

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

## **Meeting of Development Control Committee**

**Date: Wednesday, 3rd November, 2021**

**Place: Council Chamber - Civic Suite**

**Present:** Councillor N Ward (Chair)  
Councillors A Dear (Vice-Chair), J Beck, K Buck, D Cowan, M Dent,  
N Folkard\*, D Garne, D Garston, D Jarvis, A Jones, K Mitchell,  
C Mulrone, S Wakefield and C Walker  
(\*Substitute in accordance with Council Procedure Rule 31.)

**In Attendance:** Councillors H Boyd and P Collins  
G Gilbert, K Waters, C Galforg, P Keyes, S Mouratidis, C White,  
O Hart, J Rowley, M Warren and T Row

**Start/End Time:** 2.00 pm - 4.40 pm

### **436 Apologies for Absence**

Apologies for absence were received from Councillors Habermel (substitute: Councillor Folkard), Thompson (substitute: Councillor Wexham) and Wexham (no substitute).

### **437 Declarations of Interest**

The following interests were declared at the meeting:

(i) Councillor Buck – Application Ref. No. 21/01715/BC3 – Garages, Juniper Road, Leigh on Sea – Non-pecuniary interest: His company is a benefactor to a Southend Homeless Charity; Application Ref. No. 21/01621/FUL – Part of Former Goods Yard at Station Approach, Priory Works, Southend on Sea – Non-pecuniary interest: Assisted residents with the application;

(ii) Councillor Cowan – Application Ref. No. 21/01715/BC3 – Garages, Juniper Road, Leigh on Sea – Non-pecuniary interest: Owns a property in the vicinity;

(iii) Councillor Dent – Application Ref. No. 21/01526/BC3 – Nicholson House, 299 Southchurch Road, Southend on Sea – Non-pecuniary interest: Has received email correspondence from the applicant's agent;

(iv) Councillor Dent – Application Ref. No. 21/01621/FUL – Part of Former Goods Yard at Station Approach, Priory Works, Southend on Sea – Non-pecuniary interest: Has had correspondence with residents regarding the application;

(v) Councillor F Evans – Application Ref. No. 21/01662/FULH – 10 Ashleigh Drive, Leigh on Sea – Non-pecuniary interest: Acquainted with the owner of the property next to the application site;

(vi) Councillor D Garston – Application Ref. No. 21/01314/BC4 – Cliffs Pavilion, Station Road, Southend on Sea – Non-pecuniary interest: Member of the

organisation which oversees Menora at the application site, which was mentioned during the debate;

(vii) Councillor D Garston – Application Ref. No. 21/01621/FUL – Part of Former Goods Yard at Station Approach, Priory Works, Southend on Sea – Non-pecuniary interest: Assisted residents with the application;

(viii) Councillors Jones & Mulroney – Application Ref. No. 21/01314/BC4 – Cliffs Pavilion, Station Road, Southend on Sea and Application Ref. No. 21/01715/BC3 – Garages, Juniper Road, Leigh on Sea – Disqualifying non-pecuniary interests: Cabinet Members (withdrew); and

(ix) Councillor Ward – Application Ref. No. 21/01644/AMDT – The Bellhouse Public House, 321 Rayleigh Road, Eastwood – Non-pecuniary interest: Applicant is known to him.

#### **438 Supplementary Report**

The Committee received and noted 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.

#### **439 21/01314/BC4 - Cliffs Pavilion, Station Road, Westcliff on Sea (Milton Ward)**

**Proposal: Erect single storey side and front extension to form 200 cover restaurant, new entrances and circulation lobby, erect lower ground side extensions, internal alterations including infilling of existing balcony, install canopies to front and side, alter elevations, install AHU plant to roof and digital advertisement displays, install new refuse store and cycle parking and amend on street parking layout to increase parking capacity at Westcliff Parade.**

**Applicant: HQ Theatres Ltd**

**Agent: DesignLSM**

Resolved:-

That planning permission be GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans 01-00-B, 01-01K, 01-02, 01-03-A, 01-04, 02-01-K, 02-02-J, 02-03-J, 02-04-J, 09-01, 09-02, 09-03, 09-04, 09-05, 09-06, 09-07, 09-08, 09-09, 09-10

Reason: To ensure that the development is carried out in accordance with the provisions of 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 unless and until full product details of the materials to be used on all the external elevations of the approved development, including walls, roof, solar shading, windows and doors, entrance canopies and signage, fascia and soffits and plant enclosure have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details before it is brought into first use.

Reason: To safeguard the visual amenities of the area including the setting of the adjacent Shorefields Conservation Area, in accordance with the National Planning Policy Framework (2021) Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policies DM1 and DM5 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 above ground floor slab level shall take place unless and until full detailed design drawings and cross sections of the entrance canopies, feature signage, restaurant terrace including sun shading and any balustrading, roof edge and overhang detailing, green roof and roof plant enclosure, feature rooflights and rainwater drainage solution at a scale of 1:20 or 1:10 as appropriate have first been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details before it is brought into use.

