

Public Document Pack

Southend-on-Sea Borough Council

Civic Centre
Southend-on-Sea

7 July 2021

Dear Sir or Madam,



I hereby summon you to attend the meeting of the Southend-on-Sea Borough Council to be held in the Council Chamber, Civic Centre, Southend-on-Sea on, **Thursday, 15th July, 2021 at 6.30pm** for the transaction of the following business.

A Griffin
Chief Executive

A G E N D A

- 1 Apologies for Absence**
- 2 Declarations of Interest**
- 3 Questions from Members of the Public**
- 4 Questions from Members of the Council**
- 5 Minutes of the Meeting held Thursday 18th March 2021 (Pages 1 - 16)**
Minutes attached
- 6 Minutes of the meeting of Annual Council held Thursday 20th May 2021 (Pages 17 - 18)**
Minutes attached
- 7 Minutes of the meeting of Appointments Council held Thursday 20 May 2021 (Pages 19 - 22)**
Minutes attached
- 8 Minutes of Extraordinary Council held on Wednesday 16 June 2021 (Pages 23 - 24)**
Minutes attached
- 9 Petition - Pathway Resurfacing and Tree Planting in Ashburnham Road (Pages 25 - 26)**
Prayer of the Petition attached
- 10 Minutes of the meeting of Licensing Sub-Committee C held Thursday 25th March 2021 (Pages 27 - 28)**
Minutes attached

- 11 **Minutes of the meeting of Development Control Committee held Tuesday, 30 March 2021 (Pages 29 - 60)**
Minutes attached
- 12 **Minutes of the of Development Control Committee held Wednesday, 7 April 2021 (Pages 61 - 108)**
Minutes attached
- 13 **Minutes of the meeting of Licensing Sub-Committee B held Tuesday 27th April 2021 (Pages 109 - 110)**
Minutes attached
- 14 **Minutes of the meeting of Audit Committee held on Wednesday, 28 April 2021 (Pages 111 - 114)**
Minutes attached
- 15 **Minutes of the meeting of Licensing Sub-Committee A held Thursday, 29 April 2021 (Pages 115 - 118)**
Minutes attached
- 16 **Minutes of the meeting of Development Control Committee held Wednesday, 2 June 2021 (Pages 119 - 146)**
Minutes attached
- 17 **Minutes of the meeting of Health and Wellbeing Board held Wednesday, 9 June 2021 (Pages 147 - 150)**
Minutes attached
- 18 **Minutes of the meeting of Cabinet Committee held Thursday, 10 June 2021 (Pages 151 - 154)**
Minutes attached
- 19 **Minutes of the meeting of Cabinet held Tuesday, 15 June 2021 (Pages 155 - 170)**
Minutes attached
- 20 **Minutes of the meeting of Appeals Committee A held Tuesday, 15 June 2021 (Pages 171 - 172)**
Minutes attached
- 21 **Minutes of the meeting of Special Policy and Resources Scrutiny Committee held Tuesday, 15 June 2021 (Pages 173 - 174)**
Minutes attached
- 22 **Minutes of the meeting of Licensing Sub-Committee A held Wednesday, 16 June 2021 (Pages 175 - 178)**
Minutes attached
- 23 **Minutes of the meeting of Cabinet Committee held Thursday, 17 June 2021 (Pages 179 - 180)**
Minutes attached

- 24 Minutes of the meeting of Appointments and Disciplinary Committee held Tuesday, 29 June 2021 (Pages 181 - 182)**
Minutes attached
- 25 Minutes of the meeting of Special Cabinet held Monday, 5 July 2021**
Minutes to follow
- 26 Minutes of the meeting of Place Scrutiny Committee held Monday, 5 July 2021**
Minutes to follow
- 27 Minutes of the meeting of People Scrutiny Committee held Tuesday, 6 July 2021**
Minutes to follow
- 28 Minutes of the meeting of Development Control Committee held Wednesday, 7 July 2021**
Minutes to follow
- 29 Minutes of the meeting of Policy and Resources Scrutiny Committee held Thursday, 8 July 2021**
Minutes to follow
- 30 Minutes of the meeting of Appointments and Disciplinary Committee held Monday, 12 July 2021**
Minutes to follow
- 31 Minutes of the meeting of General Purposes Committee held Wednesday, 14 July 2021**
Minutes to follow
- 32 Notice of Motion - CEE Bill (Pages 183 - 184)**
Notice of Motion attached
- 33 Notice of Motion - Use of Glyphosate (Pages 185 - 186)**
Notice of Motion attached
- 34 Notice of Motion - Jet Skis (Pages 187 - 188)**
Notice of Motion attached
- 35 Notice of Motion - Kursaal Comeback (Pages 189 - 190)**
Notice of Motion attached
- 36 Notice of Motion - UK100 (Pages 191 - 194)**
Notice of Motion attached
- 37 Notice of Motion - Wildflower Verges (Pages 195 - 196)**
Notice of Motion attached
- 38 Notice of Motion - Going Green (Pages 197 - 198)**
Notice of Motion attached

- 39 Appointment of Chief Executive**
- 40 Change to the Constitution** (Pages 199 - 202)
Report of Executive Director (Legal and Democratic Services) attached
- 41 Appointments to Committees, etc**
- 42 Opposition Business - Notice of Motions Referred to Working Parties**
(Pages 203 - 204)
Motion attached

Public Document Pack
SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 18th March, 2021
Place: MS Teams

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Present: Councillor J Lamb (Chair)
Councillors M Flewitt (Deputy Chair), S Aylen, B Ayling, J Beck, M Borton, H Boyd, A Bright, K Buck, L Burton, D Burzotta, P Collins, D Cowan, T Cox, M Davidson, A Dear, M Dent, F Evans, K Evans, N Folkard, D Garne, D Garston, S George, I Gilbert, S Habermel, T Harp, B Hooper, D Jarvis, A Jones, M Kelly, H McDonald, D McGlone, K Mitchell, A Moring, C Mulroney, D Nelson, C Nevin, K Robinson, L Salter, I Shead, M Stafford, M Terry, A Thompson, S Wakefield, N Ward, C Walker, P Wexham and R Woodley

Start/End Time: 6.30pm – 11.09pm

924 Apologies for Absence

Apologies for absence were received from Councillor Chalk.

925 Declarations of Interest

- **Councillor Ayling**

Development Control Committee – 3rd March 2021

Minute 877 (Application Ref No. 20/02147/FULH – 9 Appledore, Shoeburyness) – Non-pecuniary interest: Objector is known to him;

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 918 (Selective Licensing Designation Report) -

- **Councillor Beck**

Development Control Committee – 3rd March 2021

Minute 877 (Application Ref No. 20/02147/FULH – 9 Appledore, Shoeburyness) – Non-pecuniary interest: Applicant is known to her;

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 918 (Selective Licensing Designation Report) - Local landlord and owns property within the areas of designation for the proposed Selective Licencing Scheme – Disclosable pecuniary interest (withdrew);

- **Councillor Boyd**

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 918 (Selective Licensing Designation Report) – Non-pecuniary interest: landlord of a rented property not in the designation area;

- **Councillor Borton**

People Scrutiny Committee – 16th March 2021

Minute 911 (Questions from Members of the Public) - Both questioners known to each councillor - Non-pecuniary interest;

Minute 913 (COVID-19 Response - Changes to Phlebotomy Provision) - Daughter is a ward manager at the Mental Health Unit at Basildon Hospital - Non-pecuniary interest;

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 918 (Selective Licensing Designation Report) – Non-pecuniary interest: friend is a private landlord;

- **Councillor Buck**

Cabinet Committee – 22nd February 2021

Minute 844 (Traffic Regulation Order Objections – Junction Protection) – Non-pecuniary interest: Has been lobbied by residents in respect of Clifton Drive;

Minute 847 (Notice of Motion – Kent Elms Junction) – Non-pecuniary interest: Has had significant involvement in the scheme and has suggested alternative proposals;

- **Councillor Collins**

Cabinet Committee – 22nd February 2021

Minute 846 (Speeding Issues – Priority Ranking) – Non-pecuniary interest: Lives in Green Lane;

- **Councillor Cowan**

Cabinet Committee – 22nd February 2021

Minute 846 (Speeding Issues – Priority Ranking) – Non-pecuniary interest: Has been involved with residents in respect of speeding roads;

Minute 847 (Notice of Motion – Kent Elms Junction) – Non-pecuniary interest: Has been involved with the scheme for some time and helped conduct various petitions in respect of Kent Elms Junction;

Minute 849 (Update on Outstanding Schemes per Ward) – Non-pecuniary interest: Officer responsible for administering the schemes is known to him personally;

Cabinet – 23rd February 2021

Minute 857 (HRA Land Review Phase 4 Lundy Close) – Non-pecuniary interest: Development Control Committee member;

Minute 859 (Modern Methods of Construction Foundation 200 Project) – Disclosable interest: Lives in proximity to Juniper Road (withdrew);

Development Control Committee – 3rd March 2021

Minute 876 (Application Ref No. 20/02096/FULH, 117 North Crescent, Southend-on-Sea) – Non-pecuniary interest: Called the application into Committee for consideration and gave advice to the applicant on the planning application process;

Standards Committee – 9th March 2021

Minute 896 (Complaint Against a Councillor – Reference 20/16) – Non-pecuniary interest: Knows the complainant and the Councillor subject to the complaint, both are fellow Councillors. Has also been involved with complaints against the Councillor subject to the complaint;

People Scrutiny Committee – 16th March 2021

Minute 911 (Questions from Members of the Public) - Both questioners known to each councillor - Non-pecuniary interest;

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 919 (HRA Land Review Phase 4 (Lundy Close)) - Previous involvement with residents of Lundy Close on this matter - Non-pecuniary interest;

Council – 18th March 2021

Agenda Item 4 (Public Questions) – Non-pecuniary interest: public questioners are well known to him;

- **Councillor Davidson**

Cabinet – 23rd February 2021

Minute 865 (Minutes of Housing and Communities Working Party: Notice of Motion – Food Justice Champion) – Non-pecuniary interest: Volunteer with Southend Food Bank;

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 918 (Selective Licensing Designation Report) and Minute 919 (HRA Land Review Phase 4 (Lundy Close)) - Non-Executive Director of South Essex Homes - Non-pecuniary interests;

- **Councillor Dear**

Development Control Committee – 3rd March 2021

Minute 877 (Application Ref No. 20/02147/FULH – 9 Appledore, Shoeburyness) – Non-pecuniary interest: Objector is known to him;

- **Councillor Dent**

Standards Committee – 9th March 2021

Minute 896 (Complaint against a Councillor – Reference 20/16) – Non-pecuniary interest: He is the complainant in this matter and knows the Councillor subject to the complaint as a fellow Councillor;

People Scrutiny Committee – 16th March 2021

Minute 911 (Questions from Members of the Public) - Both questioners known to each councillor - Non-pecuniary interest;

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 918 (Selective Licensing Designation Report) - Private sector tenant of property within the areas of designation for the proposed Selective Licencing Scheme – Non-pecuniary interest;

Council – 18th March 2021

Agenda Item 4 (Public Questions) – Non-pecuniary interest: public questioner(s) are known to him;

- **Councillor F Evans**

Development Control Committee – 3rd March 2021

Minute 877 (Application Ref No. 20/02147/FULH – 9 Appledore, Shoeburyness) – Non-pecuniary interest: Objector is known to her;

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 918 (Selective Licensing Designation Report) – Non-pecuniary interest: Private landlord but not in the designated areas;

- **Councillor K Evans**

Cabinet – 23rd February 2021

Minute 859 (Modern Methods of Construction Foundation 200 Project) – Disclosable interest: Benefactor of Salvation Army (withdrew);

- **Councillor Flewitt**

Development Control Committee – 3rd March 2021

Minute 876 (Application No. 20/02096/FULH - 117 North Crescent, Southend-on-Sea) – Non-pecuniary interest: has been lobbied and consulted with by the applicant but took no part in the decision;

Standards Committee – 9th March 2021

Minute 896 (Complaint Against a Councillor – Reference 20/16) – Non-pecuniary interest: He is the Councillor subject to the complaint;

Place Scrutiny Committee – 15th March 2021

Minute 906 (Minutes of Transport, Capital and Inward Investment Working Party: Notice of Motion: Ekco Park Estate Notice of Motion) – Non-pecuniary interest: Has been lobbied by residents on the matter;

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 919 (HRA Land Review Phase 4 – Lundy Close) – Non-pecuniary interest: has been lobbied and written in social media and press about the matter;

Council – 18th March 2021

Agenda Item 4 (Public Questions) – Non-pecuniary interest: reference to street signage – has been involved in cleaning and replacement of street signage in St Laurence Ward;

- **Councillor Folkard**

People Scrutiny Committee – 16th March 2021

Minute 913 (COVID-19 Response - Changes to Phlebotomy Provision) - Ambassador for Fund Raising Team at Southend University Hospital; member of the Readers' Panel for Southend University Hospital; relative employed at Broomfield Hospital - Non-pecuniary interests;

- **Councillor Garne**

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 918 (Selective Licensing Designation Report) – Non-pecuniary interest: wide is a landlord of property in Shoeburyness;

- **Councillor Garston**

Cabinet Committee – 22nd February 2021

Minute 844 (Traffic Regulation Order Objections – Junction Protection) and Minute 845 (Milton Road Area Parking Consultation) – Non-pecuniary interest: son is referred to in the reports;

Development Control Committee – 3rd March 2021

Minute 873 (Application Ref No. 21/00019/FUL, 17-19 Manor Road, Westcliff-on-Sea) – Disqualifying non-pecuniary interest: A number of the objectors are very well known to him (withdrew)

Minute 877 (Application Ref No. 20/02147/FULH – 9 Appledore, Shoeburyness) – Non-pecuniary interest: Objector is known to him;

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 918 (Selective Licensing Designation Report) - Sons are landlords of properties within the areas of designation for the proposed Selective Licensing Scheme (but not within specific roads covered by the proposed scheme); trustee of trust that is landlord of property within the areas of designation for the Scheme (but not within specific roads covered by the scheme) - Non-pecuniary interests;

- **Councillor George**

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 918 (Selective Licensing Designation Report) – Council's representative on the South Essex Alliance of Landlords and Residents (SEAL) - Non-pecuniary interest;

- **Councillor Gilbert**

Council – 18th March 2021

Agenda Item 4 (Public Questions) – Non-pecuniary interest: public questioners are known to him;

- **Councillor Habermel**

Development Control Committee – 3rd March 2021

Minute 877 (Application Ref No. 20/02147/FULH – 9 Appledore, Shoeburyness) – Non-pecuniary interest: Objector is known to him;

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 918 (Selective Licensing Designation Report) - Landlord of property not within the areas of designation for the proposed Selective Licencing Scheme - Non-pecuniary interest;

- **Councillor Harp**

Health and Wellbeing Board – 8th March 2021

Minute 888 (A Better Start Progress Update) – Non-pecuniary interest wife is employed by SAVS and he is a volunteer with SAVS: family friend employed in senior role at ABSS;

People Scrutiny Committee – 16th March 2021

Minute 911 (Questions from Members of the Public) – One of the questioners known to the councillor - Non-pecuniary interest;

Minute 913 (COVID-19 Response - Changes to Phlebotomy Provision) - Council's appointed Governor to Mid and South Essex NHS Foundation Trust - Non-pecuniary interest;

- **Councillor Hooper**

Standards Committee – 9th March 2021

Minute 896 (Complaint Against a Councillor – Reference 20/16) – Non-pecuniary interest: Knows the complainant and the Councillor subject to the complaint, both are fellow Councillors;

- **Councillor Jarvis**

Development Control Committee – 3rd March 2021

Minute 877 (Application Ref No. 20/02147/FULH – 9 Appledore, Shoeburyness) – Non-pecuniary interest: Objector is known to him;

- **Councillor Jones**

Cabinet – 23rd February 2021

Minute 843 (Selective Licensing Designation Report) – Non-pecuniary interest: lives in one of the designation areas as a resident;

Development Control Committee – 3rd March 2021

Minute 877 (Application Ref No. 20/02147/FULH, 9 Appledore, Shoeburyness) – Non-pecuniary interest: Objector was the agent for a candidate in the Ward at the time she stood for election;

People Scrutiny Committee – 16th March 2021

Minute 911 (Questions from Members of the Public) - Both questioners known to each councillor and Governor of Southend Community College - Non-pecuniary interest;

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 918 (Selective Licensing Designation Report) – Non-pecuniary interest: lives in one of the designation areas as a private resident;

Council – 18th March 2021

Agenda Item 4 (Public Questions) – Non-pecuniary interest: Public questioners are known to her;

- **Councillor Kelly**

People Scrutiny Committee – 16th March 2021

Minute 913 (COVID-19 Response - Changes to Phlebotomy Provision) - Employed by Essex Partnership University NHS Foundation Trust - Non-pecuniary interest;

- **Councillor McGlone**

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 919 (HRA Land Review Phase 4 (Lundy Close)) - Previous involvement with residents of Lundy Close on this matter - Non-pecuniary interest;

Council – 18th March 2021

Agenda Item 4 (Public Questions) – Non-pecuniary interest: reference to street signage – has been involved in cleaning and replacement of street signage in St Laurence Ward;

- **Councillor Mitchell**

Cabinet – 23rd February 2021

Minute 864 (ASELA) – Non-pecuniary interest: previously employed at Essex County Council;

Development Control Committee – 3rd March 2021

Minute 873 (Application Ref No. 21/00019/FUL, 17-19 Manor Road, Westcliff-on-Sea) – Non-pecuniary interest: Close friend moved from the street;

People Scrutiny Committee – 16th March 2021

Minute 911 (Questions from Members of the Public) - Both questioners known to each councillor - Non-pecuniary interest;

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 918 (Selective Licensing Designation Report) – Non-pecuniary interest: relative is a private sector tenant in Milton and has previously worked on housing pilot scheme with Essex County Council;

- **Councillor Moring**

Cabinet Committee – 22nd February 2021

Minute 848 (Thorpe Bay Gardens Covenant) – Non-pecuniary interest: Lives in the Burgess Estate;

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 918 (Selective Licensing Designation Report) – Non-pecuniary interest: rented property not in the area of designation for the proposed Selective Licensing Scheme;

- **Councillor Mulroney**

Cabinet – 23rd February 2021

Minute 857 (HRA Land Review Phase 4 Lundy Close) – Non-pecuniary interest: Development Control Committee member;

- **Councillor Nelson**

Place Scrutiny Committee – 15th March 2021

Minute 906 (Minutes of Transport, Capital and Inward Investment Working Party: Notice of Motion: Ekco Park Estate Notice of Motion) – Pecuniary interest: resident of Ekco Park Estate (withdrew);

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 918 (Selective Licensing Designation Report) – Parents are landlords of property within the areas of designation for the proposed Selective Licensing Scheme – Non-pecuniary interest;

- **Councillor Nevin**

Cabinet Committee – 22nd February 2021

Minute 846 (Speeding Issues – Priority Ranking) – Non-pecuniary interest: lives in the Ward;

Development Control Committee – 3rd March 2021

Minute 873 (Application No. 21/00019/FUL - 17 - 19 Manor Road, Westcliff-on-Sea – Non-pecuniary interest: has been lobbied by residents about HMO application;

Standards Committee – 9th March 2021

Minute 896 (Complaint Against a Councillor – Reference 20/16) – Non-pecuniary interest: Knows the complainant and the Councillor subject to the complaint, both are fellow Councillors and has had other dealings with them;

People Scrutiny Committee – 16th March 2021

Minute 911 (Questions from Members of the Public) - Both questioners known to each councillor - Non-pecuniary interest;

Minute 913 (COVID-19 Response - Changes to Phlebotomy Provision) - Employed at external NHS Trust; previous employment at Broomfield and Southend Hospitals; family members employed at Mid and South-Essex Trust hospitals and in the Trust's Estates Department; Group Director for Pathology at Mid and South Essex NHS Foundation Trust known to the councillor through previous employment - Non-pecuniary interests;

Council – 18th March 2021

Agenda Item 4 (Public Questions) – public questioners are known to her;

- **Councillor Robinson**

Cabinet Committee – 22nd February 2021

Minute 849 (Update on Outstanding Schemes per Ward) – Non-pecuniary interest: Officer responsible for administering the schemes is known to him personally;

Council – 18th March 2021

Agenda Item 4 (Public Questions) – Non-pecuniary interest: public questioners are known to him;

- **Councillor Salter**

Health and Wellbeing Board – 8th March 2021

Minute 883 (Covid-19 Pandemic updates), Minute 885 (Health and Wellbeing Strategy for Southend) and Minute 886 (Primary Care Strategy) – Non-pecuniary interest: Husband is consultant surgeon at Southend Hospital; daughter is a consultant at Basildon Hospital; son-in-law is GP in the Borough;

People Scrutiny Committee – 16th March 2021

Minute 913 (COVID-19 Response - Changes to Phlebotomy Provision) - Husband is a consultant surgeon at Southend University Hospital; daughter is a consultant at Basildon Hospital; son-in-law is a general practitioner in the Borough - Non-pecuniary interests;

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 918 (Selective Licensing Designation Report) – Non-pecuniary interest: Residential landlord but not in the designated areas;

- **Councillor Shead**

Standards Committee – 9th March 2021

Minute 896 (Complaint Against a Councillor – Reference 20/16) – Non-pecuniary interest: Knows the complainant and the Councillor subject to the complaint, both are fellow Councillors;

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 918 (Selective Licensing Designation Report) - Local landlord and owns property within the areas of designation for the proposed Selective Licencing Scheme – Disclosable pecuniary interest (withdrew);

- **Councillor Terry**

Cabinet Committee – 22nd February 2021

Minute 846 (Speeding Issues – Priority Ranking) – Non-pecuniary interest: lives in Eastern Esplanade;

Cabinet – 23rd February 2021

Minute 858 (Dog Control Public Spaces Protection Order) – Non-pecuniary interest: lives opposite the beach on Eastern Esplanade;

Standards Committee – 9th March 2021

Minute 896 (Complaint Against a Councillor – Reference 20/16) – Non-pecuniary interest: Knows the complainant and the Councillor subject to the complaint, both are fellow Councillors and has had other dealings with them;

- **Councillor Thompson**

Development Control Committee – 3rd March 2021

Minute 873 (Application Ref No. 21/00019/FUL, 17-19 Manor Road, Westcliff-on-Sea) – Non-pecuniary interest: Applicant's Agent is known to him;

- **Councillor Wakefield**

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 918 (Selective Licensing Designation Report) – Pecuniary interest: Landlord for an HMO licence in Milton Ward (withdrew);

- **Councillor Walker**

Development Control Committee – 3rd March 2021

Minute 877 (Application Ref No. 20/02147/FULH – 9 Appledore, Shoeburyness) – Non-pecuniary interest: Objector is known to him;

- **Councillor Ward**

Development Control Committee – 3rd March 2021

Minute 877 (Application Ref No. 20/02147/FULH – 9 Appledore, Shoeburyness) – Non-pecuniary interest: Objector is known to him;

- **Councillor Wexham**

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 918 (Selective Licensing Designation Report) and Minute 919 (HRA Land Review Phase 4 (Lundy Close)) - Non-Executive Director of South Essex Homes - Non-pecuniary interests;

- **Councillor Woodley**

Cabinet – 23rd February 2021

Minute 843 (Selective Licensing Designation Report) – Non-pecuniary interest;

Policy and Resources Scrutiny Committee – 17th March 2021

Minute 918 (Selective Licensing Designation Report) – Non-pecuniary interest;

All Councillors

Standards Committee – 9th March 2021

Minute 896 (Complaint Against a Councillor – Reference 20/16) – Non-pecuniary interest: Knows the complainant and the Councillor subject to the complaint, both are fellow Councillors;

926 Communications

(a) Minutes Silence – Sarah Everard and David Marchant

The Council remained silent for one minute as a mark of respect to Sarah Everard and all female victims of violence and to David Marchant, Chief Executive, Castle Point Borough Council, who sadly passed away recently following a short illness.

