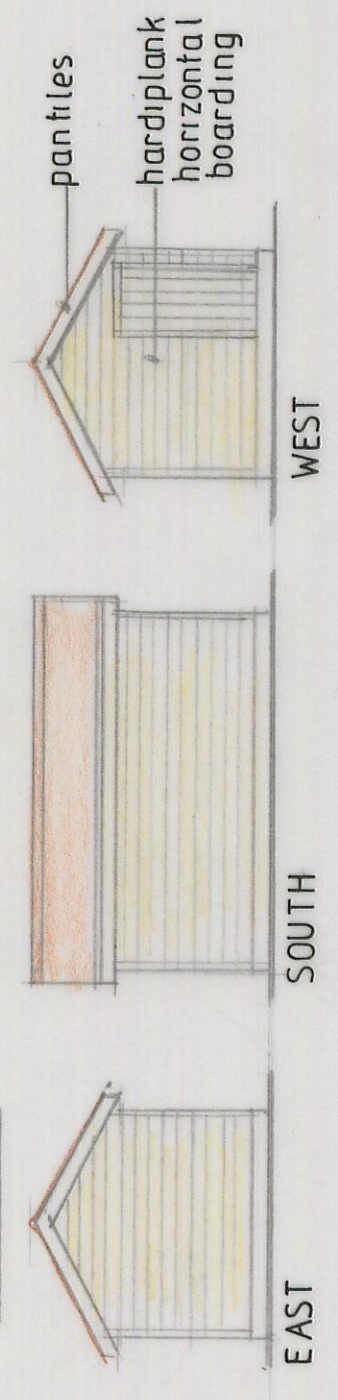


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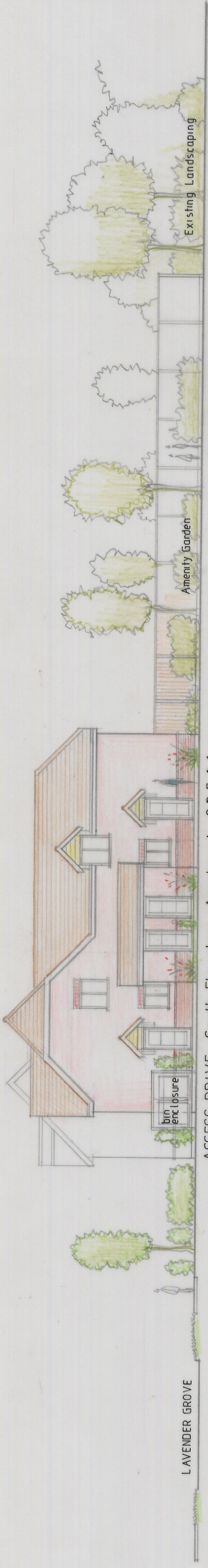
Rev.	date	drawn	approved



NORTH ELEVATION Apartments 1, 4 & 7



REAR GARDEN East Elevation



ACCESS DRIVE South Elevation Apartments 2, 3, 5 & 6



LAVENDER GROVE Street Elevation

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Client	Architectural Properties Dev Ltd.
Project	6 Lavender Grove Westcliff on Sea SSO OQP
Subject	ELEVATIONS

Scale	1:100	Approved	Drawn
		Date	Date
			25.9.20.
Dwg. No.	5 6 0 6 - 16	rev/m	



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