Reason: To safeguard the visual amenities of the area, including the setting of the adjacent Shorefields Conservation Area, in accordance with the National Planning Policy Framework (2021) Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policies DM1 and DM5 and advice contained within the Southend Design and Townscape Guide (2009).

05 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition above ground floor slab level shall take place until and unless 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 new restaurant 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 alterations to balustrading or boundaries;
- ii) Hard surfacing materials;
- iii) Full details of any associated structures (e.g. benches, planters, lighting etc.);
- 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 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 including the setting of the adjacent Shorefields Conservation Area and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy DM1 and DM5 of the Development Management Document (2015) and Policy CP4 of the Core Strategy (2007)

06 Prior to the commencement of the development details of tree protection measures, in relation to the row of mature trees in the cliff gardens to the eastern side of the site, shall be submitted to and approved by the Local Planning Authority. The approved tree protection measures shall be implemented in full prior to commencement of the development and be retained throughout construction.

Reason: A pre-commencement condition is required to ensure that the trees on the site are adequately protected during building works in the interests of visual amenity and in accordance with the Core Strategy (2007) policies KP2 and CP4, policy DM1 of the Development Management Document (2015) and advice contained in the Design and Townscape Guide (2009).

07 Before the development hereby permitted is first used, a strategy to provide for 8 re-marked on-street parking spaces within Westcliff Parade, the position of which is identified on drawing No 01-00B, shall have been submitted to and approved in writing by the Local Planning Authority. The strategy shall specify the steps and timetable for how formal consideration of the provision of this amended on street parking will be initiated and then progressed in full accordance with the required statutory highway processes operated by the Council as Local Highway Authority including consideration in principle and then, if agreed in principle, any necessary Traffic Regulation Order and its outcomes.

In the event that the statutory Highways process supports the provision of the amended on-street parking spaces these shall then be implemented in accordance with the details so approved prior to first use of the development hereby approved. The spaces shall be maintained and made available for use thereafter for the lifetime of the development.

Reason: A condition is required in the interests of highways management, the character of the area and safety in accordance with Core Strategy (2007) policies KP2, CP3 and CP4 and Development Management Document (2015) policies DM1, DM3 and DM15 and the advice contained within the Southend Design and Townscape Guide (2009).

08 The restaurant development hereby approved shall not be operated until and unless full details of the refuse and recycling store and the secure, covered staff cycle parking (at least 6 spaces) and visitor cycle parking (at least 6 spaces) to serve the restaurant development have been previously submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented and made available for use prior to first occupation of the development and shall be retained for the lifetime of the development.

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

09 Prior to the first operation of the new restaurant hereby approved a waste management plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details from first occupation for the proposed use and be maintained as such for the lifetime of the development.

Reason: To ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the adjacent Shorefields 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).

10 A scheme detailing how at least 10% of the total energy needs of the development hereby approved will be supplied using on site renewable sources shall be submitted to, agreed in writing by the Local Planning Authority and implemented in full accordance with the approved details prior to the first occupation of the development 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 (2021), Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) policy DM2 and the Southend Design and Townscape Guide (2009).

11 Noise from plant and equipment associated with the development hereby approved, including extract ventilation, shall be limited to 10 dB(A) below the background noise level which is measured and expressed as a LA90,15minutes from the boundary of the nearest residential property. The rated noise levels from plant and equipment shall include any penalties for noise characteristics such as tone, intermittency, etc.

Prior to the first operation of the development hereby approved a post completion noise survey in relation to the restaurant roof top plant must be undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority.

Background noise levels shall be undertaken by a suitably competent person and shall be established for the following periods in accordance with BS 4142:2014+A1:2019 and/or the most suitable method to fully represent any noise source and impact at the boundary of the nearest residential properties:

- Daytime 0700 to 1900
- Evening 1900 to 2300
- Night 2300 to 0700

Where the proposed or actual plant and equipment noise levels are predicted to be in excess of 10 dB(A) above background noise levels then the submitted report shall include a scheme of mitigation to address this issue and bring it within the identified limits. Details of how noise and vibration will be attenuated together with a maintenance schedule for the future operation of that equipment must be submitted to and approved in writing by the Local Planning Authority. Heating and ventilation shall be in accordance with current guidance from DEFRA and the Heating and Ventilating Contractors' Association (HVCA) For Kitchen Ventilation Systems and installed by a competent person. Prior to the operation of the restaurant hereby approved the agreed scheme shall be implemented by a competent person and maintained as such in perpetuity thereafter. The use hereby permitted shall not take place other than in accordance with these approved details.

12 The restaurant use hereby permitted shall not be open to customers outside the following times: 09:00 hours until 23:00 hours on Monday 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).

13 The restaurant terrace area hereby approved shall not be used by customers for any purposes 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 occupiers of the development and surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (207) and Policies DM1 and DM3 of the Development Management Document (2015).