(b) The Kursaal

The Leader of the Council made a statement concerning The Kursaal and the bid to the Government's Levelling Up Fund.

927 Questions from Members of the Public

The relevant Cabinet Members responded to written questions received from the public.

928 Questions from Members of the Council

The relevant Cabinet Members responded to written and supplementary questions received from Councillors.

929 Minutes of the meeting of Council held on Thursday, 25 February 2021

Resolved:

That the Minutes of the meeting held on Thursday 25th February 2021, be confirmed as a correct record and signed.

930 Minutes of the Meeting of Council held on Thursday, 4 March 2021

Resolved:-

That the Minutes of the Meeting held on Thursday 4th March 2021, be confirmed as a correct record and signed.

931 Minutes of the meeting of Cabinet Committee held on Monday, 22 February 2021

Resolved:

That the minutes of this meeting, be noted.

932 Minutes of the meeting of Cabinet held on Tuesday, 23 February 2021

During consideration of Minute 865 the hour of 10.00pm having been reached the Council agreed to continue for one extra hour until 11.00pm.

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minute 855 (Southend Local Plan), be approved.

933 Minutes of the meeting of Development Control Committee held on Wednesday, 3 March 2021

Resolved:

That the minutes of this meeting, be noted.

934 Minutes of the meeting of Health and Wellbeing Board held on Monday, 8 March 2021

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minute 882 (Health and Wellbeing Board Revised Terms of Reference), be approved.

935 Minutes of the meeting of Standards Committee held on Tuesday, 9 March 2021

Resolved:

That the minutes of this meeting, be noted.

936 Minutes of the meeting of Licensing Sub Committee B held on Monday, 15 March 2021

Resolved:

That the minutes of this meeting, be noted.

937 Minutes of the meeting of Place Scrutiny Committee held on Monday, 15 March 2021

Resolved:

That the minutes of this meeting, be noted.

938 Minutes of the meeting of People Scrutiny Committee held on Tuesday, 16 March 2021

Resolved:

That the minutes of this meeting, be noted.

939 Minutes of the meeting of Policy and Resources Scrutiny Committee held on Wednesday, 17 March 2021

During consideration of Minute 918 (Selective Licensing Designation Report) a motion was moved and seconded to refer the matter back to Cabinet.

The motion for reference was not carried.

Resolved:

That the minutes of this meeting, be noted.

940 Calendar of Meetings 2021/22

Resolved:

That the Calendar of Meetings for 2021/22, be approved.

Chair: _____

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Public Document Pack
SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 20th May, 2021
Place: Council Chamber - Civic Suite

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Present: Councillor J Lamb (Chair)
Councillors J Beck, B Beggs, M Berry, M Borton, H Boyd, A Bright, K Buck, S Buckley, L Burton, P Collins, J Courtenay, D Cowan, T Cowdrey, T Cox, M Davidson, A Dear, M Dent, F Evans, K Evans, N Folkard, D Garne, D Garston, S George, I Gilbert, S Habermel, T Harp, B Hooper, D Jarvis, A Jones, M Kelly, A Line, D McGlone, K Mitchell, A Moring, J Moyies, C Mulroney, D Nelson, C Nevin, K Robinson, L Salter, I Shead, M Stafford, M Terry, A Thompson, S Wakefield, C Walker, N Ward, J Warren, P Wexham and R Woodley

Start/End Time: 6.00pm - 7.38 pm

1 Apologies for Absence

There were no apologies for absence at this meeting.

2 Declarations of Interest

There were no declarations of interest at this meeting.

3 Introduction of New and Returning Councillors

The Worshipful the Mayor welcomed to the meeting newly elected and returned Councillors who were elected at the Local Elections on 6th May 2021.

4 Election of Mayor for Municipal Year 2021/22

On the nomination of Councillor Anne Jones, seconded by Councillor Matt Dent, and with the unanimous support of the Council:-

Resolved:

That Councillor Margaret Borton be appointed to the Office of Mayor of the Borough of Southend-on-Sea for the Municipal Year 2021/22.

5 Appointment of Mayor's Chaplain

The Worshipful the Mayor announced that she will be supported by Reverend Paul Mackay during her year of office.

6 The Worshipful the Mayor's Charity

The Worshipful the Mayor announced that the Mayoral Charities for her year of office would be Trustlinks and Little Heroes ASD.

7 Appreciation of Outgoing Mayor

Councillor David Garston proposed and Councillor Fay Evans seconded and the motion having been supported by other speakers, it was unanimously:

Resolved:

That the best thanks of the Council be tendered to Councillor John Lamb for the efficient and dignified manner in which he has performed the duties of the Office of Mayor during the past two municipal years, and for the ability and courtesy with which he has presided over the deliberations of this Council, and that as a token of the Council's appreciation of such service he be presented with a Past Mayor's Badge suitably inscribed and a Mayoral Album.

8 Election of Deputy Mayor for Municipal Year 2021/22

On the nomination of Councillor Stephen George, seconded by Councillor Aston Line, and with the unanimous support of the Council:

Resolved:

That Councillor Kevin Robinson be appointed to the Office of Deputy Mayor of the Borough of Southend-on-Sea for the Municipal Year 2021/22.

9 Leader of the Council - Election

The Worshipful the Mayor informed the Council that a new Leader of the Council needed to be elected, as provided for in the Constitution.

A named vote was taken for the appointment of Leader of the Council.

For Councillor Cox:

Cllrs Beggs, Boyd, Bright, Buck, Buckley, Courtenay, Cox, Davidson, Dear, F Evans, Folkard, Garne, Garston, Habermel, Jarvis, Lamb, McGlone, Moring, Moyies, Nelson, Salter, Walker and Warren (23)

For Councillor Gilbert:

Cllrs Berry, Burton, Collins, Cowan, Cowdrey, Dent, George, Gilbert, Harp, Hooper, Jones, Kelly, Line, Mitchell, Mulroney, Nevin, Robinson, Shead, Stafford, Terry, Thompson, Wakefield, Ward, Wexham, Woodley and Borton (26)

Abstentions: Cllrs Beck and K Evans (2)

Resolved:

That Councillor Gilbert be appointed Leader of the Council.

Chair: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 20th May, 2021
Place: Council Chamber - Civic Suite

7

Present: Councillor M Borton (Chair)
Councillors J Lamb, J Beck, B Beggs, M Berry, H Boyd, A Bright, K Buck, S Buckley, L Burton, P Collins, J Courtenay, D Cowan, T Cowdrey, T Cox, M Davidson, A Dear, M Dent, F Evans, K Evans, N Folkard, D Garne, D Garston, S George, I Gilbert, S Habermel, T Harp, B Hooper, D Jarvis, A Jones, M Kelly, A Line, D McGlone, K Mitchell, A Moring, J Moyies, C Mulroney, D Nelson, C Nevin, K Robinson (Vice-Chair), L Salter, I Shead, M Stafford, M Terry, A Thompson, S Wakefield, C Walker, N Ward, J Warren, P Wexham and R Woodley

Start/End Time: 8.15 pm – 9.06 pm

10 Apologies for Absence

There were no apologies for absence at this meeting.

11 Declarations of Interest

There were no declarations of interest at this meeting.

12 Administration for 2021/22 following May 2021 Local Authority Elections and associated matters

The Council considered a report of the Executive Director (Legal and Democratic Services) on the above matter.

Resolved:

1. That it be noted that, following the Local Elections on 6th May 2021, the make-up of the Council is as follows:

Conservative Group – 23
Labour Group – 13
Independent Group – 7
Liberal Democrat Group – 5
Non-aligned Independent – 3

2. That the changes to the numbers, titles and responsibilities of Cabinet Members which have been made by the Leader of the Council as set out in Appendix 1 to the submitted report, be noted and that these changes be reflected in an amendment to Part 3 Schedule 1(a) of the Constitution.

3. That the appointments to the Cabinet (and substitutes) made by the Leader of the Council (including the arrangements for the Deputy Leader) as set out in List A, be noted.

4. That the appointments to the Cabinet Committee (and substitutes) made by the Leader of the Council as set out in List B, be noted.

5. That the seven existing Cabinet Working Parties referred to in sections 3.1 – 3.7 of Part 3 Schedule 2 of the Constitution be replaced by new Working Parties and that authority be delegated to the Executive Director (Legal and Democratic Services) to draft the terms of reference of the new Working Parties.

6. That the Council's Constitution, including the Scheme of Delegation in Part 3, Schedule 6, be endorsed.

13 Appointment of Councillors and Substitutes to Regulatory and Scrutiny Committees, Licensing Sub-Committee C, Standards Committee and Audit Committee

Resolved:

That the Councillors set out in List C, as appended to the Minutes, be appointed as members and substitutes of Regulatory and Scrutiny Committees, Licensing Sub-Committee C, Standards Committee and Audit Committee for the Municipal Year 2021/22.

14 Appointment of Chairs and Vice-Chairs to Regulatory and Scrutiny Committees, Licensing Sub-Committee C, Standards Committee and Audit Committee

Resolved:

That the Councillors set out in List C, as appended to the Minutes, be appointed as Chairs and Vice-Chairs of Regulatory and Scrutiny Committees, Licensing Sub Committee C, Standards Committee and Audit Committee for the Municipal Year 2021/22.

15 Appointment of Councillors and Substitutes to Working Parties, Panels, Forums, etc

Resolved:

That the Councillors set out in List D, as appended to the Minutes, be appointed as members and substitutes of Working Parties, Panels, Forums, etc for the Municipal Year 2021/22.

16 Appointment of Chairs and Vice-Chairs of Working Parties, Panels, Forums, etc (save for Cabinet Working Parties, where the Chairs are appointed by the Leader)

Resolved:

That the Councillors set out in List D, as appended to the Minutes, be appointed as Chairs and Vice-Chairs of Working Parties, Panels, Forums, etc.

17 Appointments to Outside Bodies

The Worshipful the Mayor advised the Council that there had been more nominations than there were positions on 15 of the outside bodies. A vote on each position was taken in accordance with Council Procedure Rule 13.

Resolved:

That the Councillors indicated in List E, as circulated at the meeting, be appointed to the outside bodies for the Municipal Year 2021/22 with the exception of the bodies listed below, to which the following Councillors be appointed:

1. British Destinations – Councillor Mulroney
2. Essex Heritage Trust – Councillor Mulroney
3. Essex, Police Fire and Crime Panel – Councillor Shead
4. Homeless Action Resource Project – Councillor K. Evans
5. Jazz Archive – Councillor Thompson
6. Leigh Port Partnership – Councillor Thompson
7. Local Government Association Coastal Issues Interest Group – Councillor Mulroney
8. Local Government Association General Assembly – Councillors Mulroney, Woodley and Davidson
9. London Southend Airport Consultative Committee – Councillors Mulroney, Cowan, K. Evans and Terry.
10. National Association of Councillors – Councillor Woodley
11. South Essex Alliance of Landlords and Residents (SEAL) – Councillor George
12. Southend Boys and Girls Choir Trust – Councillor Thompson
13. Southend Pier Museum Trust – Councillor Mulroney
14. Thames Gateway Housing Group – Councillor Gilbert

18 Calendar of Meetings 2021/22

Resolved:

That the calendar of meetings for the Municipal Year 2021/22, approved.

Chair: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Wednesday, 16th June, 2021
Place: Council Chamber - Civic Suite

8

Present: Councillor M Borton (Chair)
Councillors J Beck, B Beggs, M Berry, H Boyd, A Bright, K Buck, S Buckley, L Burton, P Collins, J Courtenay, D Cowan, T Cowdrey, T Cox, M Davidson, A Dear, M Dent, F Evans, K Evans, N Folkard, D Garne, D Garston, S George, I Gilbert, S Habermel, T Harp, B Hooper, D Jarvis, A Jones, M Kelly, A Line, D McGlone, K Mitchell, A Moring, J Moyies, C Mulroney, D Nelson, C Nevin, K Robinson (Vice-Chair), L Salter, I Shead, M Stafford, M Terry, A Thompson, S Wakefield, C Walker, N Ward, J Warren, P Wexham and R Woodley

Start/End Time: 6.30 pm - 7.00 pm

19 Apologies for Absence

Apologies for absence were received from Councillor Lamb.

20 Declarations of Interest

The following Councillors declared interests as indicated:

(a) Councillor Dent – Minute 21 (Levelling Up Fund Applications) – Non-pecuniary interest: Has worked with the Concrete Culture arts collective to undertake consultation on the future use of the Kursaal;

(b) Councillor Cowdrey – Minute 21 (Levelling Up Fund Applications) – Non-pecuniary interest: Has attended meetings of the Concrete Culture arts collective with regard to the future use of the Kursaal;

(c) Councillor Mulroney – Minute 21 (Levelling Up Fund Applications) – Non-pecuniary interest: Director of Leigh Port Partnership and former Chair of North Thames Fisheries Local Action Group;

(d) Councillor Wexham – Minute 21 (Levelling Up Fund Applications) – Non-pecuniary interest: Director of Leigh Port Partnership and member of North Thames Fisheries Local Action Group;

(e) Councillor Jones – Minute 21 (Levelling Up Fund Applications) – Non-pecuniary interest: son employed by c-2-c Rail;

(f) Councillor Cowan – Minute 21 (Levelling Up Fund Applications) – Non-pecuniary interest: Has lobbied for improvements to the Harp House Roundabout;

(g) Councillor Hooper – Minute 21 (Levelling Up Fund Applications) – Non-pecuniary interest: Director of Blade Education that works in the Borough;

(h) Councillor Wakefield – Minute 21 (Levelling Up Fund Applications) – Non-pecuniary interest: Well known to some businesses which operate in the Leigh Port area;

(i) Councillor Terry – Minute 21 (Levelling Up Fund Applications) – Non-pecuniary interest: Well known to some businesses which operate in the Leigh Port area;

(j) Councillor Thompson – Minute 21 (Levelling Up Fund Applications) – Non-pecuniary interest: Council appointed member to the Leigh Port Partnership.

21 Levelling Up Fund Applications

The Council considered Minute 57 (Levelling Up Fund Applications) of the Cabinet held on 15th June 2021 which was referred to the Special meeting of the Policy and Resources Scrutiny Committee held on Tuesday 15th June 2021.

Resolved:

That the recommendations contained in Minute 57 (Levelling Up Fund) of Cabinet held 15th June 2021 and Minute 80 of Policy and Resources Scrutiny Committee, be approved.

22 Appointments to Committees, etc

Resolved:

That the list of membership changes and appointments to Committees, etc, as circulated at the meeting, be approved.

23 Alison Griffin

The Worshipful the Mayor informed Councillors that this would be the last meeting of the Council for Alison Griffin before leaving and taking up her new post as Chief Executive of London Councils.

The Council placed on record its thanks and appreciation to Alison and wished her every success for the future.

Chair: _____

ASHBURNHAM ROAD PETITION

9

Southend Borough Council

Mayor, Councillor Margaret Borton

Leader of the Council, Councillor Ian Gilbert

Councillor Cheryl Nevin

Councillor Kay Mitchell

Councillor Stephen George

I present to you a petition for the pathway on Ashburnham Road to be resurface and small trees planted to stop cars and delivery trucks destroying the pathway's surface because they park up on the pathway.

This petition was signed by 17 residences out of the 23 {including 1 empty house} that make up the section of Ashburnham Road from Queens Road to London Road, along with quotes from the residents about the state of repair the pathway is in.

We have seen adjoining roads of Princess and Gordon both updated with small trees and feel strongly that Ashburnham Road is in need of action. The small trees planted on these roads stop vehicles parking on the pathway and blocking it for pedestrians as well as damaging the surface.

This project will enhance the health and wellbeing of the residents of Ashburnham Road and other Southend residents that use the street to access the shopping and entertainment area around the London Road gateway.

yours sincerely

Residents of Ashburnham Road.

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee C

Date: Thursday, 25th March, 2021
Place: Virtual Meeting via MS Teams

10

Present: Councillor S Habermel (Vice-Chair in the Chair)
Councillor M Borton, A Chalk, A Dear, D McGlone, I Shead and
A Thompson

In Attendance: E Anakwue, T Row, A Penn and T Bahannack

Start/End Time: 10.00 am - 11.40 am

941 Apologies for Absence

Apologies for absence were received from Councillor McDonald (no substitute).

942 Declarations of Interest

No interests were declared at the meeting.

943 Minutes of the Meeting held on Thursday, 23rd July, 2020

Resolved:-

That the Minutes of the Meeting held on Thursday, 23rd July 2020 be received, confirmed as a correct record and signed.

944 Application for the Renewal of a Sexual Entertainment Venue Licence - Pink Papers, The Stables, Lucy Road, Southend-on-Sea, Essex, SS1 2AU

The Sub-Committee received a report of the Executive Director (Neighbourhoods and the Environment) concerning an application by Andros Steven Stavrou for the renewal of a Sexual Entertainment Venue Licence in respect of Pink Papers, The Stables, Lucy Road, Southend-on-Sea, Essex, SS1 2AU.

The application was presented by Mr G Gouriet QC (Barrister). The Applicants Solicitor, Mr A Murrell was also in attendance and gave evidence.

The Sub-Committee noted that letters of objection had been received from two residents, one of whom did not attend the hearing. The objectors' principal concerns are the location of the premises, its effect the surrounding environment, issues of anti-social behaviour given that the premises were located in an area covered by a Public Spaces Protection Order and the Council's Policy which aims to reduce the number of SEVs within the Borough to zero.

The Sub-Committee considered all the evidence and submissions that had been made at the meeting and the written reports and documentation that had been presented prior to the hearing. The Sub-Committee also had regard to Schedule

3 of the Local Government (Miscellaneous Provisions) Act 1982 (adopted pursuant to the Police and Crime Act 2009) and the Council's Policy for controlling sex establishments.

Resolved:

That the application be the application, subject to the existing operating conditions to the current licence set out in Appendix 1 to the report of the Interim Executive Director (Neighbourhoods and the Environment), together with the following additional conditions:

- "A revised plan of the premises, which shall include the locations of all of the CCTV cameras detailed in the application (both internal and external), shall be submitted to the Licensing Authority within one month of this decision."
- "The Dress Code for Performers as detailed in the Dancer Handbook 2020 shall be amended to clearly specify the dress code and shall include the wording set out in Condition No. 64 namely that Dancers shall be fully clothed (i.e. no nudity) when not performing."
- "The Customers' Code of Conduct for Patrons shall be amended by the addition of, but not limited to, the following:

Whilst outside or leaving the premises, all customers, must not loiter unnecessarily and vacate the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours both residential and business and to make the minimum impact upon the neighbourhood in relation to potential nuisance, anti-social behaviour, crime and disorder."

Chair: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Tuesday, 30th March, 2021
Place: Virtual Meeting via MS Teams

11

Present: Councillor N Ward (Chair)
Councillors M Borton (Vice-Chair), B Ayling, J Beck, K Buck*,
A Chalk, P Collins*, D Cowan, A Dear, M Dent, F Evans, N Folkard*,
D Garne*, S Habermel, K Mitchell*, A Thompson and S Wakefield
(*Substitute in accordance with Council Procedure Rule 31.)

In Attendance: Councillor T Cox
J Williams, S Moore, T Saunders, P Keyes, M Warren, T Row, T Hartley,
A Greenwood, A Rodgers, A Smyth, C White, C Victory, E Cook, E Cooney,
J Gleave, J Doherty, K Gearing, M Pochin-Hawkes, M Vas,

Start/End Time: 5.00 pm - 7.50 pm

945 Apologies for Absence

Apologies for absence were received from Councillors Jarvis (substitute: Councillor Folkard), Jones (substitute: Councillor Mitchell), D Garston (substitute: Councillor Buck), Mulroney (substitute: Councillor Collins) and Walker (substitute: Councillor Garne)

946 Declarations of Interest

The following declarations of interest were made at the meeting:

1. Cllr Borton – Agenda Item No. 4 (20/01479/BC4M - Queensway Development, Queensway Slip Road, SW, Southend-on-Sea) - Non-Pecuniary Interest: Is on the board of South Essex Homes and the supporters are known to her.
2. Cllr Beck - Agenda Item No. 4 (20/01479/BC4M - Queensway Development, Queensway Slip Road, SW, Southend-on-Sea) - Non-Pecuniary Interest: Supporters and objectors are known to her and has discussed the proposal in general with residents.
3. Cllr Buck - Agenda Item No. 4 (20/01479/BC4M - Queensway Development, Queensway Slip Road, SW, Southend-on-Sea) - Non-Pecuniary Interest: Made public comments over the concerns of the highway aspect of the application.
4. Cllr Dent - Agenda Item No. 4 (20/01479/BC4M - Queensway Development, Queensway Slip Road, SW, Southend-on-Sea) - Non-Pecuniary Interest: Supporters of the application are known to him.
5. Cllr Mitchell - Agenda Item No. 4 (20/01479/BC4M - Queensway Development, Queensway Slip Road, SW, Southend-on-Sea) - Non-Pecuniary Interest: Residents are known to her.

6. Cllr Wakefield - Agenda Item No. 4 (20/01479/BC4M - Queensway Development, Queensway Slip Road, SW, Southend-on-Sea) - Non-Pecuniary Interest: Is a sub-contractor for South Essex Homes.

947 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

948 20/01479/BC4M - Queensway Development, Queensway Slip Road, SW, Southend-on-Sea, Essex (Milton & Victoria Wards)

Proposal: Hybrid application for:

1. Outline consent for the phased demolition of existing residential and commercial units, pedestrian footbridge, and associated structures and redevelopment to provide up to 1,760 dwellings, including provision of affordable housing (up to 177,650 sqm) in buildings of up to 87.17m AOD (approximately 18 storeys); up to 10,000 sqm of commercial uses comprising (a) up to 5,000 sqm of retail and cafes (Use Class E, F.2, Sui Generis) (with a maximum of 1,500 sqm outside the Primary Shopping Area); (b) up to 5,000 sqm of Employment space consisting of Workshops/Artistic Studios/Recording Studios/Brewery/Bakery (Use Class E, B2 and Sui Generis); and Office Space (Use Class E, capped at 2,500 sqm); (c) up to 1,500 sqm of Community & Creche/Nursery (Use Class E/F.1), (d) up to 1,000 sqm of Leisure (Use Class E); and (e) up to 500 sqm of Event Space (Use Class E/Sui Generis); new public open space; associated landscaping; car parking; public realm enhancements; access arrangements and associated infrastructure.

2. Detailed (full) application for phased engineering works to remove roundabout at Queensway/Sutton Road/Southchurch Road and associated underpass, with re-grading of the Queensway, to provide a new 4 lane carriageway at grade with footpath; cycle lane, bus facilities, public realm, landscaping and associated structures as well as a new roundabout at grade, linking Southchurch Road and Queensway, and closure/stopping up of Sutton Road.

Applicant: Porters Place Southend-On-Sea LLP

Agent: Mr Lyndon Gill of Barton Willmore

Mrs Carr, a local resident, spoke as an objector to the application. Mr Kauders responded on behalf of the Applicant.

Resolved: -

(a) That the Interim Director of Planning be DELEGATED to GRANT PLANNING PERMISSION subject to conditions and following the completion of unilateral undertaking (pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended)) by the Council as landowner which secures a PLANNING AGREEMENT UNDER SECTION 106 of the Town and Country Planning Act 1990 (as amended) to be entered into to secure the provision of:

- 17.7% units of affordable housing on site (312 units) – with 300 social/ affordable rented units and 12 units as shared equity (with the ability for additional affordable housing subject to the viability review mechanisms).
- Viability review mechanisms.
- £718,119.05 contribution towards secondary education (with the ability for additional deferred contributions subject to the viability review mechanisms).

- Highway Works, Travel Strategy Group and (if required) up to £90,000 towards additional on and off-site mitigation and sustainable travel initiatives.
- Traffic Regulation Orders.
- Stopping up Orders.
- Travel Plans and monitoring fees of £5,000 per year for a 10-year period.
- Travel Packs.
- Car Club.
- Open Space and Play Space provision and maintenance.
- Public Art.
- Cultural Provision.
- Essex RAMS payment of £125.58 per dwelling to mitigate the potential disturbance to European designated sites.
- Employment and training.
- CCTV.
- Monitoring fee £10,000.

(as further detailed in Appendix 6 to the report)

(b) That the Interim Director of Planning be DELEGATED to APPROVE the application reference 20/01479/BC4M subject to the completion of the unilateral undertaking securing the SECTION 106 planning agreement referred to above and to conditions substantially in the form contained in Appendix 5 and below, with such detailed minor amendments to the conditions as the Interim Director of Planning may consider to be reasonable and necessary, so long as these changes do not alter the objectives and purposes of the conditions detailed in Appendix 5 of this Report.

01 The development for which detailed approval is hereby permitted, as defined within the red line shown on Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06 shall be begun no 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 for which detailed approval is hereby permitted, as defined on Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06 shall be carried solely out in accordance with the following approved plans:

- BEQ-LDA-ZZ-XX-XX-DR-N-ST-00001 Rev 03 Planning Application Boundary Location Plan
- BEQ-LDA-ZZ-XX-XX-DR-N-ST-00002 Rev 05 Blue Line Boundary Location Plan (1 of 2)
- BEQ-LDA-ZZ-XX-XX-DR-N-ST-00003 Rev 05 Blue Line Boundary Location Plan (2 of 2)
- BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06 Queensway Detailed Planning Application Boundary Location Plan
- 1042-01-CIV-XX-GA-001-P04 Rev P07 General Alignment Location Plan Match to Existing
- 1042-01-CIV-XX-GA-002-P06 Rev P07 General Alignment Short Street Junction Match to Existing
- 1042-01-CIV-XX-GA-003-P06 Rev P07 General Alignment Queensway North Match to Existing
- 1042-01-CIV-XX-GA-004-P6 Rev P07 General Alignment Queensway Central Match to Existing
- 1042-01-CIV-XX-GA-005-P06 Rev P07 General Alignment Queensway South Match to Existing
- 1042-01-CIV-XX-GA-006-P06 Rev P07 General Alignment Southchurch Roundabout Match to Existing
- 1042-01-CIV-XX-GA-007-P06 Rev P07 General Alignment Sutton Road Match to Existing
- BEQ-LDA-XX-XX-XX-DR-L-XX-00100 Rev 04 Public Realm and Landscape
- BEQ-LDA-XX-XX-XX-DR-L-XX-00101 Rev 04 Queensway – General Hardworks Plan

- BEQ-LDA-XX-XX-XX-DR-L-XX-00102 Rev 04 Queensway – General Softworks Plan
- BEQ-LDA-XX-XX-XX-DR-L-XX-00103 Rev 04 Queensway – General Edging
- BEQ-LDA-XX-XX-XX-XX-00104 Rev 04 Queensway – Furnishing Plan
- BEQ-LDA-XX-XX-XX-DR-L-XX-00150 Rev 03 Landscape GA Plan: Sheet 1 of 7
- BEQ-LDA-XX-XX-XX-DR-L-XX-00151 Rev 03 Landscape GA Plan: Sheet 2 of 7
- BEQ-LDA-XX-XX-XX-DR-L-XX-00152 Rev 03 Landscape GA Plan: Sheet 3 of 7
- BEQ-LDA-XX-XX-XX-DR-L-XX-00153 Rev 04 Landscape GA Plan: Sheet 4 of 7
- BEQ-LDA-XX-XX-XX-DR-L-XX-00154 Rev 03 Landscape GA Plan: Sheet 5 of 7
- BEQ-LDA-XX-XX-XX-DR-L-XX-00155 Rev 04 Landscape GA Plan: Sheet 6 of 7
- BEQ-LDA-XX-XX-XX-DR-L-XX-00156 Rev 03 Landscape GA Plan: Sheet 7 of 7
- BEQ-LDA-XX-XX-XX-DR-L-XX-00300 Rev 03 Section A – Queensway at Victoria Shopping Centre
- BEQ-LDA-XX-XX-XX-DR-L-XX-00301 Rev 02 Section B – Queensway at Chemist
- BEQ-LDA-XX-XX-XX-DR-L-XX-00302 Rev 01 Section C - Queensway at Porter's Place
- BEQ-LDA-XX-XX-XX-DR-L-XX-00303 Rev 02 Section D - Queensway within the Neighbourhood
- BEQ-LDA-XX-XX-XX-DR-L-XX-00304 Rev 02 Section E - Queensway at Porter's Civic House
- BEQ-LDA-XX-XX-XX-DR-L-XX-00305 Rev 01 Section F - Queensway South
- BEQ-LDA-XX-XX-XX-DR-L-XX-00306 Rev 01 Section G - Queensway at Railway Underpass
- BEQ-LDA-XX-XX-XX-DR-L-XX-00307 Rev 02 Section H – Southchurch Road
- BEQ-LDA-XX-XX-XX-DR-L-XX-00308 Rev 01 Section I – Sutton Road at All Saints Church
- BEQ-LDA-XX-XX-XX-DR-L-XX-00310 Rev 02 Typical Section 1 – Queensway verge with SuDs

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

03 The development for which detailed approval is hereby permitted, as defined on Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06 shall be carried out in accordance with the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any subsequent updated/amended version submitted to and agreed in writing by the Local Planning Authority under the terms of this planning condition.

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

Construction

04 With the exception of archaeological investigation, an investigation of ground conditions including exploratory boreholes and trial pits, decontamination, remedial works, no utilities works or development of any Phase/sub-phase of the detailed development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent shall take place, including any works of demolition, site clearance or associated with utilities, within the area for which detailed approval is hereby permitted, as shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06 unless and until a Demolition and Construction Environmental Management Plan and Strategy to include a Dust Mitigation Strategy for that Phase/sub-phase/associated utilities works has been submitted to, and approved in writing by the Local Planning Authority. The approved Demolition and Construction Environmental Management Plan and Strategy for the area for which detailed approval is hereby permitted, as defined on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06, shall be adhered to in full throughout the construction period for that phase. Where relevant, the Statement for each Phase/sub-phase/associated utilities' works shall provide, amongst other things, for:

- i) the phasing of works.
- ii) the parking of vehicles of site operatives and visitors for each phase of works.
- iii) loading and unloading of plant and materials for each phase of works.
- iv) storage of plant and materials used in constructing the development for each phase.
- v) the erection and maintenance of security hoarding.
- vi) measures to control the emission of noise, dust and dirt during construction.
- vii) a scheme for temporary storage and recycling, collection and disposing of waste resulting from construction works that does not allow for the burning of waste on site.
- viii) a dust management plan to include mitigation and boundary particulate monitoring during demolition and construction.
- ix) details of the duration and location of any noisy activities.
- x) details of external lighting associated with construction.
- xi) any proposed extension to the following hours of construction for certain specified works:
 - 08:00-18:00 – Monday to Friday
 - 08:00-13:00 – Saturday
 - No time on Sundays or Public Holidays
- xii) temporary variable message signage
- xiii) details of how surface water will be managed during construction

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

05 With the exception of archaeological investigation, an investigation of ground conditions including exploratory boreholes and trial pits, decontamination, remedial works, diversion and/or laying of services, no development within any Phase/sub-phase of the detailed development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent, as defined within the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06 a Construction Logistics Plan for that Phase/sub-phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. The Plan for that Phase/sub-phase shall be implemented in accordance with the approved details and thereafter maintained for the duration of the construction period.

Reason: In the interest of the residential amenity of nearby occupiers, highway safety and free flow of the traffic network 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).

06 All vegetation clearance and tree works in association with each Phase/sub-phase of the detailed development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent and within the area for which detailed approval is hereby permitted, as defined within the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06, shall be carried out outside of the bird nesting season which runs from March to September inclusive, unless it is necessary for works to commence in the nesting season, then a pre-commencement inspection of the vegetation and trees for active bird nests should be carried out by a suitably qualified ecologist. Only if there are no active nests present shall work be allowed to commence within the bird nesting season.

Reason: To ensure the development provides biodiversity and ecology benefits in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2 and CP4.

07 No development shall take place, including any works for demolition, within any Phase/sub-phase of the detailed development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent and within the area for which detailed approval is hereby permitted, as defined within the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06 unless and until a detailed Arboricultural Method Statement and Tree Protection Plan for that Phase/sub-phase has been submitted to and approved in writing by the Local Planning Authority. Details must include:

(a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree;

(b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of all trees including those to be retained and of each tree which is on land adjacent to the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06 and to which paragraphs (c) or (d) below apply;

(c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

(d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site identified in that phase;

(e) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development for which detailed approval is hereby granted as defined within the red line of drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06.

Construction and demolition for that Phase/sub-phase works shall thereafter be carried out only in accordance with the approved Arboricultural Method Statement and Tree Protection Plan for each Phase/sub-phase. Tree protection measures shall be implemented in full prior to construction or demolition works within that phase commencing.

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

Archaeology

08 No development, save for demolition of structures above ground level (except retaining walls), shall take place, within each Phase/sub-phase of the detailed development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent and within the area for which detailed approval is hereby permitted, as defined within the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06, unless and until an Archaeological Written Scheme of Investigation for a programme of archaeological work within that phase/sub-phase to include a programme of archaeological recording and analysis, a watching brief for any works involving vertical or lateral invasion into the existing top or sub soil and details of the measures for that phase/sub-phase to be taken should any archaeological finds be

discovered has first been submitted to and approved in writing by the Local Planning Authority. The approved Archaeological Written Scheme of Investigation/watching brief

and measures are to be undertaken throughout the course of the works affecting below ground deposits and are to be carried out by an appropriately qualified archaeologist. The subsequent recording and analysis reports shall be submitted to the local planning authority before that phase/sub-phase of the development is brought into first use.

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

Contamination

09 (a) Notwithstanding the details submitted and otherwise hereby approved, no development of any Phase/sub-phase of development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent and within the area for which detailed approval is hereby permitted, as defined within the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06, shall commence until an investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall assess the nature and extent of any contamination affecting that Phase/sub-phase of the development and whether or not it originates on the site. The investigation and risk assessment must be undertaken by a competent person and must include:

- i. A survey of extent, scale and nature of contamination;
- ii. An assessment of the potential risks to:
 - Human Health;
 - Property (existing) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - Adjoining land;
 - Groundwaters and surface waters;
 - Ecological systems;
 - Archaeological sites and ancient monuments; and
 - An appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

(b) Notwithstanding the details submitted and otherwise hereby approved, prior to commencement of development of any Phase/sub-phase of the development hereby approved and as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent and within the area for which detailed approval is hereby permitted, as defined within the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06, a detailed remediation scheme to bring the area within the phase/sub-phase to a condition suitable for the intended use by removing unacceptable risk to human health, buildings and other property and the natural and historical environment shall be 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, criteria for any material to be used as landfill, timetable of works and site management procedures. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. This must be conducted by a competent person and in accordance with DEFRA and the Agency's 'Model Procedures for the Management of Land Contamination CLR 11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

c) Notwithstanding the details submitted and otherwise hereby approved, prior to commencement of development of any Phase/sub-phase of the development hereby approved as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent and within the area for which detailed approval is hereby permitted, as defined within the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06, the detailed remediation scheme approved under part (b) of this condition shall have been implemented in accordance with the approved timetable of works. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works in writing and with a written reply under the terms of this condition. Following completion of measures identified in the approved remediation, a verification report for each Phase/sub-phase that demonstrates the effectiveness of the remediation carried out must be produced. This must be conducted by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority. The verification report must be submitted to and approved in writing by the Local Planning Authority before the phase/sub-phase is brought into use. For the avoidance of doubt, any necessary remediation is to be remediated under the terms of this planning conditions in accordance with the timetable submitted to and approved in writing by the Local Planning Authority under the terms of this planning condition.

In the event that contamination is found at any time when carrying out a Phase/sub-phase of the approved development that was not previously identified, it must be reported in writing within 7 days to the Local Planning Authority. That Phase/sub-phase of the development must be halted until an assessment for that Phase/sub-phase has been undertaken in accordance with the requirements of part (a) of this condition, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, has been submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of part (b) of this condition. 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 for that Phase/sub-phase must be submitted to and approved in writing by the Local Planning Authority before that Phase/sub-phase of the development is brought into use.

Where remediation related to any phase/sub-phase is necessary, in accordance with the requirements of parts (a) and (b) of this condition, no development within that Phase/sub-phase of the development hereby approved, as shown as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent and within the area for which detailed approval is hereby permitted, as defined within the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06, shall take place until and unless a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years has been submitted to and approved in writing by the Local Planning Authority. Monitoring and maintenance shall thereafter be carried out in accordance with the approved monitoring and maintenance scheme.

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).

Landscaping, Materials and Lighting

10 With the exception of Demolition and Preliminary Works within the area for which detailed approval is hereby permitted, as defined on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06, no development shall take place within a phase unless and until full details of both hard and soft landscape works for any Phase/sub-phase of the detailed development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent for the area for which detailed approval is granted (as defined on Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06), have been submitted to and approved in writing by the Local Planning Authority and these works for each phase/sub/phase shall be carried out as approved. These details must include the following as a minimum for each Phase/sub-phase:

- i. Proposed Finished Levels or Contours;
- ii. Minor artefacts and structures;
- iii. Details of Trees and shrubs to be planted and retained;
- iv. Timetable for the Completion of the Soft and Hard Landscaping and Planting;
- v. Evidence of Compatibility of Landscaping Scheme with the Proposed Drainage and Other Site Services
- vi. Details of any Trees to be retained at the Site.

The soft landscaping and hard landscaping within each Phase/sub-phase of the area subject to detailed approval (as defined within the red line shown on Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06) shall be completed in accordance with the approved timetable (iv. above). If any trees are removed or found to be dying, severely damaged or diseased within five years of planting them, they must be replaced with trees of a similar size and species as may be agreed with the Local Planning Authority.

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).

11 Details of a Landscape Management Plan for the maintenance and management of the soft and hard landscaping works for any Phase/sub-phase of the detailed development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent highlighted within the area for which detailed approval is hereby permitted (as shown on Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06) consistent with Approved Plans listed at Condition 2 shall be submitted to and approved in writing by the Local Planning Authority prior to that phase/sub-phase of the development being brought into first use. The Landscape Management Plan for that Phase/sub-phase shall include details of how trees within that Phase/sub-phase will be maintained during the initial three-year establishment period. The landscaped areas shall thereafter be managed and maintained in accordance with the approved Landscape Management Plan for the lifetime of the development.

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).

12 With the exception of demolition, and Preliminary Works, no development within the area for which detailed approval is hereby permitted, as defined within the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06, shall commence until samples and /or specifications of all materials to be used in the construction of the external surfaces of the development in that Phase/sub-phase of the detailed development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent and as highlighted on approved drawings

listed at condition 2 have been submitted to and approved in writing by the Local Planning Authority.

The details must include:

- Details of Surfaces to road and pavements
- Details of Railings & Means of Enclosures
- Details of Kerbs & kerbing
- Details of Signage
- Timescales for implementation

The development shall be carried out solely in accordance with the approved materials details and the approved timeframe above.

Reason: In the interest of visual amenity and highway safety 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 National Design Guide (2019) and the Design and Townscape Guide (2009).

13 With the exception of demolition, and Preliminary Works no development within each Phase/sub-phase of the detailed development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent and within the area for which detailed approval is hereby permitted, shall commence until and unless a scheme showing the provisions to be made for all external lighting (excluding lighting associated with construction) for that Phase/sub-phase has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme for each Phase/sub-phase shall include details of:

- i. luminance
- ii. spread of light
- iii. design and specification of lighting

The development for each Phase/sub-phase shall be carried out in accordance with those approved details for each Phase/sub-phase before the development is first brought into use.

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

Drainage

14 With the exception of demolition, and Preliminary Works no development within each Phase/sub-phase of the detailed development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent and within the area for which detailed approval is hereby permitted, as defined within the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06, shall be commenced until and unless the detailed design of a surface water drainage scheme has been provided for that Phase/sub-phase of the development to the Local Planning Authority and approved in writing in accordance with relevant measures within the Flood Risk Assessment and Drainage Strategy (Civic Engineers, 31st July 2020, Document Ref: BEQ-CIV-XX-XX-XX-RP-D-ST-00001). The surface water drainage scheme for each Phase/sub-phase shall incorporate the following measures and shall be submitted to and approved in writing with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved surface water drainage scheme for each Phase/sub-phase shall be implemented before the development is brought into use. The scheme for each Phase/sub-phase shall address the following matters:

- a) Provide evidence of infiltration testing in accordance with BRE 365. If infiltration is found to be viable provide information in relation to the potential for ground instability or deterioration in groundwater quality as a result of infiltration.
- b) Provide evidence of consent from Anglian Water for the proposed discharge rates and connections for the proposed drainage.
- c) Provide confirmation of the party or parties responsible for maintenance of the Sustainable Urban Drainage Systems (SuDS) system.
- d) Provide an updated drainage layout plan which corresponds with the supporting calculations

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.