14 No deliveries or refuse collection shall be taken at or despatched from the restaurant use hereby permitted outside the hours of 07:00 to 18:00 hours Mondays to Fridays and 08:00 to 13:00hours on Saturdays nor at any time on Sundays, Bank or Public Holidays.

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

15 Prior to the first operation of the restaurant development hereby approved, details of all external illumination [including floodlighting and digital displays] of the site including the luminance and spread of light and the design and specification of the light fittings shall be submitted to and approved in writing by the local planning authority. All illumination shall be designed in accordance with the Institute of Lighting Professionals "Guidance Note 01/20: Guidance notes for the reduction of obtrusive light". All illumination within the site shall be retained in accordance with the approved details. There shall be no other lighting of the external areas of the site. The digital displays shall only be used to advertise forthcoming events at the venue and shall not be used for any kind of general advertising at any time.

Reason: To safeguard the visual amenities of the area including the adjacent Shorefields Conservation Area and in the interests of the amenities of neighbouring properties and, in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) policy CP4, Development Management Document (2015) policies DM1 and DM5, and the Southend Design and Townscape Guide (2009).

16 Notwithstanding the details shown on the Drainage Statement by Glanville reference 42000507/MCR/002 dated 11.6.21 and Drainage Plans reference IC-00821-MD-090-T1, IC-00821-MD-100-T1, IC-00821-MD-200-T1, IC-00821-MD-300-T1 the development hereby permitted shall not be commenced other than for demolition works unless and until a detailed design of a surface water drainage scheme and surface water management strategy has been submitted to and approved in writing by the Local Planning Authority . The details submitted shall include, but not be limited to:-

1. If the geocellular system is unlined, the applicant should confirm that any 'partial' infiltration does not have any impact on ground stability or groundwater.
2. The applicant shall provide a drawing showing existing and proposed permeable/impermeable areas positively draining into the existing and proposed drainage systems.
3. The application shall show failure/exceedance routes in the plan.
4. The applicant shall provide justification that there is no increase in the post-development volume runoff in line with S5 in 'Non-statutory technical standards for sustainable drainage systems' (DEFRA, 2015).
5. The applicant shall confirm with Anglian Water that the proposed rates into sewer (via the existing on-site drainage system with an indirect connection) are acceptable.
6. The applicant shall provide Anglian Water's acceptance for the discharge of foul water flows.
7. The applicant shall provide a method statement detailing the effect of surface water during the construction phase and how it will be managed.
8. The applicant shall provide information on how to manage any health and safety risks as part of the submission.
9. The applicant shall confirm who will be the adopting authority / body responsible for the maintenance of each SuDS element and include a maintenance statement and schedule.
10. The applicant shall provide construction details for the proposed SuDS elements (green roofs, geocellular system) in line with this strategy.

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

Reason: To ensure the approved development does not increase flood risk elsewhere in accordance with National Planning Policy Framework (2021), Core Strategy (2007) Policies KP1, KP2 and KP3 and Development Management Document (2015) Policies DM6 and DM14.

17 No development shall take place, until and unless a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be fully adhered to throughout the construction period. The Statement shall provide, amongst other things, for:

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding including measures to ensure the retention of trees to the rear of the site
- v) measures to control the emission of dust and dirt and reduce the impact of noisy activities during construction
- vi) a scheme for recycling/disposing of waste resulting from construction works that does not allow for the burning of waste on site.
- vii) Measures to mitigate the impact of noise during construction.

Reason: This pre-commencement condition is needed in the interests of visual amenity including the setting of the adjacent Shorefields Conservation Area and the amenities of neighbouring occupiers pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Development Management Document (2015).

18 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 of the area including the setting of the adjacent Shorefields Conservation Area in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Development Management Document (2015).

19 Notwithstanding the information submitted with the application, the development hereby approved shall not be brought into first use unless and until a Travel Plan including a comprehensive survey of staff and patrons, targets to reduce car journeys to and from the site, identifying sustainable transport modes including cycling and modes of public transport and measures to reduce car usage has been submitted to and agreed in writing by the local planning authority. The approved Travel Plan shall be fully implemented prior to first use of the development hereby approved and shall be maintained thereafter in perpetuity and shall be reviewed after 9 months of the development's first use. For the first three years at the end of each calendar year a document setting out the monitoring of the effectiveness of the Travel Plan and setting out any proposed changes to the Plan to overcome any identified issues and timescales for doing so must be submitted to and approved in writing by the local planning authority. The agreed adjustments shall be implemented in accordance with the agreed conclusions and recommendations.

Reason: To promote sustainable modes of transport to and from the site in the interest of sustainability and in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policy CP3, Policy DM15 of the Development Management Document (2015) and advice contained in the Design and Townscape Guide (2009).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments



to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

## Informatives

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact [S106andCILAdministration@southend.gov.uk](mailto:S106andCILAdministration@southend.gov.uk) to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters can be found on the Planning Portal ([www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy](http://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy)) or the Council's website ([www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)).

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

03 The applicant is advised that separate advertisement consent may be required for the digital displays.

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.

**440 21/01526/BC3 - Nicholson House, 299 Southchurch Road, Southend on Sea (Kursaal Ward)**  
**Proposal: Install 4no. external recycling bins to side**  
**Applicant: Mr P Buckley, South Essex Homes**  
**Agent: N/A**

Resolved:-

That planning permission be GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: SK01, SK02 Location Plan and Bin Location Plan including the external finishes detailed therein.

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

03 Notwithstanding the details shown on the plans submitted and hereby approved, and prior to first use of the approved development, full details of a replacement tree to be planted within the curtilage of the residential development must be submitted to and approved in writing by the Local Planning Authority. The replacement tree shall be planted within the first planting season following implementation of the approved development. The details submitted shall include, but not limited to:-

i. details of the size and location of the tree together with a planting specification.

Any tree dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with tree 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 DM1 of the Development Management Document (2015), Policy CP4 of the Core Strategy (2007) and the advice contained in the Design and Townscape Guide (2009).

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

## Informatives

01 You are advised that as the proposed extension(s) equate 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 to carry out appropriate communication with all residents of Nicholson House so that they are fully aware that the bin stores hereby approved are to be used for recycling waste only and for no other purposes including general waste.

- 441 21/01715/BC3 - Garages, Juniper Road, Leigh on Sea (Blenheim Park Ward)**  
**Proposal: Demolish existing garages, erect six modular dwellings (Use Class C3), associated landscaping works, refuse and cycle stores**  
**Applicant: Hill Partnerships Limited & Southend-on-Sea Borough Council**  
**Agent: Lanpro Services Limited**

Resolved:-

That planning permission be GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans 109-16-PS-001, 109-16-PS-002-B (showing tree protection measures), 109-16-PS-003-A, 109-16-PS-004-A, 109-16-PS-005-A, 109-16-PS-006-A, 109-16-PS-007-B, Cabin specifications 0000-HF-000-00-DR-BC-0002-C08, 0000-HF-000-00-DR-BC-0006-C02, CHM-01-D5, CHM-83-D7, CHM-88-D4, CHM-89-D3, CHM-90-D3 and Existing and Proposed Site Levels S21-269-301-B.

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

03 Before they are first occupied the materials for the external surfaces of the dwelling units hereby approved shall be as set out on drawing reference 0000-HF-000-00-DR-BC-0006-C02 or any other details that have previously been submitted

to and approved in writing by the Local Planning Authority under the terms of this condition.

Reason: To safeguard the visual amenities of the area, in accordance with the National Planning Policy Framework (2021) 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 replacement boundaries to the rear gardens of the neighbouring dwellings which directly share a boundary with the site subject of this approved development shall have a 2.2m close boarded fence measured from the immediately adjacent garden level as shown on plans reference S21-269-301-B and 109-16-PS-012-A and the hard and soft landscaping at the site shall be carried out in full accordance with the proposed Soft Landscape Plan by Nigel Cowlin Landscape Planning and Design reference 21.672 rev A dated 11.08.21 and Soft Landscape Proposals Plan reference NC21.672-P-200-B in both cases prior to occupation of the dwellings units hereby approved, or any other details that have previously been submitted to and approved in writing by the Local Planning Authority under the terms of this condition. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority. The fencing shall be maintained for the lifetime of the development.

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

05 The development hereby approved shall only be used as accommodation for people who are, or would otherwise be, defined as homeless under the Housing Act 1996. The number of persons residing at any one time in the development hereby approved shall not exceed 6. The units shall each only be single occupancy.

Reason: In the interests of the amenities of future occupiers, the amenities of neighbours and parking provision in accordance with Policies KP2 and CP5 of the Core Strategy (2007) and Policies DM1, DM3 and DM15 of the Development Management Document (2015).

06 Before the first occupation of the dwellings hereby approved, a Management Plan setting out how the accommodation will be operated and managed shall be submitted to the Local Planning Authority and approved in writing. The Management Plan submitted shall include details of the measures to be implemented to minimize the impacts of the development in terms of antisocial behaviour, noise and disturbance to neighbouring occupiers. It shall also include details as to the process to be used for evicting tenants in breach of the site's management policies, including the Management Plan approved under this condition. The development shall only be occupied in accordance with the approved Management Plan.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework, Policies KP2 and CP4

of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).

07 The 3 car parking spaces and the associated vehicular access for the spaces to access the public highway, shown on approved plan 109-16-PS-002-B shall be provided and made available for use at the site prior to the first occupation of the dwelling units hereby approved. The single car parking space within the main body of the site 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 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 (2021), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM15 and the Southend Design and Townscape Guide (2009).