Toucan Crossings

15 Notwithstanding condition 2 (Approved plans) development of the relevant phase of the detailed application as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any subsequent/amended version (within the area for which detailed approval is hereby permitted, as defined on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06), shall not commence (with the exception of demolition and Preliminary Works) until and unless details of pedestrian and cycling crossing points in the form of Toucan crossings have been submitted to and approved by the local planning authority for the north, south and east arms of the new at grade roundabout linking Southchurch Road and Queensway (in the locations shown on drawing 1042-01-CIV-XX-GA-004-P06 Rev P07). Thereafter these crossing facilities shall be implemented as approved prior to first use of this phase of the detailed permission.

Reason: In the interests of highway safety in accordance with policy DS5 of the Development Management Document (2015)

Binding S106 Agreement

16 No development shall commence (save for any Preliminary Works in relation to the detailed element of this permission only) on any phase or part of the detailed application as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any subsequent/amended version (within the area for which detailed approval is hereby permitted, as defined on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06), until that phase or part thereof has been bound (which for the avoidance of doubt excludes public highway) by a Section 106 Agreement containing the same terms as the agreed form Section 106 agreement annexed to the Section 106 Unilateral Undertaking dated [TBC] to the satisfaction of the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

Planning Conditions Related to Outline Planning Permission Only General

17 Details of:

- a) Access;
- b) Appearance;
- c) Landscaping;
- d) Layout; and
- e) Scale.

hereinafter called the "Reserved Matters" for each Phase/sub-phase of development shall be submitted to and approved in writing by the Local Planning Authority before any

development in that phase/sub-phase begins and the development shall be carried out as approved under the Reserved Matters.

Application for approval of the first reserved matters shall be made to the Local Planning Authority not later than 3 (three) years from the date of this permission. Application for the final set of Reserved Matters submission pursuant to this planning permission shall be made before the expiration of 12 (twelve) years from the date of this permission. Implementation of a Reserved Matters Approval shall commence no later than 2 (two) years from the date of the approval of the Reserved Matters for that Phase/sub-phase.

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.

18 Plans and particulars of the Reserved Matters referred to in Condition 17 for each Phase/Sub-Phase of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority, and shall accord with the following Parameter Plans and their explanatory notes:

- Red Line Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00001 Rev 03
- Blue Line Boundary Location Plan (1 of 2) BEQ-LDA-ZZ-XX-XX-DR-N-ST-00002 Rev 05
- Blue Line Boundary Location Plan (2 of 2) BEQ-LDA-ZZ-XX-XX-DR-N-ST-00003 Rev 05
- Land Use Parameter Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00004 Rev 08
- Maximum Building Height Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00005 Rev 06
- Basement Parameter Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00006 Rev 08
- Buildings & Bridges Demolition Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00007 Rev 04
- Access Parameter Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00009 Rev 06

Reason: For the avoidance of doubt and in the interests of proper planning.

19 The development hereby approved and the Reserved Matters pursuant to Condition 17 shall be carried out in accordance with the Indicative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 or any subsequent updated/amended version agreed in writing by the Local Planning Authority under the terms of this planning condition.

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

Design Code and Control of Parameters

20 The Reserved Matters submitted pursuant to Condition 17 of this planning permission shall accord with the LDA Design/dRMM Design Code BEQ-LDA-XX-XX-XX-RP-N-ST-00001 Rev 04 dated February 2021.

The Reserved Matters submitted pursuant to Condition 17 for each Phase/sub-phase of the Development must be accompanied by a Statement of Compliance, demonstrating how the phase or sub-phase and where relevant the development as a whole is compliant with the principles set out in the LDA Design/dRMM Design Code and in particular how it accords with the mandatory elements of the Design Code expressed as “must” summarised in the Executive Summary of the Design Code. Each phase or sub-phase shall be completed in accordance with the Design Code before it is brought into use.

For the avoidance of doubt, and notwithstanding requirements of other planning conditions herein the following shall apply to the scheme as a whole:

- a) all homes must meet or exceed the Nationally Described Space Standards (March 2015);

- b) all homes must be provided with private amenity space of not less than 5sq.m and not less than 1.5m deep;
- c) communal podium landscaped spaces must be accessible to all residents within the block they serve;
- d) play space provision must include an equipped play space of 200sq.m in Porters Park and a minimum area of 400sq.m of equipped play or youth orientated activity space in Coleman Gardens; and
- e) 10% of the homes must be delivered to M4 (3) easily wheelchair adaptable standard. 90% of the homes must be delivered to M4 (2) adaptable standard or any revision or amendment which subsequently replaces these accessibility standards in the future.
- f) Public Open Space for the development as a whole is provided at not less than 0.70 hectares.

Reason: In order to ensure the highest quality redevelopment of the site based on specific design guidelines and to ensure the development meet the needs of future residents, occupiers and uses 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)

21 Notwithstanding the provisions of the Town and Country Planning Act 1990 and the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any amending or re-enacting Acts or Orders), the maximum floorspaces for the development hereby approved within each of the Use Classes and uses specified in the table below shall not exceed:

Uses and Use Class	Maximum Area (Gross Internal Area)
Retail, shop, financial and professional services, café, restaurant, pub, drinking establishment, take away (E, F.2, Sui Generis)	Up to 5,000 sq.m
Employment Space: Workshops/Recording Studios/Brewery/Bakery (E, B2) Office Space (E), capped at 2,500 sq.m Artistic Studio(E)	Up to 5,000 sq.m
Residential (C3), excluding secured car parking	Up to 177,650 sq.m
Community & Creche/Nursery (E)	Up to 1,500 sq.m
Leisure, gym, indoor recreation (E)	Up to 1,000 sq.m
Event Space (E/Sui Generis)	Up to 500 sq.m

In addition, no more than 1,760 residential dwellings shall be provided in relation to the development hereby approved and no more than 10,000 sq.m of non-residential floorspace shall be provided in relation to the development hereby approved.

Reason: For the avoidance of doubt and in the interests of proper planning.

22 Notwithstanding the requirements of Condition 21 of this planning permission, the total combined quantum of retail, food and drink, financial and professional services, pub, drinking establishment and take away uses within Use Class E and F.2 or which is Sui Generis permitted across the Development hereby approved shall not exceed 5,000 sq. m of floorspace (GIA). Of this total floorspace, no more than 1,500 sq. m (GIA) shall be located outside of the defined Primary Shopping Area of the Development Plan. Further,

no single retail shop unit within Class E shall exceed a net internal retail area of 500 sq. m.

The Reserved Matters submitted pursuant to Condition 17 for each Phase/sub-phase of the Development must be accompanied by a Statement of Retail Compliance identifying the location and quantum of non-residential floorspace that may be occupied in retail, food and drink, financial and professional services, pub, drinking establishment and take away use within Use Class E or F.2 or which is Sui Generis. The Statement shall specifically identify the floorspace proposed in pub and drinking establishment use and confirm how the proposed provision protects residential amenity. The Statement shall demonstrate how the Phase or Sub-Phase of development is compliant with the terms of this planning condition. Thereafter, the non-residential floorspace shall be occupied only in accordance with the most recently approved Schedule of Retail Compliance unless any changes are made under the terms of this condition.

Reason: For the avoidance of doubt and in order to ensure a suitable range, quantum and location of town centre uses which ensure residential amenity in accordance with the National Planning Policy Framework (2019), policies CP2 and CP4 of the Core Strategy (2007), DM1, DM3 and DM13 of the Development Management Document (2015) and DS1 of the SCAAP (2018).

23 Notwithstanding the requirements of Conditions 21 and 22, the commercial uses of workshops, recording studios, brewery, bakery, or any other non-residential use outside of Class E or Class F.1 or F.2 (excluding Event Space) within the development hereby approved shall not be permitted in any part of the development save for that area defined in Red on the Land Use Parameter Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00004 Rev 08.

Reason: For the avoidance of doubt and in order to ensure residential amenity in accordance with policies CP4 of the Core Strategy (2007) and DM1 and DM3 of the Development Management Document (2015).

24 Notwithstanding the provisions of the Town and Country Planning Act 1990 and the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any amending or re-enacting Acts or Orders) or the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending or re-enacting Acts or Orders), commercial uses within Class E, F.1 or F.2 within the development hereby approved shall not be permitted to be used for residential (Use Class C3) or uses outside of those defined on the Land Use Parameter Plan (BEQ-LDA-ZZ-XX-XX-DR-N-ST-00004 Rev 08) without express planning permission from the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

Construction and Tree Protection

25 Prior to the commencement of development within any Phase or Sub-Phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, a Construction Logistics Plan for that Phase/sub-phase shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. The Plan shall be implemented in full accordance with the approved details and thereafter maintained throughout the construction of the approved development.

Reason: In the interests of highway safety, the free flow of the local highway network and the amenities of nearby and surrounding occupiers pursuant to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015).

26 No development within any Phase or Sub-Phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, shall take place, including any works of demolition (except demolition the subject of a Prior Approval application under Part 31 of the General Permitted Development Order), until and unless a Demolition and Construction Management Plan and Strategy to include a Dust Mitigation Strategy has been submitted to and approved in writing by the Local Planning Authority. The approved Demolition and Construction Management Plan and Strategy shall be implemented in full accordance with the approved details and adhered to in full throughout the construction of the development unless a revised Demolition and Construction Management Plan is subsequently submitted to and approved in writing by the Local Planning Authority in which demolition and construction shall be implemented in accordance with the revised Plan.

The Management Plan and Strategy shall provide, amongst other things, for:

- i. The parking of vehicles of site operatives and visitors;
- ii. Loading and unloading of plant and materials;
- iii. Storage of plant and materials used in constructing the development;
- iv. The erection and maintenance of security hoardings;
- v. Measures to control the emission dust and dirt during construction;
- vi. A Construction Noise and Vibration Management Plan and Strategy for the control, mitigation and monitoring of noise and vibration associated with construction;
- vii. A scheme for recycling/disposing of waste resulting from construction works that does not allow for the burning of waste on site;
- viii. A dust management plan to include mitigation and boundary particulate monitoring during demolition and construction;
- ix. Details of the duration and location of any noisy activities;
- x. Details of external lighting associated with construction.
- xi. Hours of operation – any proposed extension to the following hours of construction for certain specified works:
 - 08:00-18:00 – Monday to Friday
 - 08:00-13:00 – Saturday
 - No time on Sundays or Public Holidays
- xxii) temporary variable message signage
- xiii) details of how surface water will be managed during construction

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

27 Prior to commencement of development within Phase 3A or 3B as identified in Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 (or a revision to this plan as approved under condition 19 of this consent) a vibration assessment shall be submitted to the Local Planning Authority to quantify and identify any measures required to mitigate the vibration impact from trains and ancillary operations at the adjacent railway and Southend Victoria Station on the proposed occupants of the dwelling.

No dwelling within Phase 3A or 3B as identified on Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 shall be occupied until and unless the internal and external areas of dwellings are protected from external vibration from the operation of trains and ancillary operations at Southend Victoria Station in accordance with the approved vibration assessment and mitigation measures.

Reason: To protect residents in the development and neighbouring the site from undue noise and disturbance in order to protect their amenities in accordance with Core Strategy

(2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Design and Townscape Guide (2009).

28 All vegetation clearance and tree works in association with each Phase/sub-phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, shall be carried out outside of the bird nesting season which runs from March to September inclusive, unless it is necessary for works to commence in the nesting season, then a pre-commencement inspection of the vegetation and trees for active bird nests should be carried out by a suitably qualified ecologist. Only if there are no active nests present shall work be allowed to commence within the bird nesting season.

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

29 Prior to commencement of any Phase/sub-phase as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, including any works for demolition, a detailed Arboricultural Method Statement and Tree Protection Plan for that Phase/sub-phase must be submitted to and approved in writing by the Local Planning Authority. Details must include:

- a) A plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing at which trees are to be retained and the crown spread of each retained tree;
- b) Details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;
- c) Details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
- d) Details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained trees or of any tree on land adjacent to the site;
- e) Details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of each phase of development.

Construction and demolition works shall thereafter be carried out in full accordance with the approved Arboricultural Method Statement and Tree Protection Plan and tree protection measures shall be implemented in full before construction and demolition work in that Phase-Sub-Phase is commenced.

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

Archaeology

30 Reserved Matters applications for any Phase/ Sub-Phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, shall be accompanied by an Archaeological Written Scheme of Investigation for

a programme of archaeological work for approval under the terms of the Reserved Matters Application for that Phase/sub-phase including a programme of archaeological recording and analysis, a watching brief and details of the measures to be taken should any archaeological finds be discovered. The approved /watching brief and measures are to be undertaken throughout the course of the works affecting below ground deposits and are to be carried out by an appropriately qualified archaeologist. The subsequent recording and analysis reports shall be submitted to and approved in writing by the local planning authority before that phase of the development is brought into first use.

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

Contamination

31 (a) Notwithstanding the details submitted and otherwise hereby approved, prior to commencement of development of any Phase/sub-phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, an investigation and risk assessment must be submitted to and approved in writing by the Local Planning Authority. The risk assessment shall assess the nature and extent of any contamination affecting that Phase/sub-phase of the development and whether or not it originates on the site. The investigation and risk assessment must be undertaken by a competent person and must include:

- i. A survey of 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;
 - Groundwaters and surface waters;
 - Ecological systems;
 - Archaeological sites and ancient monuments; and
 - An appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

(b) Notwithstanding the details submitted and otherwise hereby approved, prior to commencement of development of any Phase/sub-phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, a detailed remediation scheme to bring the area within the phase/sub-phase to a condition suitable for the intended use by removing unacceptable risk to human health, buildings and other property and the natural and historical environment shall be 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, 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. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. This must be conducted by a competent person and in accordance with DEFRA and the Agency's 'Model Procedures for the Management of

Land Contamination CLR 11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

c) Notwithstanding the details submitted and otherwise hereby approved, prior to commencement of development of any Phase/sub-phase of the development hereby approved as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, the detailed remediation scheme approved under part (b) of this condition shall have been implemented in accordance with the approved timetable of works. The Local Planning Authority may give approval for the commencement of each Phase/sub-phase development prior to the completion of remedial measures when it is deemed necessary to do so in order to complete the agreed remediation scheme. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works in writing and with a written reply under the terms of this condition. Following completion of measures identified in the approved remediation, a verification report for each Phase/sub-phase that demonstrates the effectiveness of the remediation carried out must be produced. This must be conducted by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority. The verification report must be submitted to and approved in writing by the Local Planning Authority before the development is brought into use. For the avoidance of doubt, any remediation is to be remediated under the terms of this planning conditions in accordance with the timetable submitted to and approved in writing by the Local Planning Authority under the terms of this planning condition.

In the event that contamination is found at any time when carrying out a Phase/sub-phase of the approved development that was not previously identified, it must be reported in writing within 7 days to the Local Planning Authority. That Phase/sub-phase of the development must be halted until an assessment for that Phase/sub-phase has been undertaken in accordance with the requirements of part (a) of this condition, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, has been submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of part (b) of this condition. 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 for that Phase/sub-phase must be submitted to and approved in writing by the Local Planning Authority before that Phase/sub-phase of the development is brought into use.

No development of any Phase/sub-phase of the development hereby approved as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, shall take place until and unless 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.

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

Technical Assessment

32 Notwithstanding the proposed building height of Development Parcels for the development hereby approved and as identified on the Maximum Building Heights Parameter Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00005 Rev 06, each Reserved Matters Application for a Phase/sub-phase of the Development must be accompanied by an assessment of the impact of the development upon:

- a) the levels of daylight and sunlight at existing and proposed residential properties affected by that Phase/sub-phase of the development; and
- b) overshadowing of existing and proposed open spaces affected by that Phase/sub-phase of the development

which must accord with the recommendations of the GIA Daylight and Sunlight Assessment and Design Guidance 15720 dated 20 July 2020. The assessments must be approved in writing by the Local Planning Authority prior to commencement of each Phase/sub-phase.

Reason: To protect residents in the development and neighbouring the site from adverse impacts on daylight and sunlight to protect their amenities in accordance with Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Design and Townscape Guide (2009).

33 Notwithstanding the proposed building height of Development Parcels for the development hereby approved and as identified on the Maximum Building Heights Parameter Plan EQ-LDA-ZZ-XX-XX-DR-N-ST-00005 Rev 06, each Reserved Matters Application for a Phase/sub-phase of the Development must be accompanied by an assessment of the wind/micro-climate affecting that Phase/sub-phase of the development and any adjacent properties that do not form part of the development, which must accord with the conclusions of the Pedestrian Level Wind Microclimate Assessment 2001902 Rev C dated 29 June 2020. The assessments shall identify any necessary mitigation measures within that phase/sub-phase of the development and include a timetable for implementation. The assessments must be approved in writing by the Local Planning Authority prior to commencement of each Phase/sub-phase and any necessary mitigation must be implemented in accordance with the approved timetable.

Reason: To protect residents in the development and neighbouring the site from adverse impacts caused by wind to protect their amenities in accordance with Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Design and Townscape Guide (2009).

34 Notwithstanding the proposed building height of Development Parcels for the development hereby approved and as identified on the Maximum Building Heights Parameter Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00005 Rev 06, each Reserved Matters Application for a Phase/sub-phase of the Development must be accompanied by a Visual Impact Assessment which assesses the visual impact of the proposal of relevant viewpoints identified in the Townscape and Visual Impact Assessment (ES Chapter 8) dated July 2020. The assessments must be approved in writing by the Local Planning Authority prior to commencement of each Phase/sub-phase.

Reason: To protect visual amenity in accordance with Policy DM4 of the Development Management Document (2015) and policy DS2 of the SCAAP (2018).

Wheelchair Units

35 No above ground works shall take place within any phase/sub phase of the development hereby approved until and unless details have first been submitted to and approved in writing by the Local Planning Authority to show how 10%, as an aggregate across the scheme will be built in compliance with the building regulation M4(3) 'adaptable for wheelchair user dwellings' standard under the Building Regulations with all of the remaining dwellings complying with building regulation part M4(2) 'accessible and adaptable dwellings' standard under the Building Regulations or any equivalent standards which supersede these. The details submitted for any phase/sub-phase pursuant to the terms of this condition shall specify the number of dwellings within the relevant phase/sub phase to be built in compliance with the building regulation M4(3) 'adaptable for wheelchair user dwellings' standard under the Building Regulations. Each approved dwelling shall be constructed to comply with either building regulation M4(2) or M4(3) standards (or any equivalent standards which replace this) in accordance with the approved details prior to its first occupation.

Reason: To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework, (2012), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM8 and Design and Townscape Guide (2009).

Landscaping, Open Space and Access

36 The area of Public Open Space for the development hereby approved and as defined on the Land Use Parameter Plan (BEQ-LDA-ZZ-XX-XX-DR-N-ST-00004 Rev 08) shall as a minimum measure 0.70 hectares.

Reason: For the avoidance of doubt and in the interests of proper planning.

37 With the exception of demolition, site clearance and Preliminary Works, no development within any Phase/sub-phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, shall commence above ground level until and unless full details of both hard and soft landscape works for that phase/sub-phase have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details must include the following as a minimum:

- i. Proposed Finished Levels or Contours
- ii. Minor artefacts and structures
- iii. Details of Trees proposed and to be retained
- iv. Timetable for the Completion of the Hard and Soft Landscaping and Planting
- v. Evidence of Compatibility of Landscaping Scheme with the Proposed Drainage and Other Site Services
- vi. Details of external lighting
- vii. Details of green roof and brown roofs
- viii. Details of any boundary treatment
- ix. Details of wayfinding signage

The soft landscaping/planting within the area subject to outline approval (as defined within the red line shown on Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00001 Rev 03) within any Phase/sub-phase shall thereafter be carried out accordance with the approved timetable for the completion of hard and soft landscaping and planting unless otherwise approved under the terms of this planning condition. If any trees are removed or found to be dying, severely damaged or diseased within five years of planting them, they must be replaced with trees of a similar size and species as may be agreed with the Local Planning Authority.

Each of the buildings hereby approved within a Phase or Sub-Phase and consistent with Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 of the development hereby approved shall be provided with the necessary vehicular access, pedestrian access, drainage, footway and cycle access prior to full occupation, consistent with the approved Parameter Plans and accompanying LDA Design/dRMM Design Code BEQ-LDA-XX-XX-XX-RP-N-ST-00001 Rev 04 and in accordance with the approved timetable for completion of the hard and soft landscaping works approved under the terms of this condition.

The approved street lighting within the Phase/sub-phase granted planning permission consistent with the approved Parameter Plans and accompanying LDA Design/dRMM Design Code BEQ-LDA-XX-XX-XX-RP-N-ST-00001 Rev 04 shall be implemented in full prior to full occupation of that Phase/sub-phase or with respect to any other such timescales for that phase/sub-phase as may be submitted to and approved in writing by the Local Planning Authority in accordance with the approved timetable for completion of the hard and soft landscaping works approved under the terms of this condition.

Reason: In the interests of highway safety and amenity in accordance with the National Planning Policy Framework (2019), Policy CP3 of the Core Strategy (2007) and Policies DM3, DM8 and DM15 of Development Management Document (2015).