08 The development hereby approved shall not be occupied or brought into use until and unless the refuse and recycling and cycle storage facilities are provided and made available for use in full accordance with the details shown on approved drawing numbers 109-16-PS-002-B and 109-16-PS-006-A. The refuse and recycling and cycle storage facilities shall be permanently retained for occupiers and visitors to the approved residential units for the lifetime of the development.

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

09 All development at the site in relation to this approval shall be carried out in full accordance with the Construction Transport Management Plan by Hill reference PDN05-G3-12.02.2018-Version 5, the Construction & Demolition Management Plan by Hill reference PDN05-G3-12.02.2018-Version 5 and Demolition Strategy dated 20.10.21. The tree protection fencing shown on approved plan reference 109-16-PS-002-B shall, so far as is reasonable, be installed immediately following the demolition of the garages in this location and shall be retained throughout the construction period.

Reason: This 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).

10 The site subject of this approval shall be remediated in full accordance with the Site Remediation Strategy set out in Section 8.6 of the Geo-Environmental Report by Enzygo reference CRM.1027.097.GE.R.001.A dated September 2021 before the construction of the development hereby approved begins. A Validation Report for the Site Remediation Strategy shall be submitted to, and agreed in writing by the Local Planning Authority before completion of the development or occupation of the dwellings (whichever comes first).

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 immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared submitted for the approval in writing of 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) Policies KP2 and CP4 and Policies DM1 and DM14 of the Development Management Document (2015).

11 A scheme detailing how at least 10% of the total energy needs of the development hereby approved will be supplied using on site renewable sources shall be submitted to, 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 (2021), Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) policy DM2 and the Southend Design and Townscape Guide (2009).

12 With reference to BS 4142:2014+A1:2019, the noise rating level arising from all plant including the air source heat pumps within the development hereby approved shall be at least 10dB(A) below the prevailing background which is expressed as a LA90,15minutes at the boundary of the nearest residential property with no tonal or impulsive character. The rated noise levels from plant and equipment shall include any penalties for noise characteristics such as tone, intermittency, etc. Background noise levels shall be established for the following periods: Daytime 0700 to 1900, Evening 1900 to 2300 and Night 2300 to 0700 by a suitably competent person.

Prior to operation a post completion noise survey must be undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. Where the proposed or actual plant and equipment noise levels are predicted to be in excess of 10 dB(A) above background noise levels a noise mitigation scheme shall be implemented and maintained as such for the lifetime of the development.

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

13 Prior to occupation of the new build residential units 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 (lppd) (110 lppd 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 (2021), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and advice contained within the Southend Design and Townscape Guide (2009).

14 Prior to first occupation of the development the surface water attenuation strategy (SuDS) for the site shall be implemented in full as set out in Drainage Statement by Walker Associates reference C7523 dated October 2021, Drainage Plans C7523/CE1 and C7523/CE2 and supplementary information contained in the emails from agent dated 25.10.21 and 03.11.21 and it shall be retained as such in perpetuity thereafter.

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 (2021), Policy KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015)

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

Reason: In order to protect the amenities of occupiers of the development, the amenities of the 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).

16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order or Act of Parliament revoking and re-enacting that Order with or without modification, no 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 (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

17. Before the units hereby approved are first occupied external lighting for the development shall be installed as set out on plan reference 109-16-PS-022 or in accordance with any other details that have previously been submitted to and approved in writing by the local planning authority under the terms of this condition.

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 (2021), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM2.

#### Informatives

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a Community Infrastructure Levy (CIL) Liability Notice for the attention of the applicant and any person who has an interest in the land. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought.

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.

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.

- 442 21/01693/OUT - 6 Crosby Road and 121-123 Crowstone Road, Westcliff on Sea (Chalkwell Ward)**  
**Proposal: Erect five 2.5 storey dwellinghouses, layout parking to front and extend existing vehicular crossover onto Crowstone Road (Outline)**  
**Applicant: c/o SKArchitects**  
**Agent: Steven Kearney of SKArchitects**

Resolved:-

That planning permission be GRANTED 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: 617P203 Revision A; 617P204; 617P202; 617P201.

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 (2021) 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 (2021), 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 617P201 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 (2021), 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 (2021), 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 (2021), 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 (2021), 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 (2021), 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 (2021), 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 (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

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

Informatives:

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

([www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy](http://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy)) or the Councils 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 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.

**443 21/01315/FUL - 315 Station Road, Westcliff on Sea (Chalkwell Ward)**  
**Proposal: Erect 6no. new dwellings with integral garages, roof terraces, balconies and associated amenity space, layout landscaping and form new vehicular accesses onto Station Road**  
**Applicant: Mr Ari Feferkom**  
**Agent: Mr Pantazis of Redwoods Projects Ltd.**

Resolved:-

That planning permission be GRANTED subject to the following conditions:

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

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

02 The development hereby approved shall be carried out in accordance with the approved plans: E 00, E 01, P01 REV A, P02 REV A, P03, P04 REV A, P05, P06 REV A, P07, P08 REV A, P09, P10 REV A, P11, P12 REV A, P13, P14 REV A, P15, P16 REV A, P17, P18 REV B, P19 REV B, P20 REV A, P21 REV B, P22 REV A, MGS40163-3DM-01 REV A.