38 Details of the vehicular and pedestrian accesses for any Phase or Sub-Phase of the development hereby approved and consistent with Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 including details of the siting, size, dimensions and other details shown which are consistent with Access Parameter Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00009 Rev 05, or any subsequent update agreed under condition 19 of this consent, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that Phase/sub-phase of the development, save for demolition, site clearance and Preliminary Works. The development of that Phase/sub-phase shall be carried out and completed in full accordance with the approved details prior to full occupation of that Phase/sub-phase or any other such timescales for that Phase or Sub-Phase as may be submitted to and approved in writing by the Local Planning Authority prior to the first occupation within that Phase/sub-phase under the terms of this planning condition.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework (2019), Policy CP3 of the Core Strategy (2007) and Policies DM3, DM8 and DM15 of Development Management Document (2015).

39 Prior to first occupation of any part of any Phase/sub-phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, details of a Landscape Management Plan for the maintenance and management of the soft and hard landscaping for that Phase/sub-phase shall be submitted to and approved in writing by the Local Planning Authority. The landscaped areas shall thereafter be managed and maintained in accordance with the approved Landscape Management Plan. The Landscape Management Plan for that phase/sub-phase shall include details of how trees within that phase/sub-phase will be maintained during the initial three-year establishment period. The landscaped areas shall thereafter be managed and maintained in accordance with the approved Landscape Management Plan for the lifetime of the development.

Reason: in the interests of amenity in accordance with the National Planning Policy Framework (2019) and Policies KP2, CP3 and CP4 of the Core Strategy, Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

40 Prior to occupation of any Phase/sub-phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, shall commence until and unless a scheme showing the provisions to be made for all external lighting (excluding lighting associated with construction) for that Phase/sub-phase has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include details of:

- i. luminance;
- ii. spread of light;
- iii. location, position, design and specification of lighting;
- iv. timetable for implementation.

The development shall be carried out in accordance with those approved details and timetable and retained for the lifetime of the development.

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

Phase/sub-phase as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-

Ecological Management and Mitigation Plan

41 Prior to demolition of Quantock Tower, Pennine Tower, Malvern Tower and Chiltern Tower and commencement of development above ground level within any other XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, an Ecological Management and Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority. The Ecological Management Plan shall include details of the number, location and specifications of bat roosting features to be included within Phase 1 and any other relevant Phase/Sub-Phase. Areas and/or features the subject of the Ecological Management Plan and Mitigation Plan shall be managed and maintained in accordance with the approved Ecological Management Plan.

No development above ground level of any part of any Phase/sub-phase of the development hereby approved as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 shall be undertaken until the details of bird and invertebrate mitigation to be implemented as part of the Phase/Sub-Phase have been submitted to and approved in writing by the Local Planning Authority. The installation of these mitigation measures shall be carried out before that Phase/sub-phase of the development is occupied and shall be retained through the lifetime of the development.

Reason: To minimise the environmental impact of the development and to minimise the risk to protected species in accordance with Policies KP2 and CP4 of the Core Strategy (2007).

External Materials and Privacy

42 Save for Demolition, Site Clearance and Preliminary Works, prior to construction above ground level within any phase/sub-phase of the development as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, details of all external materials, including for walls, windows, doors, balconies, balustrades, soffits, parapets and all other external finishing materials shall have been submitted to and approved in writing by the local planning authority for that Phase/sub-phase. The Phase/sub-phase shall be implemented in accordance with the details approved under this condition before it is first brought into 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).

43 Notwithstanding the details shown in the plans submitted and otherwise hereby approved, the development hereby granted consent shall not be first occupied or brought into use unless and until plans are submitted to the Local Planning Authority and approved in writing which clearly specify all the windows and other openings in the development that are to be permanently glazed with obscured glass and fixed shut or provided with only a fanlight (or other similar) opening and the manner and design in which these windows and openings are to be implemented.

The development hereby permitted shall be implemented in full accordance with the details approved under this condition before it is first occupied or brought into use and shall be permanently retained as such thereafter. The windows included within such agreed scheme shall be glazed in obscure glass which is at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority. Top hung lights agreed within such scheme shall be a minimum of 1.7 metres above internal floor level. In the case of multiple or double-glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4. The windows shall be retained in accordance with the agreed details for the lifetime of the development.

Reason: To avoid overlooking and the resultant loss of privacy of the adjoining residential properties, in accordance with the National Planning Policy Framework, Core Strategy 2007 policies KP2 and CP4, and Development Management Document 2015 policy DM1 and advice contained within the Design and Townscape Guide

Drainage

44 Prior to commencement of development within any Phase/sub-phase as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, with the exception of demolition and Preliminary Works, in accordance with the Flood Risk Assessment and Drainage Strategy (Civic Engineers, 31st July 2020, Document Ref: BEQ-CIV-XX-XX-XX-RP-D-ST-00001) detailed design of a surface water drainage scheme incorporating the following measures for that Phase/sub-phase shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme for that Phase/sub-phase shall be carried out in full before that Phase/sub-phase is brought into use. The Scheme shall address the following matters:

- a) Provide evidence of infiltration tests in accordance with BRE365 and if infiltration is found to be viable provide information in relation to the potential for ground instability or deterioration in groundwater quality because of infiltration.
- b) Provide an updated drainage layout plan for each Phase/sub-phase indicating the dimensions, storage volumes, pipe sizes and gradients, manhole cover and invert levels, proposed discharged rates, flow controls and final discharge connection in accordance with the submitted calculations. Updated engineering plans shall be provided for each of the Sustainable Urban Drainage Systems (SuDS) and critical drainage elements, including the flow control features.
- c) Provide calculations for the entire SuDS system, including the pipe network, for the 1 in 1 year, the 1 in 30 year event, the 1 in 100 year event and the 1 in 100 year plus 40% climate change event.
- d) Provide information on the management of health and safety risks in relation to feature design.
- e) Provide a system valuation (including capital costs, operation and maintenance costs, cost contributions) and a demonstration of long-term economic viability.

- f) Provide confirmation of the party or parties responsible for maintenance of the SuDS system.
- g) Provide a method statement for the management of surface water runoff arising during the construction.
- h) Provide evidence of consent from Anglian Water to discharge at the proposed discharge rate and location(s).

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

45 Within each Reserved Matters Applications, a foul drainage strategy to serve that Phase/sub-phase of the development as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, shall be submitted to and agreed in writing by the Local Planning Authority prior to commencing that Phase/Sub-Phase.

The strategy shall include:

- a) A programme for implementation; and
- b) Details of future maintenance and management of the proposed foul drainage system.

The details shall comply with the approved Site wide foul drainage strategy. The approved details shall be implemented before the first occupation of the Phase/sub-phase concerned and be retained and maintained for the lifetime of the development thereafter.

Reason: To ensure the approved development provides satisfactorily for foul drainage in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2 and KP3.

Opening Hours

46 With the exception of those uses falling within Use Class E for the purposes of indoor sport, recreation or fitness principally serving visiting members of the public, all other Class E, B2 and Sui Generis uses hereby permitted shall only be permitted to be open to the public between the hours of 07.00 and 23.00 on any day.

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

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

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

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

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

49 Any application for Reserved Matters for any Phase/sub-phase pursuant to Condition 17 of this planning permission, must be accompanied by a specific Energy Strategy, for approval under the Reserved Matters Applications for that Phase/sub-phase that accords with the terms and objectives of the Energy Strategy (Better Queensway: Sustainability Statement, Mott MacDonald 17 July 2020) demonstrating how at least 10% of the total energy needs of that Phase/Sub-Phase is to be supplied using on site renewable sources. Where relevant, the specific Energy Strategy shall include details of flue heights and locations and use low NOx boilers. The specific Energy Strategy approved under that Reserved Matters submission shall be implemented in full prior to the first occupation of the building(s) to which it relates. The energy centre(s) and associated infrastructure shall be maintained and made available for use for the lifetime of the development.

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

50 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), and shall incorporate 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).

Designing Out Crime

51 With the exception of demolition, site clearance and Preliminary Works , no development of any Phase/sub-phase of the development hereby approved and as shown on Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 or a revision to this plan as approved under condition 19 of this consent shall commence above ground level until and unless a scheme showing the principles to be implemented to reduce the risk of crime and fear of crime for that Phase/sub-phase has been submitted to and approved in writing by the Local Planning Authority in consultation with the Police Designing out Crime Officer. That part of the development shall not be occupied until and unless the approved scheme for that part of the development has been fully implemented. The approved measures shall be maintained for the lifetime of the development.

Reason: To ensure the creation of a safe and secure environment in accordance with the National Planning Policy Framework, Core strategy Policies KP2 CP4 and CP6 and guidance in the Southend Design and Townscape Guide (2007)

Refuse and Recycling

52 No above ground development in any Phase or Sub-Phase of the development hereby approved and as shown on Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, shall be commenced until and unless details of refuse and recycling facilities and enclosures for that Phase or Sub-Phase of the development showing their design, location, capacity and external appearance have been submitted to and approved in

writing by the Local Planning Authority. The approved facilities and enclosures shall be provided and made available for use before the occupation of any part of the development that they are designed to serve and shall be maintained for the lifetime of the development.

Reason: To ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015) and Design and Townscape Guide (2009).

53 Prior to the first occupation of any part of any building approved under this permission, a Recycling/Waste Management Plan and Service Plan for that building shall be submitted to and approved in writing by the Local Planning Authority. The Recycling/Waste Management Plan and Service Plan shall include full details of the management and servicing arrangements for storage and collection of recycling and waste. Waste/recycling management and servicing of the building shall be implemented prior to occupation of each building in strict accordance with the approved details and maintained for the lifetime of the development.

Reason: To ensure that the development provides adequate refuse and recycling facilities in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015) and Design and Townscape Guide (2009).

Parking, Electric Vehicle Charging and Travel Plans

54 With the exception of demolition, site clearance and Preliminary Works , no development within a Phase or Sub-Phase of the development hereby approved and as shown on Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 5, or a revision to this plan as approved under condition 19 of this consent, shall take place until and unless details of the permanent and temporary car parking spaces including the accessible parking bays for the relevant part of the development and any scooter/motorbike parking within that Phase/sub-phase have been submitted to and approved in writing by the Local Planning Authority. Car parking shall be provided at an aggregate ratio of 0.70 spaces per dwelling, subject to review in accordance with any updated Car Park Management Plan(s) submitted pursuant to the terms of this condition. The approved parking spaces shall be provided and made available for use and the accessible parking bays shall be clearly marked with a British Standard disabled symbol prior to the occupation of that part of the development and shall be maintained for the lifetime of the development (unless it is temporary car parking to be removed in a subsequent phase) for the accommodation of vehicles of occupiers and visitors in relation to the dwellings within that phase or sub-phase and not used for any other purpose.

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

55 Prior to the occupation of any residential unit within a Phase or Sub-Phase of the development hereby approved and consistent with Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 a Car Parking Management Plan setting out the allocation and management of permanent, temporary and disabled car parking spaces, provision of two car club spaces (across the entirety of the development) and parking controls for that Phase or Sub-Phase shall be submitted to and approved by the local planning authority. The Car Parking Management Plan shall accord with the recommendations of the Civic Engineers Outline Parking Management Strategy dated 31 July 2020 or any subsequent plan approved by the Local Planning Authority within the

scope of this planning condition. Prior to the occupation of each part of the development the approved Car Parking Management Plan for that part shall be fully implemented and thereafter maintained for the lifetime of the development (unless it is temporary car parking to be removed in a subsequent phase). Any temporary car parking shall not be removed unless and until replacement parking is provided or a strategy and timetable for delivery of replacement car parking is submitted to and approved in writing by the Local Planning Authority.

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

56 With the exception of demolition, site clearance and Preliminary Works, no development within any Phase/sub-phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, shall commence above ground level until and unless details of the cycle parking facilities for that Phase/sub-phase have been submitted to and approved in writing by the Local Planning Authority. The submission shall include details of the security, monitoring and access arrangements for the cycle parking facilities for occupants and visitors. Cycle parking designed for residents shall be secured and covered. Cycle parking for commercial occupants and visitors shall be secured. The phase/sub-phase of development shall not be occupied until and unless the approved details for that part of the development have been implemented fully in accordance with the approved details and made available for use. Thereafter, the cycle parking facilities shall be permanently maintained for the lifetime of the development.

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

57 Prior to first occupation of any part of any Phase/sub-phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05), or a revision to this plan as approved under condition 19 of this consent, details of the number and location of electric car charging points to be installed for that Phase/sub-phase, including those to be installed within lamp columns, shall be submitted to and approved in writing by the Local Planning Authority. At least 20% of all permanent on-street and enclosed car parking spaces within each Phase shall have an electric charging point provided capable of charging vehicles from the outset (active provision) and the remaining car parking spaces shall each be future proofed so that electric charging points can be installed when demand requires, e.g. four-way duct and draw-pits to all service bays (passive provision). That part of the development shall be implemented in full accordance with the approved details before it is brought into use.

Reason: In the interests of providing sustainable transport choices in accordance with Policy KP2 and CP3 of the Core Strategy (2007) and DM2 and DM15 of the Development Management Plan (2015).

58 With the exception of demolition, site clearance and Preliminary Works, no development shall commence above ground level within any Phase or Sub-Phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, unless and until a detailed scheme for the areas proposed for adoption and for the management of on-street parking within that Phase or Sub-Phase, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that servicing and refuse vehicles will be able to access the relevant parts of the development in a safe manner. The approved scheme shall be fully implemented prior to full occupation of the relevant part of the development

and in accordance with a timetable approved under the terms of this condition and shall thereafter be maintained for the lifetime of the development.

Reason: In the interests of highway safety, the free flow of the local highway network and the amenities of nearby and surrounding occupiers pursuant to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015).

59 Each Reserved Matters Application for a Phase/sub-phase of the Development must be accompanied by a Travel Plan for that Phase/sub-phase of the development which accords with the guiding principles set out in the Master Travel Plan v1.1 dated 18 December 2020 or any subsequent updated/amendment to it approved in writing by the Local Planning Authority and a timeframe for the implementation for the Travel Plan. The approved Travel Plan measures shall be implemented in accordance with the approved timeframe and thereafter maintained for the lifetime of the development.

Reason: In the interests of sustainability and promoting non-car modes of transport in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policy DM15, and Design and Townscape Guide (2009).

Deliveries and Servicing

60 Prior to occupation of any commercial unit within the development hereby approved a Delivery and Servicing Plan for that commercial unit, to incorporate details of deliveries to the site, including size of vehicle, routing of deliveries, and times of deliveries shall have been submitted to and approved in writing by the Local Planning Authority. The use shall be operated solely in accordance with the approved Delivery and Servicing Plan and shall be maintained for the lifetime of the development.

Reason: To ensure that the development is satisfactorily serviced, and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015) and Design and Townscape Guide (2009).

Noise, Plant Machinery and Equipment

61 No plant machinery or equipment for the proposed non-residential uses hereby approved shall be installed until and unless full details of their location, design, appearance and technical specifications and a report detailing any mitigation measures proposed in respect of noise, odour and vibration impacts has been submitted to, and approved in writing by, the Local Planning Authority.

The details shall include a Noise Impact Assessment conducted by a competent person to assess the potential impact of the plant machinery and equipment to be installed (including for heating and ventilation of the building, entertainment noise including amplified music, film and speech and the extraction and control of fumes and odours). With reference to British Standard BS4142:2014+A1:2019 the specific sound level arising from all plant machinery and equipment shall be 10dBA below the prevailing background noise level measured and determined in accordance with the British Standard.

The installation of plant machinery and equipment shall be carried out in full accordance with the approved details and specifications and any required noise, odour and vibration mitigation measures shall be undertaken in accordance with the agreed details before the non-residential space concerned is brought into use

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

62 A. Each Reserved Matters Application for a Phase/sub-phase of the Development must be accompanied by a Noise Impact Assessment for approval assessing noise impacts on existing and proposed residential uses in accordance with the findings of Chapter 11 of the Environmental Statement (June 2020). The Noise Impact Assessment for the Phase/sub-phase shall include background noise levels for that Phase/sub-phase of the development as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 (or a revision to this plan as approved under condition 19 of this consent).

B. Internal ambient noise – each Phase/sub-phase shall be designed to ensure internal ambient noise levels for residential areas within that phase/sub-phase do not exceed the guideline values in British Standard BS8233:2014 and as stated at Table 11.1 of Chapter 11 of the Environmental Statement. A detailed scheme of sound insulation measures to achieve these internal ambient noise levels shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of each Phase/sub-phase hereby approved. The detailed scheme shall include:

1. details of any necessary façade sound insulation measures to achieve these internal ambient noise levels; and
2. details of ventilation measures in the form of Mechanical Extract Information and/or Mechanical Ventilation with Heat Recovery in order to meet the requirements of Building Regulations Approved Document F “Ventilation” (or subsequent amendments).

C. External amenity spaces – the design and layout of each phase/sub-phase shall seek to protect external amenity spaces (balconies of not less than 5sq.m, roof terraces and landscaped podium areas) against externally generated transportation noise sources including road and rail in accordance with the findings of Chapter 11 of the Environmental Statement (June 2020).

Any mitigation measures required by Parts B and C of this planning condition shall be completed in accordance with the approved details before the relevant dwellings within each Phase/sub-phase are occupied and shall thereafter be retained as approved for the lifetime of the development.

Reason: In the interest of the residential amenity of nearby occupiers and occupiers of the development during its construction 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).

Roof Apparatus and London Southend Airport

63 Notwithstanding the provisions 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, no satellite antenna, apparatus or plant of any sort (including structures or plant in connection with the use of telecommunication systems or any electronic communications apparatus) shall be erected on the site or roof of any building within the development hereby approved unless and until details of their purpose size and location have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details in consultation with the Airport Authority under the terms of condition.

Reason: In the interests of aviation safety in accordance with Development Management Document (2015) Policy DM4.

64 Prior to above ground works within any Phase or Sub-Phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 confirmation that the Phase or Sub-Phase complies with the relevant Instrument Flight Procedures of the Airport Authority shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Airport Authority.

Reason: In the interests of aviation safety in accordance with Development Management Document (2015) Policy DM4.

65 Prior to the commencement of development within any Phase or Sub-Phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 details of cranes to be used in the construction of that Phase or Sub-Phase shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Airport Authority. The details shall include the location of cranes and maximum heights in order to allow the Airport Authority to undertake further assessment prior to commencement of development. Thereafter cranes shall only be operated in accordance with the approved details.

If additional cranes are required following commencement of development, or revised crane heights or locations are subsequently sought, the revised details shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Airport Authority prior to the first operation of the relevant cranes.

All cranes required for construction must be limited to operate no taller than 114.2m AOD unless the Airport Authority has been notified of any cranes proposed to operate over 114.2m AOD and the proposed maximum crane heights and locations have been reviewed and approved by the Local Planning Authority in consultation with the Airport Authority prior to the first operation of the cranes.

Reason: In the interests of aviation safety in accordance with Development Management Document (2015) Policy DM4.

CCTV

66. Prior to the first occupation of any Phase/sub-phase of the development hereby approved, details of a CCTV scheme to serve the external areas of that Phase/sub-phase of the development shall be submitted to and agreed in writing with the Local Planning Authority. The details shall include the location and design of CCTV equipment (including CCTV to cover the car park areas), its management, monitoring of activity, policing and maintenance. The installation of the CCTV shall be carried out in accordance with the approved details before that Phase/sub-phase of the development hereby approved is first occupied or brought into first use. The CCTV shall thereafter be operated in accordance with the approved details and shall be maintained permanently for the lifetime of the development.

Reason: To safeguard character and appearance of the area and amenities of neighbouring occupiers and for safety and crime prevention in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

Public Art

67 Prior to commencement of the development above ground within the Phases/Sub-Phases containing Porters Park, Coleman Gardens and All Saints Square, details of the

provision of public art, including a strategy for provision, within these phases/sub-phases, shall be submitted to and approved in writing by the Local Planning Authority. The public art shall be provided within each of the relevant Phases/Sub-Phases prior to first occupation of that Phase/sub-phase.

Reason: To comply with policies KP2 and CP4 of the Core Strategy (2007), Policy DM1 of the Development Management Document (2015) and Policy PA4 of SCAAP (2018).

Permitted Development

68 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.

No satellite antenna, apparatus or plant of any sort (including structures or plant in connection with the use of telecommunication systems or any electronic communications apparatus) shall be erected on the site or roof of any building within the development hereby approved unless and until details of their purpose size and location have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details in consultation with the Airport Authority.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties, to safeguard the character of the area and in the interests of aviation safety in accordance the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and DM4, and the Southend Design and Townscape Guide (2009).

Unilateral Undertaking

69 No development shall commence on any phase of the development or part of the development until that phase or part thereof has been bound (which for the avoidance of doubt excludes public highway) by a Section 106 Agreement containing the same terms as the agreed form Section 106 agreement annexed to the Section 106 Unilateral Undertaking dated [TBC] to the satisfaction of the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

(c) In the event that the unilateral undertaking referred to in part (a) above has not been completed before 30 June 2021 or an extension of this time as may be agreed by the Interim Director of Planning to refuse planning permission for the application on grounds that the development will not secure the necessary contributions as in part (a) above and further detailed in Appendix 6. As such, the proposal would be contrary to National Planning Policy Framework (2019) and policies CP3, CP6, CP7 and CP8 of the Core Strategy (2007) DM7, DM8 and DM15 of the Development Management Document (2015) and policies DS5 and PA4 of the SCAAP (2018).