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

03 The materials to be used on the external surfaces of the development hereby approved, including roof, walls and fenestration, shall be in accordance with the details which have previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition or such alternative details as may be approved under the terms of this condition. The development shall be carried out solely in complete accordance with the approved details before it is brought into first use.

Reason: In the interest of visual amenity in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

04 Within the first available planting season (October to March inclusive) following the first use of the development hereby approved, a soft landscaping scheme shall be implemented and completed in full accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall include measures to enhance the biodiversity on site, details of the species to be planted, the treatment of the ground before planting and maintenance details. It should also include details as to how the proposed planting of street trees would be achieved.

Within a period of five years from the completion of the development hereby approved, or from the date of the planting of any tree or any tree planted in its replacement, if any tree planted as part of the approved landscaping scheme is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local

planning authority, seriously damaged or defective, another tree of the same species and size as that of the original tree shall be planted in the same place or in accordance with alternative tree replacement details approved under the scope of this planning condition.

Reason: In the interest of visual amenity in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

05 The use of the development hereby approved shall not commence until and unless a hard landscaping scheme has been carried out and implemented solely in full accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include details of materials to be used on hard-surfacing as well as elevations and details of materials for any boundary treatment of the site, including boundaries within the site.

Reason: In the interest of visual amenity in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

06 Notwithstanding the details submitted and otherwise hereby approved, the dwellings hereby approved shall not be brought into first use unless internal storage space in line with the nationally described space standards, at least 2.5m<sup>2</sup> for all three-bed units and 3m<sup>2</sup> for all four-bed units , excluding kitchen cupboards and wardrobes less than 0.72m<sup>2</sup> in a double bedroom and 0.36m<sup>2</sup> in a single bedroom, have first been provided and made available on site in line with details that have previously been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure the development hereby approved provide high quality internal layouts to meet the needs of future 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), the National Housing Standards (2015) and the Technical Housing Standards Policy Transition Statement (2015).

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

Reason: To ensure the development hereby approved provide 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).



08 Notwithstanding the details submitted and otherwise hereby approved, no development above ground floor slab level shall take place until a detailed noise and vibration assessment has been submitted to and approved in writing by the Local Planning Authority. The assessment shall include noise and vibration mitigation measures where needed along with a mechanism for verification of their effectiveness on site after they have been carried out. The assessment shall also contain the details for a review mechanism. The mitigation proposed shall ensure that the rating level of noise within the internal areas determined by the procedures in British Standards BS:4142:2014, shall not exceed the safety levels advised by the World Health Organisation. The assessment shall be carried out by a suitably qualified and experienced consultant. The mitigation measures as recommended by the assessment shall be implemented in full prior to the first occupation of the dwellings and maintained on site as approved for the lifetime of the development.

Reason: In the interest of the living conditions of intended future occupiers of the approved development 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 Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the buildings hereby granted planning permission shall be occupied unless and until plans and other appropriate details which specify the size, design, obscenity, materials and location of all privacy screens to be fixed to the proposed buildings are submitted to and approved in writing by the Local Planning Authority. Before each dwelling hereby approved is occupied the privacy screens as applicable to that dwelling shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.

Reason: In the interests of the residential amenity of adjoining residents and the living conditions of future 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 and the Design and Townscape Guide (2009).

10 Demolition or construction works for the approved development on site, loading or unloading of goods or materials during demolition or construction works shall only be taken at or dispatched from the site between 8 am to 6 pm on weekdays, between 8 am and 1 pm on Saturdays and not at any time on Sundays and Public Holidays.

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

11 No development shall take place, including any works of demolition, until and unless 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, amongst other things, for: i) the parking of vehicles of site operatives and visitors ii) loading and

unloading of plant and materials iii) storage of plant and materials used in constructing the development iv) the erection and maintenance of security hoarding v) measures to control the emission of noise, dust and dirt during construction vi) a scheme for recycling/disposing of waste resulting from demolition and construction works that does not allow for the burning of waste on site vii) details of drainage/surface water, including foul drainage, to ensure the proposal does not discharge onto Network Rail land viii) scaffolding ix) piling x) lighting xi) future maintenance of the site.

Reason: In the interest of the residential amenity of nearby occupiers and the highway and rail safety in accordance with the National Planning Policy Framework (2019), Policies KP2, CP3 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015).

12 The dwellings hereby approved shall not be occupied unless and until the parking provision shown on the approved plans P01 REV A, P02 REV A, P03, P10 REV A and P11 has been provided and made available for use on site. The parking spaces shall be retained for the lifetime of the development for the purposes of car parking solely for residents of the approved 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).