Chair: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 7th April, 2021
Place: Virtual Meeting via MS Teams

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Present: Councillor N Ward (Chair)
Councillors M Borton (Vice-Chair), B Ayling, J Beck, A Chalk,
D Cowan, A Dear, M Dent, F Evans, D Garston, S Habermel,
D Jarvis, A Jones, C Mulroney, A Thompson, S Wakefield and
C Walker

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

Start/End Time: 3.00 pm - 6.00 pm

949 Apologies for Absence

There were no apologies of absence for this meeting.

950 Declarations of Interest

The following declarations of interest were made at the meeting:

All Committee Members – Agenda Item No. 20 (21/00383/FULH - The Lodge by The Bridge, Eastern Avenue) – Non-Pecuniary Interest: The applicant is a fellow Councillor.

All Committee Members – Agenda Item No. 21 (21/00199/FULH - 1 Highwood Close, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is a fellow Councillor.

Cllr Ayling – Agenda Item No. 20 (21/00383/FULH - The Lodge by The Bridge, Eastern Avenue) – Pecuniary Interest: Cllr Ayling is the applicant for this application (withdrew).

Cllr Beck – Agenda Item No. 20 (21/00383/FULH - The Lodge by The Bridge, Eastern Avenue) – Non-Pecuniary Interest: A complaint was made against her in relation to this application and one of the objectors is also known to her (took no part in the voting thereon).

Cllr Borton – Agenda Item No. 20 (21/00383/FULH - The Lodge by The Bridge, Eastern Avenue) – Disqualifying Non-Pecuniary Interest: Has received communication from an objector who is known to her (withdrew).

Cllr Borton – Agenda Item No. 11 (20/02012/AMDT - The Forum, Elmer Approach, Southend on Sea) – Non-Pecuniary Interest: Is a governor at Milton Hall Primary School, which is close to the application site.

Cllr Buck – Agenda Item No. 21 (21/00199/FULH - 1 Highwood Close, Leigh-on-Sea) – Pecuniary: Cllr Buck is the applicant for this application (withdrew).

Cllr Cowan – Agenda Item No. 20 (21/00383/FULH - The Lodge by The Bridge, Eastern Avenue) – Disqualifying Non-Pecuniary Interest: The applicant has made a formal complaint against him (withdrew).

Cllr Dent – Agenda Item No. 20 (21/00383/FULH - The Lodge by The Bridge, Eastern Avenue) – Disqualifying Non-Pecuniary: The applicant has a formal complaint about him and one of the objectors is known to him (withdrew).

Cllr Dear – Agenda Item No. 18 (20/02157/FUL - 34 Elmsleigh Drive, Leigh-on-Sea) – Non-Pecuniary Interest: Has received and an email from the applicant.

Cllr Garston – Agenda Item No. 12 (20/02071/AMDT - The Esplanade, Western Esplanade) – Non-Pecuniary Interest: The application sight is within sight of his son's property.

Cllr Garston – Agenda Item No. 20 (21/00383/FULH - The Lodge by The Bridge, Eastern Avenue) – Disqualifying Non-Pecuniary Interest: A complaint has been made about a comment made regarding the application (withdrew).

Cllr Garston – Agenda Item No. 21 (21/00199/FULH - 1 Highwood Close, Leigh-on-Sea) – Disqualifying Non-Pecuniary Interest: The applicant is a fellow ward councillor and a close friend (withdrew).

Cllr Jones – Agenda Item No. 10 (21/00217/BC3M - Chalkwell Hall Infants School, London Road) – Disqualifying Non-Pecuniary Interest: The applicant relates to a Council premises and is the relevant Cabinet Member (withdrew).

Cllr Jones – Agenda Item No. 20 (21/00383/FULH - The Lodge by The Bridge, Eastern Avenue) – Disqualifying non-pecuniary interest: One of the objectors is known to her (withdrew).

Cllr Jones – Agenda Item No. 22 (18/00228/UNAU_B - 2 Crowstone Close, Westcliff-on-Sea) – Non-Pecuniary interest: A neighbour to the application property is known to her.

Cllr Mulroney – Agenda Item No. 19 (21/00075/FUL - 119 Southsea Avenue, Leigh-on-Sea) – Non-Pecuniary Interest: Is a non-planning member of Leigh Town Council. Cllr Mulroney also lives on the same road but some distance from the application site.

Cllr Mulroney – Agenda Item No. 20 (21/00383/FULH - The Lodge by The Bridge, Eastern Avenue) – Disqualifying Non-Pecuniary Interest: Cllr Mulroney has previously expressed a view on this application (withdrew).

951 Minutes of the Meeting held on Wednesday 9th December 2020

Resolved:-

That the Minutes of the Meeting held on Wednesday, 9th December 2020 be confirmed as a correct record and signed.

952 Minutes of the Meeting held on Wednesday 6th January 2021

Resolved:-

That the Minutes of the Meeting held on Wednesday, 6th January 2021 be confirmed as a correct record and signed.

953 Minutes of the Meeting held on Wednesday 3rd February 2021

Resolved:-

That the Minutes of the Meeting held on Wednesday, 3rd February 2021 be confirmed as a correct record and signed.

954 Minutes of the Meeting held on Wednesday 3rd March 2021

Resolved:-

That the Minutes of the Meeting held on Wednesday, 3rd March 2021 be confirmed as a correct record and signed.

955 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.

956 20/01396/FULM - Victoria House, 47 Victoria Avenue, Southend on Sea (Victoria Ward)

Proposal: Erect two storey extension to form seventh and eighth floor comprising of 11 self-contained flats, with associated parking, bin and cycle stores.

Applicant: Aldel Designs Ltd

Agent: Mr Alan Gloyne of SKArchitects

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 approved shall be carried out in accordance with the approved plans: 470-P01 REV D, 470-P02 REV C, 470-P03 REV B, 470-P04 REV B, 470-P05 REV C, 470-P06 REV A, 470-P07 REV A, 470-P08 REV F, 470-P09 REV C, 470-P10 REV B, 470-P11 REV E, 470-P12 REV E, 470-P13 REV E, 470-P14 REV E.

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

Design and related conditions

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

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).

Living Conditions related conditions

04 The dwellings hereby approved shall not be brought into first use unless internal storage space has been provided and made available on site in accordance with the approved floor plans 470 P11 REV E and 470 P12 REV E, or alternative details which have previously been submitted and approved by the Local Planning Authority pursuant to this condition.

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).

05 Prior to its first occupation, each approved dwelling shall be constructed to comply with either building regulation M4(2) or M4(3) in accordance with the approved floor plans 470 P11 REV E and 470 P12 REV E, which show all flats complying with building regulation M4(2) save for the eighth floor eastern flat and seventh floor north-eastern flat which are shown to comply with building regulation M4 (3).

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).

06 Notwithstanding the details shown in the plans submitted and otherwise hereby approved the development hereby granted planning permission shall not be occupied unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify the size, design, obscurity, materials and location of all privacy screens to be fixed to the building, including around the proposed roof terrace and on balconies where needed. Before the development hereby approved is occupied the privacy screens shall be installed 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 future occupiers and adjoining residents and the character and appearance of the area and to ensure that the development complies with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Design and Townscape Guide (2009).

Impact on residential amenity of neighbours

07 No development shall take place, including any works of demolition, unless and until a Demolition and Construction Management Plan and Strategy (to include Noise and Dust Mitigation Strategies) has been submitted to and approved by the Local Planning Authority pursuant to this condition. The approved Demolition and Construction Management Plan and Strategy shall be adhered to in full throughout the construction period. The Strategy shall provide, amongst other things, for:

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding
- v) measures to control the emission of dust, dirt and noise during construction
- vi) a scheme for recycling/disposing of waste resulting from construction works that does not allow for the burning of waste on site.
- vii) a dust management plan to include mitigation and boundary particulate monitoring during demolition and construction.
- viii) details of the duration and location of any noisy activities.

Reason: 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).

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

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

09 The north facing (side) windows of the development hereby approved shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or 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 internal area which it serves. In the case of multiple or double-glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4. The windows shall be retained in line with these details in perpetuity.

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

Highways

10 Prior to the first occupation of the residential units hereby approved, eight additional parking spaces as shown on the approved plan 470-P08 REV F shall be 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 development hereby approved and their visitors.

Reason: To ensure the provision of adequate parking in accordance with National Planning Policy Framework (2019), Policy CP3 of the Core Strategy (2007) and Policies DM3, DM8 and DM15 of Development Management Document (2015).

11 Prior to the first occupation of the residential units hereby approved the twenty-one (21) additional cycle parking spaces as shown on the approved plan 470-P09 REV B shall be provided on site. The cycle parking spaces shall be retained for the benefit of the future occupiers of the approved development in perpetuity.

Reason: To ensure the provision of adequate cycle parking in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policy CP3 and Development Management Document (2015) Policies DM3, DM8 and DM15.

Waste management

12 The development hereby approved shall not be brought into first use unless and until at least ten recycling (1100l) containers, seven residual waste (1100l) containers and five food waste (140l) containers have been provided on site and made available for use in line with the details shown in approved plan 470-P08 REV F. The provision of the waste storage facilities shall be retained in perpetuity. The development hereby approved shall accord with the waste management details approved for the site under application 17/02163/AD.

Reason: To ensure the provision of adequate waste, recycling and food waste storage and in the interest of visual amenity in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policies DM1, DM3, DM8 and DM15, and the advice contained within the National Design Guide (2019), the Design and Townscape Guide (2009), and the Waste Storage, Collection and Management Guide for New Developments (2019).

Drainage

13 Notwithstanding the information submitted, the details shown on the plans submitted and otherwise hereby approved, no drainage related works shall take place on site associated with this planning permission unless and until a drainage and surface water management strategy incorporating principles for Sustainable Drainage Systems (SuDS) has been submitted to and approved by the Local Planning Authority. The drainage and surface water management strategy shall be implemented in full accordance with the details approved pursuant to this condition before the development hereby approved is first occupied or brought into first use.

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

Energy and water sustainability

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 (lppd) (110 lppd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting 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).

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 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 to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters can be found on the Planning Portal (www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy) or the Council's website (www.southend.gov.uk/cil).

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

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

957 20/01726/BC3M - Garages at Eagle Way, Shoeburyness (Shoeburyness Ward)

Proposal: Demolish former disused garage sites to rear of 16 Eagle Way (Site 1A) and former compound site (Site 1B) and redevelop sites comprising of 5 terrace dwellinghouses with associated parking and amenity space (site 1A) and erect four storey block of 16 self-contained flats with communal garden and cycle store to rear, lay out associated parking and form additional vehicular access to north of site (1B) on to Eagle Way

Applicant: Southend on Sea Borough Council

Agent: AK Design Partnership LLP

Resolved: -

That PLANNING PERMISSION be GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans 4760.111 PL8, 4760.113 PL2, 4760.116 PL6, 4760.117 PL3, 4760.118 PL4

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

03 No development can commence unless and until a scheme for securing the timing and delivery of all of the dwellings hereby approved (21 dwellings) as affordable dwellings, including their location, tenure and mix has been submitted to and approved in writing by the Local Planning Authority. Such a scheme must include a suitable means to secure the continuing provision of the 21 units as affordable housing. No housing in the scheme can be occupied until it has been built and management handed over to South Essex Homes in accordance with the terms set out in the scheme approved under this condition.

Reason: A pre-commencement condition is necessary to ensure that the affordable housing is secured for the lifetime of the development in accordance with Core Strategy (2007) Policies CP6 and CP8.

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 a brick sample and full product details of the materials to be used on all the external elevations, including walls, roof, doors and windows, balconies, canopies, soffits and boundaries have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details before it is brought into use.

Reason: To safeguard the visual amenities of the area, in accordance with the National Planning Policy Framework (2019) Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

05 The 44 car parking spaces, including 6 disabled car parking spaces and the associated vehicular access for the spaces to access the public highway, shown on approved plans 4760.111-PL8 and 4760.116-PL6 shall be provided and made available for use at the site prior to the first occupation of the dwellings hereby approved. The car parking spaces noted on the approved plan and the associated vehicular access to and from the public highway shall thereafter be permanently retained as such.

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

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

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

07 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above a ground floor slab level shall take place until full details of both hard and soft landscape works and proposed boundary treatment have been submitted to and approved in writing by the local planning authority. These details shall include:

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

The hard landscaping shall be implemented in full accordance with the approved details before the development is occupied or brought into use. The soft landscaping shall be completed before the end of the first planting season following first occupation of the building. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and policies DM1 and DM3 of the Development Management Document (2015) and advice contained within the Southend Design and Townscape Guide (2009).

08 Prior to the commencement of development the tree protective fences as shown on plan reference 4760-118-PL4 shall be installed. The protective measures shall remain in place throughout the construction phase of the development. Implementation of the development shall be undertaken only in full accordance with British Standard 3998 and British Standard 5837 including supervision of works by a qualified arboriculturalist.

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

09 The first-floor windows on the side elevation of house plot 5 shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and fixed shut up to a height of not less than 1.7m above first floor level before the occupation of the dwellings hereby approved and shall be retained as such in perpetuity. In the case of multiple or double-glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

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

10 The flatted development hereby approved shall not be occupied or brought into use until the refuse and recycling storage facilities are provided and made available for use by the occupiers in full accordance with the details shown on approved drawing number 4760.118 PL4 or any other details that have been previously submitted to and agreed in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained as such thereafter.

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

11 The flatted development hereby approved shall not be occupied or brought into use until the cycle storage facilities are provided in full and made available for use by the occupiers in accordance with the details shown on drawing number 4760.118 PL4 or any other details that have been previously submitted to and agreed in writing by the Local Planning Authority. The cycle storage facilities shall be permanently retained as such thereafter.

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

12 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:

- a) The parking of vehicles of site operatives and visitors
- b) Loading and unloading of plant and materials
- c) Storage of plant and materials used in constructing the development

- d) The erection and maintenance of security hoarding including measures to ensure the protection of the existing grass verges to the north section of the site to be retained.
- e) Measures to control the emission of noise, dust and dirt during construction
- f) 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).

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

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

14 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, including the Drainage Strategy Report reference 200372 dated Dec 2020 and associated Drainage Plans references DBS200372-01A, DBS200372-02, DBS200372-03, DBS200372-04, the development hereby permitted shall not be commenced other than for demolition works unless and until the remaining information required in relation to sustainable drainage at the site has been submitted to and approved in writing by the local planning authority. The following additional information on the proposed sustainable drainage system shall be provided:

- a) The proposed drainage strategy for the permeable pavement elements should be assessed based on the infiltration results. It should be noted that permeable pavement systems are compatible with low infiltration soils but different construction details may be required.
- b) The design and statement should incorporate further consideration to other applicable types of SuDS (e.g. permeable pavement in car park spaces, green roofs, raingardens, swales, etc). Where these are not implemented, a valid justification should be provided.
- c) A plan showing the areas positively drained into the system should be provided.
- d) The type and location of flow control device should be shown on the plan.
- e) Exceedance flow routes should be shown on the plan.
- f) Construction details of permeable pavement, underground storage and flow controls should be provided.
- g) Calculations or justification should be provided to confirm that the proposed discharge is below the pre-development discharge rates.
- h) Evidence of acceptance from Anglian Water is required for the discharge.
- i) Evidence of acceptance from Anglian water is required for the two sewer diversions.
- j) Confirmation is required that no additional catchment area is proposed to be discharged into the sewer in relation to the pre-development status.

- k) The method used to calculate the attenuation storage calculation (BRE Digest 365) is only applicable to infiltration systems. An acceptable calculation method for attenuation storage (see chapter 24 in CIRIA SuDS Manual C753) should be used and detailed calculations provided.
- l) The statement should incorporate a section on water quality.
- m) Apart from the sewer diversions, the drainage strategy does not include the proposals for the foul drainage on the site. These proposals should be included in the report and drawing.
- n) Details of management of health and safety risks in relation to the drainage design should be provided.
- o) A method statement detailing the effect of surface water during the construction phase should be provided.
- p) A SuDS Management Plan should be provided and should include details of the body who will be responsible for the drainage maintenance, the required maintenance activities, the maintenance schedules and any access points and easements.

The approved scheme shall be implemented in accordance with the approved details before the development is occupied or brought into use and be maintained as such thereafter in perpetuity.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework (2019), Policy KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015)

15 Prior to occupation of the dwellings hereby approved, appropriate water efficient design measures as set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to not more than 105 litres per person per day (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 (2019), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and advice contained within the Southend Design and Townscape Guide (2009).

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

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

17 The development hereby approved shall be carried out in a manner to ensure that at least 10% of the dwellings, a minimum of 3 units, comply with building regulation M4(3) 'wheelchair user dwellings' and the remaining dwellings comply with building regulation M4 (2) 'accessible and adaptable dwellings' before it is occupied.

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

18 The development shall be carried out in full accordance with the recommendations set out in Sections 15.1 and 15.4 of the Combined Phase I and Phase II Site Investigation Report by agb Environmental reference P3220.1.0 dated 20 December 2018 before the development is occupied, including undertaking a watching brief by a competent person during any below ground works in accordance with the steps set out in paragraphs 15.1.2 and 15.4.2 If, during the development, land contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further works shall be carried out until a method statement detailing a scheme of mitigation for dealing with the additional contamination has been submitted to and agreed in writing with the Local Planning Authority. The approved scheme of additional contamination mitigation shall be implemented in full before the development is occupied.

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

19 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 dwellinghouses (plots 1-5) hereby approved specified within Schedule 2, Part 1, Classes A, B, D and E of the Town and Country Planning (General Permitted Development) Order 2015 without the receipt of express planning permission in writing from the Local Planning Authority.

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

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

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

Informatives:

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

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

03 The applicant is advised that the appropriate highways licences should be obtained prior to the commencement of the development.

04 The applicant is advised that the commitment to seek the nationally recognised security accreditation is welcomed by Essex Police and the applicant is invited to contact Essex Police who can provide support for this application at designingoutcrime@essex.police.uk

05 The applicant is advised that Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence. Please contact Anglian Water at planningliaison@anglianwater.co.uk Reference 167627/1/0110592.

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.

958 21/00217/BC3M - Chalkwell Hall Infants School, London Road (Chalkwell Ward)

Proposal: Demolish two existing portacabins and erect a single storey classbase building comprising of 3 classrooms with ancillary space

Applicant: Ms Sarah Clements

Agent: Southend Borough Council

Sara Walsh spoke as an objector to the application. Drew Jones spoke as a respondent.

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 P01, P02, P03B, P04, P05B, P06, P07

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

03 The materials for the external surfaces of the development hereby approved shall be as shown on plan reference P05B, or any other details which have previously been submitted to and agreed in writing with the local planning authority under the terms of this condition, before the development is first brought into use.

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

04 The hard and soft landscaping and boundary treatment fronting Sunningdale Avenue shall be carried out in full accordance with the proposed landscaping details shown on plan reference P03B and the email from agent dated 10.03.21, or any other details that have previously been submitted to and approved in writing by the local planning authority. The boundary treatment between the south-west corner of the building and the boundary with 29/29a Sunningdale Avenue shall be raised to be a minimum of 2.1m in height. The hard landscaping shall be carried out prior to occupation of the development hereby approved. The soft landscaping shall be carried out within the first planting season following completion of the development (October to March). Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.

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

05 The approved Construction Management Plan dated 04.03.21 shall be fully adhered to throughout the construction period or any other Construction Management Plan which has been previously submitted to and agreed in writing with the local planning authority under the terms of this condition.

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).

06 Prior to the commencement of development, the protection measures for the street tree to the front of the site on Sunningdale Avenue shall be implemented in full accordance with the details set out on plan reference P05B or any other tree protection measures which have been previously submitted to and agreed in writing with the local planning authority under the terms of this condition. The protective hoarding shall be maintained throughout the construction of the development.

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

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

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

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

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

09 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, and in accordance with the Drainage Plan drawing reference H14500.D1, the development hereby permitted shall not be commenced other than for demolition works unless and until a detailed design of a surface water drainage scheme and surface water management strategy has been submitted to and approved in writing by the local planning authority. The details submitted shall include, but not limited to:-

- a) A SuDS/drainage statement. This should include information on how the proposed drainage design satisfies SuDS in terms of water quality, attenuation and discharge quantity for the lifetime of the development.
- b) Evidence in the SuDS statement of consideration for infiltration (with ground investigation data or records) and connection to a watercourse.
- c) Evidence of consideration of appropriate source control measures as rainwater harvesting, green, blue or brown roofs with appropriate justification when these have not been implemented.
- d) Confirmation of the acceptance from Anglian Water on the proposed indirect connection into the sewer.

- e) A detailed drainage plan including positively drained areas (permeable and impermeable), final sizing of proposed SuDS and drainage systems, points of connection, discharge restrictions/flow controls and failure/exceedance overland flow routes. The applicant should confirm on the plan if pumping is required. The drainage design should consider that construction phase activities may compromise the below ground surface water drainage infrastructure and take necessary precautions to prevent and/or repair damage.
- f) Calculations of the attenuation storage for the 1 l/s restriction up to 1 in 100 year storm (including 40% climate change).
- g) Details of the body that will be responsible for the maintenance of proposed SuDS/drainage throughout the lifetime of the development. The applicant should also provide a management statement to outline the required maintenance for the site and a maintenance schedule
- h) Information should be provided in relation to the management of Health and Safety Risks arising from the proposals.

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 prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework (2019), Policy KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015)

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

Informatives

01 You are advised that in this instance the chargeable amount for the Community Infrastructure Levy (CIL) has been calculated as zero due to the specific nature of the proposal.

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

03 The applicant is advised that a highways licence from the Council may be required in relation to scaffolding works and skips.