13 No drainage related works shall take place or installed on site unless and until surface water drainage works have been submitted to and approved in writing by the local planning authority. The drainage works shall be carried out solely in full accordance with the approved details prior to the first occupation of the development hereby approved. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii) include a timetable for its implementation; and,
- iii) provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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.

14 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).

15 The 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).

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

can be found on the Planning Portal ([www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy](http://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy)) or the Council's website ([www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)).

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 Your attention is drawn to the advice given by Network Rail and you are advised to contact the Network Rail's Asset Protection (ASPRO) team via [AssetProtectionAnglia@networkrail.co.uk](mailto:AssetProtectionAnglia@networkrail.co.uk) to discuss the scheme in detail, and to ascertain the impact the proposed development will have on Network Rail infrastructure.

**444 21/01621/FUL - Part of Former Goods Yard at Station Approach, Priory Works, Southend on Sea (Prittlewell Ward)**  
**Proposal: Change of use of part of former station goods yard and install 24 storage containers and one static caravan for use as self-storage business (Class B8) along with an open storage area for vehicles (part-retrospective)**  
**Applicant: Mr Roy Pullinger**  
**Agent: Miss Emily Weston of Fisher German LLP**

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: 130528-001B; 130528-002A; 130528-003B; 130528-004A

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

03. Before any external lighting is installed in association with the use hereby permitted details of its location, design and specification shall have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed solely in accordance with the approved details.

Reason: In the interests of the amenities of the area and nearby residents, in accordance with Policies DM1 and DM3 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

04. The static caravan hereby approved shall only be used for storage purposes by the applicant and shall not be used for any other purpose including as residential accommodation.

Reason: To protect the amenities of existing and proposed occupiers, to protect the privacy and environment of people in neighbouring residential properties, in accordance with the Core Strategy (2007) policies KP2, CP3 and CP4, the Development Management Document (2015) policies DM1 and DM3 and advice contained within the Southend Design and Townscape Guide (2009).

05. The area to the north of the site detailed for use as open storage shall only be used for the parking and/ or storage of cars, vans or small trailers (which can fit on the back of a standard car). These vehicles will remain at ground level and must not be stacked and for the avoidance of any doubt the site shall not be used for the external storage of scrap vehicles. HGV's and lorries shall not be parked or stored within the site with the exception of such vehicular activity reasonably necessary for and directly associated with the delivery or collection of containers on the site.

Reason: To protect the amenities and environment of people in neighbouring residential properties, and to prevent additional parking demand which may not be met within the application site, in accordance with the Core Strategy (2007) policies KP2, CP3 and CP4, the Development Management Document (2015) policies DM1 and DM3 and advice contained within the Southend Design and Townscape Guide (2009).

06. The storage containers hereby approved shall remain at ground level and shall not be stacked.

Reason: To protect the amenities and environment of people in neighbouring residential properties, in accordance with the Core Strategy (2007) policies KP2, CP3 and CP4, the Development Management Document (2015) policies DM1 and DM3 and advice contained within the Southend Design and Townscape Guide (2009).

07. The development hereby approved, for purposes falling within Use Class B8, shall only be occupied for storage purposes within Use Class B8 and shall not be used for any other purpose, including any change of use permitted under the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting these Orders, with or without modification.

Reason: To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floorspace within the Use Class specified so that occupation of the premises does not prejudice amenity, in accordance with the National Planning Policy Framework, 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).

08. Notwithstanding the information submitted with this application and otherwise hereby approved, the development shall not be brought into use unless and until a

Management Plan has been submitted to and approved in writing by the local planning authority setting out the operational controls and measures to be implemented to limit noise and disturbance arising from the use on the amenities of neighbouring residential occupiers. The use hereby approved shall only be operated in strict and full accordance with the Management Plan approved under this condition and it shall remain as such for the lifetime of this development.

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).

09. The part of the site to be used for the open storage of vehicles within the wider development hereby approved, which is confined to the northern parcel of the application site, labelled as 'open storage area' on plan 130528-003B, shall only be open to customers or staff between the hours of 06:00 to 23:00 on any day and at no other times.

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 ([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)).

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. Network Rail strongly recommends the developer contacts the Asset Protection Team on [AngliaASPROLandClearances@networkrail.co.uk](mailto:AngliaASPROLandClearances@networkrail.co.uk) prior to any works commencing on site, and also to agree an Asset Protection Agreement with us to enable approval of detailed works. More information can also be obtained from our website <https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation>.

- 445 21/01644/AMDT - The Bellhouse Public House, 321 Rayleigh Road, Eastwood (Eastwood Park Ward)**  
**Proposal: Application to vary condition 2 to allow access from Bellhouse Road for emergency vehicles and delivery vehicles between the hours of 08:00 and 15:00 Mondays to Saturdays and 9am to 3pm on Sundays and Bank Holidays and update condition 1 in relation to parking provision at the site (Minor material amendment to application D/423/69 dated 02.10.1969)**  
**Applicant: Mr P Barthaud**  
**Agent: Stone Me Ltd**

Mr McGhee, a local resident, spoke as an objector to the application.