04 Due to the presence of Cadent and/or National Grid apparatus in the vicinity of the site the applicant is advised to contact the Cadent Plan Protection Team via email at plantprotection@cadentgas.com or by telephone on 0800 688588 reference NL_GE4A_3NWP_028393 prior to commencement of the works.

05 If a crane or piling rig is required to construct the development, the applicant is required to contact London Southend Airport so that a safeguarding assessment can be undertaken. Any crane applications should be directed to sam.petrie@southendairport.com

959 20/02/2012/AMDT - The Forum, Elmer Approach, Southend on Sea (Milton Ward)

Proposal: Vary condition 18 of planning application 11/00790/BC3M dated 17/08/2011 to extend opening times to central ground floor and first floor areas to be used as a safe haven hub (Minor material amendment to Planning Permission 11/00790/BC3M dated 17/08/2011)

Applicant: Mr Mark Murphy

Agent: Mr Neil Pointer of Southend on Sea Borough Council

Resolved: -

That PLANNING PERMISSION be GRANTED subject to the following conditions:

01 The development hereby permitted shall be retained in complete accordance with the plans approved under planning application 11/00790/BC3M: Location Plan 010A, Proposed Layout and Elevations of Substation and Bin Store 115, Proposed Sections C-C/D-D 111G, Proposed Sections A-A/B-B 110J, Roof Plan D102K, Proposed First, Second and Third Floor 101Q, Proposed Lower Ground and Ground Floor 100P, Existing Site Section C-C/D-D 021A, Existing Site Section A-A/B-B 020 A, Landscaping Plan 013, Proposed Site Plan 012, Existing Site Plan 011 A, Proposed Elevations G-G/H-H 114B, Proposed Elevation E-E/F-F 113N.

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

02 Waste management at the site shall be carried out in accordance with the strategy submitted and approved under application 13/01233/FUL.

Reason: To protect the environment and ensure adequate and appropriate storage, recycling and collection of waste resulting from the development in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policies DM1, DM3, DM8 and DM15, and the advice contained within the National Design Guide (2019), the Design and Townscape Guide (2009) and the Waste Storage, Collection and Management Guide for New Developments (2019).

03 Servicing shall take place in accordance with the strategy submitted and approved under application 13/01233/FUL.

Reason: To ensure that the development does not have a detrimental impact on the surrounding highway network in accordance with the National Planning Policy Framework, Policy CP3 of the Core Strategy (2007) and Policies DM3 and DM15 of Development Management Document (2015).

04 The scheme of public art installed on site must be permanently retained on this site and not moved or removed.

Reason: To secure the provision of public art and in the interests of visual amenity in accordance with Policies KP2 and CP4 of the Core Strategy (2007), and the advice contained in the Design and Townscape Guide (2009).

05 The environmental sustainability measures as installed on site must be permanently retained.

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).

06 Other than the external lighting approved under application 13/01014/AD, no additional external lighting shall be installed within any part of the site without express planning permission having first been obtained from the Local Planning Authority.

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).

07 All equipment installed as part of the scheme to control the emission of fumes and smell from the premises shall be operated and maintained in accordance with the manufacturer's instructions in perpetuity.

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

08 The ventilation system installed on site shall not be altered without express planning permission having first been obtained from the Local Planning Authority.

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

09 The space laid out within the site for 78 bicycles to be parked shall be permanently retained for cycle parking for the lifetime of the development.

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

10 The building subject of this permission shall be open for use only in accordance with the hours set out on the approved plan 'Hours of Operation' drawing number D 301 rev A.

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 signs(s) or advertisements(s) shall be displayed on the building subject of this permission or within the public square without the express consent of the local planning authority, notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007 or any equivalent provision in any statutory revoking and re-enacting those Regulations.

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).

12 Following the first ten Category C and E events and the first Category A, B and D events held within the public square the management plan for the screen and the public square shall be reviewed taking into account any necessary mitigation measures identified during the assessment monitoring. No further events shall take place until this plan has been submitted to and approved in writing by the LPA and mitigation measures implemented.

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).

13 During each of the first 10 Category C and E events held within the public square noise monitoring and assessment shall be carried out per the recommendations of the acoustic assessment produced by Hoare LEA, dated 15/8/11. The results of the monitoring and assessment together with details of any necessary noise mitigation measures, including where necessary restrictions on hours of operation, or limits on the number of events, shall be subsequently submitted to the LPA for approval and any identified mitigation measures shall be implemented prior to any further events taking place.

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).

14 During each of the first Category A, B and D events held within the public square, noise monitoring and assessment shall be carried out per the recommendations of the acoustic assessment produced by Hoare LEA, dated 15/8/11. The results of the monitoring and assessment together with details of any necessary noise mitigation measures, including where necessary restrictions on hours of operation, or limits on the number of events, shall be subsequently submitted to the LPA for approval and any identified mitigation measures shall be implemented prior to any further events taking place.

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).

15 Amplified music and speech from the approved screen shall be limited to background noise levels during hours of operation unless prior written approval from the Local Planning Authority has been given for a specific event.

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).

16 The acoustic barrier shall be permanently retained in perpetuity in accordance with the details approved with application 13/00921/AD.

Reason: To protect the amenities of people in neighbouring properties and general environmental quality, and in the interests of visual amenity, in accordance DPD1 (Core Strategy) 2007 policy KP2 and CP4, and Borough Local Plan 1994 policy H5, U2; and C11, and SPD1 (Design and Townscape Guide).

Informatives:

1 No additional floorspace is proposed to be created with this application and as such the development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended).*

960 20/02071/AMDT - The Esplanade, Western Esplanade (Milton Ward)

Proposal: Application to vary conditions 02 (approved plans), 03 (materials), 04 (hard and soft landscaping), 06 (car park and access), 07 (cycle parking), 13 (renewable energy), 21 (noise assessment), 28 (land contamination), 29 (tree protection), 30 (demolition method), 31 (structural survey) and 33 (details of green roof) to allow for changes to roof to incorporate kitchen ventilation plant, amend tree planting, change front entrance ramp, additional mezzanine link over vehicle access and green roof specifications (Minor Material Amendment of planning permission 17/02266/FULM dated 05/09/2018)

Applicant: Clifftown Shore Developments Ltd

Agent: Mr Paul Haggis of Strutt & Parker

Resolved: -

(a) DELEGATE to the Interim Director of Planning or Group Manager Planning & Building Control to GRANT PLANNING PERMISSION subject to conditions following the completion of a variation of the AGREEMENT UNDER SECTION 106 of the Town and Country Planning Act 1990 (as amended) to secure that the provisions of the existing section 106 agreement remain in force under this new planning permission.

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

01 The development shall be carried out in accordance with the approved plans: 8531-01 P1, 8531-02 P1, 8531-03 P1, 8531-04 P1, 8531-05 P1, 8531-06 P4, 8531-07 P4, 8531-08 P3, 8531-09 P3, 8531-10 P3, 8531-11 P3, 8531-12 P8, 8531-13 P5, 8531-14 P5, 8531-15 P4, 8531-16 P5, 8531-17 P2, 8531-18 P1, 8531-19 P1, 8531-30 P1, 8531-31 P1, GUA-DR-L-002 Rev P05, GUA-DR-L-003 Rev P04, GUA-DR-L-004 Rev

P06, GUA-DR-L-005 Rev P02, Door Tresh Detail, Perimeter Upstand Detail, Green Roof Build Up.

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

02 The development hereby approved shall solely be carried out in full accordance with the details and specifications of materials approved under application 20/01353/AD and the details contained within the approved plans 8531-13 P5, 8531-14 P5, 8531-15 P4, 8531-16 P5, 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, before the dwellings or non-residential units hereby approved are first occupied.

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

03 The hard and soft landscaping on site shall be implemented solely in accordance with the details contained within the approved plans GUA-DR-L-002 Rev P05, GUA-DR-L-003 Rev P04, GUA-DR-L-004 Rev P06, GUA-DR-L-005 Rev P02 and documents Landscape – Visual Appraisal – 1967-GUA-DOC-L-001, Landscape – Visualisations - 1967-GUA-DOC-L-002 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.

All planting in the approved landscaping scheme shall be carried out within the first available planting season following first occupation of any of the residential or commercial units within the development. Any shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority. Hard landscaping and means of enclosure shall be implemented in full accordance with the approved scheme prior to occupation of any part of the development hereby approved.

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

04 The development shall not be first occupied until 49 on site car parking spaces have been provided and made available for use in full accordance with drawings 8531-06 P4 and 8531-18 P1, together with properly constructed vehicular access to the adjoining highway, all in accordance with the approved plans 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. The parking spaces shall be permanently maintained thereafter solely for the parking of occupiers of and visitors to the development.

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

05 The development shall not be first occupied until the secure, covered cycle parking spaces to serve the development as shown on drawing 8531-07 P4 have been provided at the site and made available for use for occupiers of the development in full accordance with the approved plans 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. The approved facility shall be permanently maintained thereafter.

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

06 No part of the mixed-use development hereby approved shall be first occupied or brought into first use until a waste management plan has been submitted to and agreed in writing by the Local Planning Authority. The waste management and servicing of the development shall thereafter be carried out solely in accordance with the approved details which shall include details of refuse storage facilities and waste servicing arrangements.

Reason: To ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015) and Design and Townscape Guide (2009).

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

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

08 The non-residential units hereby approved shall not be open for customers outside the following hours: - 0700 hours to 2300 hours on any day.

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

09 Before the development is occupied or brought into first use, the development hereby approved shall be carried out in a manner to ensure that 5 of the flats hereby approved comply with the building regulation M4 (3) 'wheelchair user dwellings' standard and the remaining 44 flats comply with building regulation part M4(2) 'accessible and adaptable dwellings' standard.

Reason: To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework, (2018), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM8 and Design and Townscape Guide (2009).

10 External lighting shall only be installed in the development hereby approved in accordance with details that have previously been submitted to and approved in writing by the local planning authority.

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

11 The scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources shall be implemented in full prior to the first occupation of any part of the development and in line with the detail approved under application 20/01517/AD 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. This provision shall be made for the lifetime of the development.

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

12 Prior to occupation any part of the residential units hereby approved details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details before it is occupied and shall be retained as such in perpetuity.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework (2018), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and the Councils Design and Townscape Guide (2009).

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

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

14 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby permitted shall not be first occupied or brought into first use unless and until details of the shutter to the car park have been submitted to and approved in writing by the local planning authority. The works must be carried out and completed in full accordance with the details approved under this condition before the dwellings or non-residential units hereby approved are first occupied or brought into first use.

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

15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking, re-enacting or modifying that Order), no structures including but not limited to plant, satellite, radio antennae, renewable energy or telecommunications equipment shall be installed on the external elevations of the building or roof of the development hereby approved unless permission has been obtained beforehand in writing from the local planning authority.

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

16 Any CCTV shall only be installed in the development hereby approved in accordance with details that have previously been submitted to and approved in writing by the local planning authority.

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

17 The development hereby approved shall be implemented in strict accordance with the findings, recommendations and conclusions of the approved Flood Risk Assessment undertaken by Systra reference STHLSD32-03 dated 18 December 2017 including the mitigation measures on pages 19 and 20 before the development is occupied.

Reason: To ensure the approved development does not increase flood risk elsewhere in accordance with National Planning Policy Framework (2018), Core Strategy (2007) Policies KP1, KP2 and KP3 and Development Management Document (2015) Policies DM6 and DM14

18 The development hereby approved shall be undertaken in strict accordance with the findings, recommendations and conclusions of the approved Construction Management Plan undertaken by Cura.

Reason: 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).

19 The development shall be undertaken in strict accordance with the findings, recommendations and conclusions of the approved Noise Assessment undertaken by Cass Allen reference RP01-17591 and the details approved under application 20/01517/AD 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. The development must be undertaken 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 adjoining and nearby residents, in accordance with policy DM1 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

20 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby permitted shall not be first occupied or brought into first use unless and until a car park management plan has been submitted to and approved in writing by the local planning authority. The car park management plan must be implemented in full accordance with the details approved under this condition before the dwellings hereby approved are first occupied and maintained in perpetuity.

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

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

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

22 The development hereby approved shall be undertaken and completed in strict accordance with the findings, recommendations and conclusions of the approved Ecology Appraisal undertaken by Peak Ecology Limited reference BeyBo01 dated 13 December 2017 and the approved Badger Survey undertaken by Peak Ecology Limited reference BeyBo01 dated 13 December 2017.

Reason: To ensure the development results in no adverse harm to ecology or biodiversity in accordance with the National Planning Policy Framework (2018), Core Strategy (2007) Policies KP1, KP2 and CP4.

23 No particularly noisy demolition equipment (eg. concrete breakers) or construction techniques (eg. percussive piling) shall be used during the period from 2 hours before high tide until 2 hours after high tide, on any days when either the air temperature is below 5 degrees Centigrade or the ground remains frozen.

Reason: To ensure the development results in no adverse harm to ecology or biodiversity and to ensure that the development, as submitted, will not impact upon the features of special interest for which the Benfleet and Southend Marshes SSSI is notified in accordance with the National Planning Policy Framework (2018), Core Strategy (2007) Policies KP1, KP2 and CP4.

24 The drainage strategy and SuDS design statement approved with application 19/02114/AD must be implemented in full accordance with the approved details 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 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 (2018), Core Strategy (2007) Policies KP1, KP2 and KP3 and Development Management Document (2015) Policies DM6 and DM14

25 The ground floor outdoor terrace area shall not be open to members of the public between 22:00 and 08:00 on any day.

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).

26 If, during the course of development, any contamination is found which has not been identified in the site investigation approved under 20/00100/AD, development shall stop and additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and these shall be fully implemented before the site is occupied.

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

27 The development shall be undertaken solely in accordance with the tree protection measures approved under application 18/02012/AD 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: In the interests of the character and appearance of the area and to ensure that the development complies with the National Planning Policy Framework (2018), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Design and Townscape Guide (2009)

28 The development shall be carried out in accordance with the details and mitigation measures contained in the site investigation and structural survey approved with application 18/02012/AD 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 and shall be implemented and retained in perpetuity or for the duration that are necessary as per the approved details.

Reason: To ensure the development does not adversely affect stability of the surrounding land in accordance with Policy KP2 of the Core Strategy (2007) and DM14 of the Development Management Document (2015).

29 The development shall be carried out solely in accordance with the details and mitigation measures contained in the demolition method statement approved with application 18/02012/AD 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 and shall be implemented and retained in perpetuity or for the duration that are necessary as per the approved details.

Reason: To ensure the demolition does not adversely affect stability of the surrounding land in accordance with Policy KP2 of the Core Strategy (2007) and DM14 of the Development Management Document (2015).

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

Reason: In the interests of the residential amenity of adjoining residents and the character and appearance of the area and to ensure that the development complies with the National Planning Policy Framework (2018), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Design and Townscape Guide (2009).

31 The development shall be implemented in full accordance with the details and specifications of the green roof contained within the submitted plans and documents Renolit Alkorgreen Information Sheet, Green Roof Build Up, Door Tresh Detail, Perimeter Upstand Detail, Renolit Alkorplan Sedum Blanket Datasheet and Renolit Alkorplan Extensive Sedum Green Roof Maintenance Schedule 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. The development shall be permanently retained as such thereafter.

Reason: In the interests of the character and appearance of the area and to ensure that the development complies with the National Planning Policy Framework (2018), Core

32 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby permitted shall not be first occupied or brought into first use unless and until the car parking stacker system has been installed in accordance with details and specifications which have previously been submitted to and approved in writing by the local planning authority. The car park stacker system must be implemented in full accordance with the details approved under this condition and made fully available for use by residents of the building before any of the dwellings hereby approved are first occupied and shall thereafter be maintained in an operable condition and made fully available for use by residents of the building in perpetuity.

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

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 to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters can be found on the Planning Portal (www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy) or the Council's website (www.southend.gov.uk/cil).

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 Essex & Suffolk Water are the enforcement agents for The Water Supply (Water Fittings) Regulations 1999 within our area of supply, on behalf of the Department for the Environment, Food & Rural Affairs. We understand that a planning application has been

made for the above premises which are to be notified under Regulation 5 of the Water Supply (Water Fittings) Regulations 1999.

4 The applicant is reminded that this permission does not bestow compliance with the Licensing Act 2003. Applicants should contact the Council's Licensing Team for more advice on 01702 21500

5 The applicant is reminded that this permission does not bestow compliance with other regulatory frameworks. In particular, your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and also to the relevant sections of the Control of Pollution Act 1974. The provisions apply to the construction phase and not solely to the operation of the completed development. Contact 01702 215005 for more information.

6 The developer should also consider control measures detailed in Best Practice Guidance "The control of dust and emissions from construction and demolition". http://www.london.gov.uk/thelondonplan/guides/bpg/bpg_04.jsp

7 The applicant is reminded that this permission does not bestow compliance with the Food Safety and Hygiene (England) Regulations 2013 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.

8 For further guidance on the control of odour and noise from ventilation systems you are advised to have regard to - Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems published by DEFRA. This can be downloaded free from www.DEFRA.Gov.UK

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

(c) In the event that the planning obligations or other means of securing the financial contribution referred to in part (a) above have not been completed by 14 April 2021 or an extension of this time as may be agreed, the Interim Director of Planning or Group Manager Planning & Building Control be authorised to refuse planning permission for the application on the grounds that the development would not provide adequate mitigation for the potential disturbance to European designated site, would not provide adequate levels of affordable housing, would not provide any secondary education contributions to mitigate the development contrary to National and Local planning policy.

961 20/02220/FUL - Southend Leisure and Tennis Centre, Garons Park, Southend on Sea (St Lukes Ward)
Proposal: Replace two existing outdoor tennis courts with four Padel tennis courts, incorporating fencing up to 4m high, external floodlights and erection of canopy roof over three courts (Amended Proposal)
Applicant: Mr Christopher Wilkinson
Agent: Kate Jennings of Whirlledge & Nott

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 approved plans: Location Plan, 1902-10-001-GA rev C, Site plan v1, 2533 TP-001, 1902-10-004 rev D, 1902-10-005 rev C.

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

03 The courts shall not be artificially illuminated between the hours of 22:00 and 08:00 on any day.

Reason: To ensure the lighting does not cause demonstrable harm to the Green Belt or the amenities of nearby residents, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, the Development Management Document (2015) Policies DM1 and DM3 and advice contained within the Design and Townscape Guide (2009).

04 The external floodlighting hereby permitted shall be installed in accordance with the details and specifications shown on the approved drawings and the details of the external lighting contained within the Relux report dated 18.12.20 before it is brought into use and shall be permanently maintained as such in perpetuity thereafter.

Reason: To ensure the lighting does not cause demonstrable harm to the openness of the Green Belt, or the amenities of nearby residents, in accordance with the National Planning Policy Framework, Core Strategy (2007) Policies KP2 and CP4, the Development Management Document (2015) Policies DM1 and DM3 and advice contained within the Design and Townscape Guide (2009).

05 The tennis courts shall not be open for use outside the following hours: 08:00 to 22:00 hours on any day.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, and the Development Management Document (2015) Policies DM1 and DM3 and advice contained within the Design and Townscape Guide (2009).

06 The development to which this planning permission relates shall not be implemented if any part of the development for which planning permission was granted by the Local Planning Authority on 25/09/2019 under planning permission reference 19/01029/FUL is commenced. Once the permission hereby granted is implemented, the previous permission with reference 19/01029/FUL shall not be implemented.

Reason: In the interests of maintaining the openness of the green belt, further to the National Planning Policy Framework (2019) and Policies KP1, KP2 and CP4 of the Southend-on-Sea Core Strategy (2007).

Informatives

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

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

3. 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.

962 21/00229/FUL - Chalkwell Beach, Chalkwell Esplanade (Chalkwell Ward)
Proposal: Install temporary art sculptures comprising 15 wooden posts 2m – 2.8m tall with painted resin sculptures fixed to the top in the tidal sands near Chalkwell Beach
Applicant: M Freeman
Agent: R Warren of SKArchitects

Resolved: -

That PLANNIGN PERMISSION be GRANTED subject to the following conditions:

01 The development hereby permitted shall be for a limited period only from the date of this permission until the 3rd October 2021. At the end of this period the development hereby permitted shall be entirely removed from the site and the land restored to its condition before the development took place.

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans 596-P02C, 596-P12E, 596-P16A and 596-P17B.

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

03 The materials for the sculpture shall be natural timber posts and resin sculptures.

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

04 Notwithstanding the details set out elsewhere in this application and permission the posts hereby approved shall only be installed prior to the 1st May 2021 and removed after the 30th September 2021.

Reason: To ensure that the installation and removal works does not harm biodiversity and give rise to sediment disturbance within the bathing water testing season which runs from May to September.

05 The development shall be installed in full accordance with the details set out in the Construction Method Statement by SKArchitects reference 596-08-19 Rev A, or any other Construction Method Statement that has been previously submitted to and approved in writing by the Local Planning Authority, and in a manner which minimises disturbance and dispersal of buried sediment. The location of the posts shall avoid any eelgrass beds.

Reason: This condition is needed in the interests of traffic safety and the amenities of the area and to prevent dispersal of contaminants in buried sediment pursuant to Policies KP1, CP3 and CP4 of the Core Strategy (2007) and Policies DM1, DM6 and DM15 of the Development Management Document (2015).

06 The development hereby approved shall be carried out in full accordance with the mitigation measures set out in the Risk Assessment and Method Statement by Metal and these mitigation measures shall remain in place throughout the lifetime of the installation.

Reason: This condition is needed in the interests of safety pursuant to Policies CP4 and CP6 of the Core Strategy (2007) and Policies DM1 and DM6 of the Development Management Document (2015).