Resolved:-

That planning permission be REFUSED for the following reason:

01 The proposed use of the access way by delivery and collection vehicles would result in an unacceptable level of noise and disturbance and nuisance through vehicle movements and fumes significantly harmful to the amenity of neighbouring residential properties. This is unacceptable and contrary to policies KP2 and CP4 of the Core Strategy (2007), policies DM1 and DM3 of the Development Management Document (2015) and advice contained within the Southend Design and Townscape Guide (2009).

- 446 21/01653/FUL & 21/01654/LBC - 6A Clifton Terrace, Southend on Sea (Milton Ward)**  
**Proposal: Install timber decking to rear garden (Retrospective)**  
**Applicant: Ms Victoria Morgan**  
**Agent: Mr Mark Morgan of Petro Designs Ltd.**

Resolved:-

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

01. The development hereby permitted shall be retained in accordance with the following approved plans: 01; 01B

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

#### Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application, by assessing the proposal against all material planning considerations, including planning policies and any representations that may have been received. Planning permission has been granted subject to conditions as the proposal was found to be compliant with the objectives of planning policies and guidance and there were no material considerations to justify reaching a different conclusion. A detailed analysis of the proposal is set out in a report on the application prepared by officers.

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

01. The development hereby permitted shall be retained in accordance with the following approved plans: 01; 01B

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

#### Informative

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

**447 21/01660/FULH - 472 Woodgrange Drive, Southend-on-sea (Thorpe Ward)**

**Proposal: Erect single storey rear extension (amended proposal)**

**Applicant: Ms Prashar**

**Agent: N/A**

Resolved:-

That planning permission be GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out only in accordance with the following approved plans: Location Plan, 1/A, 2/C.

Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the Development Management Document (2015).



03 Before the development hereby approved is occupied the materials used on the external surfaces of the development must match those used on the external surfaces of the existing property. This applies unless differences are shown on the drawings hereby approved or are required by other conditions on this permission.

Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the Development Management Document (2015).

04 The roof of the extension hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other similar 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 (2021), Core Strategy (2007) Policy CP4, Development Management Document (2015) Policy DM1, and the advice contained within the Design and Townscape Guide (2009).

#### Positive and Proactive Statement:

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

#### Informatives:

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

**448 21/01662/FULH - 10 Ashleigh Drive, Leigh-on-Sea (Leigh Ward)**  
**Proposal: Erect part single/part two storey rear extension, install juliette balcony to first floor extension, alter elevations**  
**Applicant: Mr and Mrs Chalk**  
**Agent: Guy Clark of gclarkitecture**

Resolved:-

That planning permission be GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out only in accordance with the following approved plans: AD-CH-01/A, AD-CH-02.

Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the Development Management Document (2015).

03 Before the development hereby approved is occupied the materials used on the external surfaces of the development must match those used on the external surfaces of the existing property. This applies unless differences are shown on the drawings hereby approved or are required by other conditions on this permission.

Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the Development Management Document (2015).

04 The roof of the single storey part of the extension hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other similar 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 (2021), Core Strategy (2007) Policy CP4, Development Management Document (2015) Policy DM1, and the advice contained within the Design and Townscape Guide (2009).

05 The proposed first floor flank window hereby approved shall only be glazed permanently in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and permanently fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above finished internal floor level of the relevant room prior to the first use or occupation of the development hereby approve. 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 window 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 (2021), Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1 and the advice in the Design and Townscape Guide (2009).

**Positive and Proactive Statement:**

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

**Informatives:**

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

**449 21/01738/FULH - 75 Eaton Road, Leigh-on-Sea (West Leigh Ward)**  
**Proposal: Erect single storey outbuilding to rear to form residential annex for ancillary use to main dwelling (Amended Proposal)**  
**Applicant: Mr Ian Roberts**  
**Agent: Mr Woodrow Barker of Barker Woodrow Ltd**

Resolved:-

That planning permission be GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out only in accordance with the following approved plan: 5095/B.

Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the Development Management Document (2015).

03 The annexe building hereby approved shall not be occupied at any time other than for purposes ancillary or incidental to the residential use of the dwelling known as 75 Eaton Road, Leigh-on-Sea and shall not be used as an independent residential unit.

Reason: To ensure a satisfactory standard of accommodation and to protect the amenities of current and future occupiers on site and to prevent additional parking demand which cannot be met within the application site in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM15 and the advice contained within the Design and Townscape Guide (2009).

04 The proposed rear window of the development hereby approved shall only be glazed permanently in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and permanently fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above the finished internal floor level of the relevant room, prior to the first use or occupation of the development hereby approved. 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 window 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 (2021), Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1 and the advice in the Design and Townscape Guide (2009).

Positive and Proactive Statement:

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

Informatives:

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

**Chair:** \_\_\_\_\_