07 The eight 180mm diameter green safety marker buoys, as detailed on plan reference 596-P12E and in the Risk Assessment by Metal, shall be in place from the installation of the first pole and remain in situ until the last pole is removed.

Reason: This condition is needed in the interests of safety pursuant to Policies CP4 and CP6 of the Core Strategy (2007) and Policies DM1 and DM6 of the Development Management Document (2015).

08 Construction Hours for the installation and removal of the development hereby approved shall be restricted to 8am – 6.30pm Monday to Saturday and not at all on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbours pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015)

Informatives:

01 The site is owned by the Council and therefore a formal installation licence/lease will be required on the land. This will be subject to obtaining all necessary statutory consents and internal approvals. Please contact Antony Daniels antonydaniels@southend.gov.uk This needs to be completed prior to installation. The proposal may also require a Marine licence from the Marine Management Organisation (MMO) further details on this can be found here <https://www.gov.uk/guidance/construction-alteration-or-improvement-of-works>

02 The applicant is advised that a Highways Licence may be required. Please contact martinwarren@southend.gov.uk

03 You should be aware that in cases where damage occurs public during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing 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.

04 You are advised that as the proposed development does not involve the creation of new floorspace it benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable.

963 20/01589/FUL - Adalah Residential Rest Home, 20 Cliff Road (Chalkwell Ward)

Proposal: Convert residential home (Class C2) to 9 self-contained flats (Class C3), erect single storey rear extension, install balustrading, alter elevations, layout parking to front, erect balustrade to front and rear and erect raised platform to rear

Applicant: Mr Kandola

Agent: Mr Gary Cumberland of Form Architecture

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: 1729/01 Rev A, 1729/02, 1729/03 Rev A & 1729/04

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

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

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

04 Prior to the first occupation of the development hereby approved full details of refuse and recycling facilities at the site shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the development hereby approved, refuse and recycling facilities shall be provided

and made available for use at the site in accordance with the approved details and retained in perpetuity thereafter for that use.

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

05 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings hereby approved or are required by conditions to this permission.

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

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

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

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

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

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

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

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

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

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

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

10 Prior to the occupation of the development hereby approved the car parking spaces shall be provided and made available for use in accordance with the details shown on approved plan 1729 03A and shall be permanently retained as such thereafter. The car parking spaces shall be kept available solely for the parking of motor vehicles of occupiers of the dwellings hereby approved and their visitors.

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

11 Notwithstanding the details shown on the plans submitted, the external terraces shall not be used unless and until full details of privacy screens and balustrades have been submitted to and approved in writing by the local planning authority. The screens shall be provided in accordance with the approved details prior to first use of the terraces of the development hereby permitted and shall thereafter be retained in perpetuity in that form.

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern 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.

Informative

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

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.

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

- 964 20/02050/FUL - 275 Prince Avenue, Westcliff-on-Sea (St Laurence Ward)**
Proposal: Change of use from vacant storage yard (Use Class B8) to car sales (Class Sui Generis) erect ancillary buildings to provide office, car wash and detailing area, security lighting and form hardstanding (Part-Retrospective).
Applicant: Marden Homes Ltd
Agent: Mr Alan Gloyne of SK Architects

Resolved: -

That PLANNING PERMISSION be GRANTED subject to the following conditions:

01 The development hereby permitted shall be carried out in accordance with the approved plans: 688 SK01, 688 P01, 688 P02 & 13201 Drainage Plan

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

02 The use hereby permitted shall not be open to customers seeking to view or purchase cars at any time.

Reason: To ensure the development permitted complies with the terms of the consent sought and in the interests of protecting amenity in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015).

03 Prior to the first operation of the use hereby approved, details shall be submitted to and approved in writing by the local planning authority for the provision of the recycling and refuse storage and associated waste management plan including collection arrangements. The approved refuse arrangements shall be provided in full and made available for use by commercial operators prior to the first use of the car wash hereby approved and be retained as such in perpetuity.

Reason: Reason: To ensure the provision of adequate recycling and refuse storage in accordance with policy CP3 of the Core Strategy (2007) and policies DM8 and DM15 of Development Management Document (2015).

04 Notwithstanding the details submitted and otherwise hereby approved, details of drainage within the site including a separator or series of oil separators to prevent surface water being discharged into any watercourse, soakaway or surface water sewer shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development.

Reason: To reduce the risk of pollution to the water environment in accordance with the National Planning Policy Framework (2019) Policy KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015)

05 No machinery or plant shall operate on the site in association with the use hereby permitted outside the following times: 8 am to 6 pm on any day.

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

06 The Rating Level of noise for activities associated with the use hereby permitted shall not exceed 10dB(A) below the background level as measured at the closest residential property in accordance with BS4142:1997.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2018), 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).

07 The 'car washing' and 'car detailing' facilities hereby approved, as described in the application documents, shall remain ancillary to the main use of the site as a car sales facility and shall not operate as an independent planning uses at any time.

Reason: To ensure the development permitted complies with the terms of the consent sought and in the interests of protecting amenity in accordance with the National Planning Policy Framework (2018), 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).

08 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and the Use Class Order 1987 (as amended) or any provisions equivalent to those Orders in any statutory instrument amending, revoking or re-enacting the Orders, with or without modification the development hereby approved, shall be used as a sui generis car sales business where customers do not visit the site 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 any provision equivalent to that in any statutory instrument amending, revoking or re-enacting that Order, with or without modification.

Reason: To ensure the development permitted complies with the terms of the consent sought and in the interests of protecting amenity and the provision of employment uses in accordance with Policies CP1, KP1 and KP2 of the Core Strategy (2007) and Policies DM1, DM3, DM10 and DM11 of the Development Management Document (2015).

09 Other than the security lighting hereby approved, no external lighting shall be installed on site other than in accordance with details that have been previously submitted to and approved in writing by the local planning authority. All external lighting shall thereafter be retained on site in line with the details approved under this condition only.

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).

Informatives

01. Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notices. This contains details including the chargeable amount when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability Notice and

acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Planning Portal.

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

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

03 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.

965 20/02091/FUL - 570 Rayleigh Road, Eastwood (Eastwood Park Ward)

Proposal: Erect single storey rear extension with associated elevation alterations and part change of use of ground floor commercial unit (use class E) to residential use (use class C3), together with remodelling of existing self-contained maisonette to form 2 self-contained flats, with associated landscaping, bin and cycle stores, lay out parking to rear, and extend existing vehicular access onto Eastwood Rise, following demolition of existing outbuildings.

Applicant: Chaya Parekh

Agent: Danny Knott of DK Building Designs Ltd

Resolved: -

That PLANNING PERMISSION be GRANTED subject to the following conditions:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: 3694-11-2 Rev B, 3694-11-1 Rev B.

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

03. No development, including demolition, shall take place until a scheme for the protection of the oak trees adjacent to the site, in full accordance with British Standard BS5837 "Trees in Relation to Construction – Recommendations" has

been submitted to and agreed in writing by the local planning authority. The protection measures shall include a detailed tree protection plan and provide a methodology to be adhered to from the commencement of development and site preparation, and throughout the construction process. The development shall be implemented in full accordance with the approved statement, protection measures and methodology.

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

04. Prior to commencement of the development above ground floor slab level, product details of materials to be used in the construction of all the external elevations of the extensions and alterations hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out solely in accordance with the approved details before it is brought into use.

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

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

- i. details of external hard surfacing, to include permeable paving;
- ii. details of the number, size and location of trees, shrubs and plants to be planted together with a planting specification;
- iii. details of measures to enhance biodiversity within the site;
- iv. all and any means of subdividing and enclosing the site, which shall include details of visibility splays to the proposed vehicular access.

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

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

06. Construction hours for the development hereby approved shall be restricted to 8am to 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Public and Bank Holidays.

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

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

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

08. The development 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 it is brought into use.

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

09. The development shall not be occupied until and unless details of covered refuse and recycling storage for use by occupiers of both ground and first floor flats, and the commercial unit, have previously been submitted to and approved in writing by the local planning authority. The approved refuse and recycling storage shall be provided and made available for use by the occupants of the development hereby approved prior to first occupation and shall be retained in perpetuity thereafter.

Reason: To protect the environment and provide suitable storage for waste and materials for recycling in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007).

10. The development shall not be occupied until and unless details of secure, covered cycle storage for use by occupiers of both ground and first floor flats, and the commercial unit, have previously been submitted to and approved in writing by the local planning authority. The approved cycle storage shall be provided and made available for use by the occupants of the development hereby approved prior to first occupation and shall be retained in perpetuity thereafter.

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

11. The development hereby permitted shall not be occupied until and unless the two car parking spaces shown on the approved plans have been provided and made available for use by occupiers of the development and their visitors and shall be retained as such for the lifetime of the development thereafter.

Reason: In the interests of the living conditions of future occupiers and highway safety, further to the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policy DM15 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 the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact S106andCILAdministration@southend.gov.uk to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters can be found on the Planning Portal (www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy) or the Council's website (www.southend.gov.uk/cil).

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

take care when carrying out works on or near the public highways and footpaths in the borough.

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

4. There is clear evidence that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire & Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can reduce the risk to life, business continuity and limit the impact of fire on the environment and to the local economy. Even where not required under Building Regulations guidance, ECFRS would strongly recommend a risk based approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. We also encourage developers to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met.

- 966 20/02157/FUL - 34 Elmsleigh Drive, Leigh-on-Sea (Blenheim Park Ward)**
Proposal: Demolish existing bungalow and erect no.3 new dwellings with associated amenity space, parking to front and form three new vehicle crossovers onto Elmsleigh Drive.
Applicant: Mr Duncan Reed of Eton-Southchurch Property Limited
Agent: Mr James Collinson of Design Spec Ltd

Resolved: -

That PLANNING PERMISSION be REFUSED for the following reason:

The proposal would by reason of its cramped and over-intensified nature represent an overdevelopment of the site harmful to the character and appearance of the site, the streetscene and wider surrounding area. This is unacceptable and contrary to the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice in the Southend-on-Sea Design and Townscape Guide (2009).

- 967 21/00075/FUL - 119 Southsea Avenue, Leigh-on-Sea (Leigh Ward)**
Proposal: Erect single storey side and rear extension, alter elevations
Applicant: Mr Zyberi
Agent: SKArchitects

Mr Burges spoke as an objector to the application.

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 shall be undertaken solely in accordance with the following approved plan(s): 690-P02 Rev A

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

03 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings hereby approved or are required by conditions to this permission.

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

04 Prior to the first occupation of the development hereby approved full details of refuse and recycling storage facilities for the ground floor flat shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the development, refuse and recycling facilities shall be provided at the site in accordance with the approved details and retained in perpetuity thereafter.

Reason: In the interests of residential amenity and to ensure the provision of adequate refuse and recycling storage in the interests of highway safety, residential and visual amenity as set out in the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4 and Policy DM1 of the Development Management Document (2015) and the guidance within the Design and Townscape Guide (2009).

05 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and the Use Class Order 1987 (as amended) or any provisions equivalent to those Orders, with or without modification the development hereby approved shall only be used as a C3 (dwellinghouse) 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 any provision equivalent to that in any statutory instrument amending, revoking or re-enacting that Order, with or without modification.

Reason: To ensure the development permitted complies with the terms of the consent and sought and to protect the character and appearance of the dwelling and surrounding area in accordance with Policies CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009)

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

Informatives

01 You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See the Planning Portal (www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy) or the Council's website (www.southend.gov.uk/cil) for further details about CIL.

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.

968 21/00383/FULH - The Lodge by The Bridge, Eastern Avenue (St Lukes Ward)

Proposal: Erect three single storey outbuildings to rear and convert existing outbuilding to be used as ancillary to main dwelling (Class use C3) (Retrospective).

Applicant: Mr Brian Ayling

Agent: N/A

Cllrs Ayling, Borton, Cowan, Dent, Garston, Jones, and Mulroney withdrew from the meeting for this item.

Resolved: -

That the Interim Director of Planning or Group Manager of Planning & Building Control be DELEGATED to GRANT PLANNING PERMISSION subject to no new material planning considerations being raised before the end of the statutory consultation period and subject to the following CONDITIONS:

01 The development hereby approved shall be retained in accordance with the approved plans: BA01-P101, BA01-P102.

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

02 The buildings hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as The Lodge

By The Bridge, Eastern Avenue, Southend-On-Sea. The buildings hereby permitted shall not be used for any other purpose including as an independent self-contained residential unit.

Reason: To ensure a satisfactory standard of accommodation and to protect the amenities of current and future occupiers, to protect the privacy and environment of people in neighbouring residential properties, and to prevent additional parking demand which cannot be met within the application site, in line with the stipulations of the National Planning Policy Framework (2019), the Core Strategy (2007) Policies KP1, KP2, CP3 and CP4, the Development Management Document (2015) Policies DM1, DM3 and DM15, and the Design and Townscape Guide (2009).

03 The buildings hereby permitted shall not be allowed to accommodate any cooking facilities.

Reason: To ensure a satisfactory standard of accommodation and to protect the amenities of current and future occupiers, to protect the privacy and environment of people in neighbouring residential properties, and to prevent additional parking demand which cannot be met within the application site, in line with the stipulations of the National Planning Policy Framework (2019), the Core Strategy (2007) Policies KP1, KP2, CP3 and CP4, the Development Management Document (2015) Policies DM1, DM3 and DM15, 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 You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace, and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See the Planning Portal (www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy) or the Council's website (www.southend.gov.uk/cil) for further details about CIL.

969 21/00199/FULH - 1 Highwood Close, Leigh-on-Sea (Blenheim Park Ward)
Proposal: Erect car port to front elevation
Applicant: Mr K Buck
Agent: Mr Paul Seager of APS Design Associates Ltd.

Cllrs Buck and Garston withdrew from the meeting for this item.

Resolved: -

That PLANNING PERMISSION be GRANTED subject to the following conditions:

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

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

02 The development shall be undertaken solely in accordance with the following approved plans: Drawing number 01; Drawing number 02; Drawing 03 Revision A.

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

03 All new work to the outside of the building must match existing original work in terms details of materials, method of construction and finished appearance. This applies unless differences are shown in approved plans.

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

04 The roof of the car port hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless express planning permission has previously been obtained. The roof can however be used for the purposes of maintenance or to escape in an emergency.

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

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

Informatives

01. You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations

2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil 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.

970 18/00228/UNAU_B - 2 Crowstone Close, Westcliff-on-Sea (Chalkwell Ward)

Breaches of Control: Without planning permission, the erection of a first-floor side extension.

Resolved: -

That ENFORCEMENT ACTION be AUTHORISED to;

- a) Remove the unauthorised first floor side extension, and.
- b) Remove from site all materials resulting from compliance with a) above
- c) Reinstate the single storey side extension to its former condition., or
- d) erect an extension in full accordance with either planning permission reference 18/02119/FULH or as amended by planning permission reference no. 19/00516/AMDT.

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

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case a compliance period of 4 months is considered reasonable for the removal of the 1st floor side extension or its amendment to comply with the planning permissions specified at 7.1 d).

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

Chair: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee B

Date: Tuesday, 27th April, 2021
Place: Virtual Meeting via MS Teams

13

Present: Councillor B Ayling (Chair)
Councillors D Cowan and D McGlone

In Attendance: E Anakwue, T Row, A Penn, Bahannack and E Cook

Start/End Time: 10.00 am - 11.05 am

971 Apologies for Absence

There were no apologies for absence.

972 Declarations of Interest

No interests were declared at the meeting.

973 1 Parkgate, Westcliff-on-Sea, Essex, SS0 7NY - Application for the Grant of a Premises Licence

The sub-committee received a report of the Executive Director (Neighbourhoods and Environment) concerning an application by Daniel James Carter for the grant of a Premises Licence at 1 Parkgate, Westcliff-on-Sea, Essex, SS0 7NY.

The application was presented by the Applicant.

The sub-committee noted that no letters of objection to this application had been received from any of the Responsible Authorities, however, measures had been agreed between the Police and the Applicant, should the application be granted. These were included in Appendix 2 to the report of the Executive Director (Neighbourhoods and Environment).

Two (2) representations were received from local residents, objecting to the application. None of the objectors attended the meeting. Their objections/representations related to concerns of noise and public nuisance, particularly in relation to parking issues, increase in traffic causing noise, congestion and exhaust fumes and highways problems caused by delivery vehicles parking within a residential street and mounting the footways. The use of a residential dwelling within a conservation area as a licensed premises without planning permission was also raised.

The use of a residential dwelling within a conservation area as a licensed premises is not a matter for the sub-committee to consider.

The sub-committee noted from the applicant the proposed model how the business would be operated. This was set out in the operating schedule from the application form and were clarified by the Applicant at the hearing. The sub-

committee felt that deliveries could be regulated through the imposition of appropriate conditions.

On the basis of the evidence presented to it, the sub-committee did not consider that the promotion of the licensing objectives would be undermined by the granting of the application, subject to the imposition of appropriate conditions. The sub-committee therefore:

Resolved:-

1. That the application be granted subject to:

(i) The Mandatory Conditions set out in Appendix 1 to the report of the Executive Director (Neighbourhoods and Environment).

(ii) The conditions drawn from the Operating Schedule, together with the conditions agreed between the Police and the Applicant as set out in Appendix 2 to the report of the Executive Director (Neighbourhoods and Environment),

(iii) The following additional condition:

“All deliveries to the business will be limited to 8am-6pm Mondays to Saturdays only. No deliveries to business shall be made on a Sunday. All deliveries to customers will occur once a week on Fridays.”

Chair: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Audit Committee

Date: Wednesday, 28th April, 2021
Place: Virtual Meeting via MS Teams

14

Present: Councillor P Collins (Chair)
Councillors L Burton (Vice-Chair), N Folkard, S Habermel, M Kelly,
I Shead, , *D Garne, *A Moring and Mr K Pandya

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: J Chesterton, P Bates, A Barnes, R Gill, C Fozzard, S Dutton and R Harris
Also in attendance: A Kleinman, and C Wisdom (Deloitte).

Start/End Time: 6.30 pm - 8.05 pm

941 Apologies for Absence

Apologies for absence were received from Councillors Ayling (no substitute), Cox (substitute: Cllr Garne) and Davidson (substitute: Cllr Moring).

942 Declarations of Interest

The following declaration of interest was made:

Cllr Shead – Minute 944 (Deloitte Grants Report 2019/20) – non-pecuniary interest: wife employed by South Essex College as an Invigilator.

943 Minutes of the Meeting held on Wednesday 13th January 2021

Resolved:-

That the Minutes of the Meeting held on Wednesday 13th January 2021, be confirmed as a correct record and signed.

944 Deloitte - Grants Report 2019/20

The Committee considered a report of the Executive Director (Finance and Resources) presenting the results of the reporting accountant's work on the Housing Benefit Subsidy Claim assurance report and the Teachers' Pensions End of Year Certificate for the year ended 31 March 2020.

The Committee asked a number of questions which were responded to by officers and representatives from Deloitte.

Resolved:

That the results of the grant claim and assurance work for the year ended 31 March 2020, be endorsed.

945 Deloitte's - Annual Audit Plan 2020/21

The Committee considered a report of the Executive Director (Finance and Resources) presenting the External Auditor's Audit planning report for 2020/21.

The Committee asked a number of questions which were responded to by officers and representatives from Deloitte's.

Resolved:

That Deloitte's Audit planning report for 2020/21, be noted.

946 CIPFA's Financial Management Code

The Committee considered a report of the Executive Director (Finance and Resources) providing an update on the Council's self-assessment outcome against the expectations of CIPFA's new Financial Management Code.

On consideration of the report the Chair suggested that the Committee receives an update to the next meeting on progress of the action plan to deliver further improvements in the Council's compliance with the expectations of CIPFA's new Financial Management Code.

The Committee also asked a number of questions which were responded to by officers. The Chair suggested that a six monthly progress update against the Code was provided to the Committee.

Resolved:

1. That the Council's review against the expectations of CIPFA's Financial Management Code, be noted and takes assurance that the Council's arrangements have been self-assessed as compliant and the action plan to deliver further improvements, be endorsed.

2. That the Council's compliance status against CIPFA's Financial Management Code be kept under review and the requirements for an annual self-assessment to be undertaken and progress be reported to the Audit Committee in six months, be endorsed.

947 Internal Audit Service Quarterly Performance Report

The Committee considered a report of the Executive Director (Finance and Resources) setting out the progress made in delivering the Internal Audit Strategy for 2020/21.

The Committee asked a number of questions which were responded to by officers.

Resolved:

That the progress made in delivering the 2020/21 Internal Audit Strategy, be noted.

948 Counter Fraud and Investigation Team Quarterly Performance Report

The Committee considered a report of the Executive Director (Finance and Resources) setting out the progress made by the Counter Fraud & Investigation Team (CFIT) in delivering the Counter Fraud Strategy and Work Programme for 2020/21.

The Committee asked a number of questions which were responded to by officers.

Resolved:

That the performance of the Counter Fraud and Investigation Team since the last meeting, be noted.

949 Internal Audit Planning for 2021/22 timetable

The Committee considered a report of the Executive Director (Finance and Resources) providing an update on the revised approach to the production of the Internal Audit Plan for 2021/22. The Chair recommended to the Officers that the Audit Plan for 2021/2022 timetable be presented to the Chair for approval as Chair' action, before the next planned Audit Committee meeting of xx September 2021.

Resolved:

That the revised timing for the approach to the production of the internal audit plan for 2021/22, be noted, along with the proposed Chair's action.

950 Information Item - CIPFA Audit Committee Update 34 (March 2021)

The committee received and noted the following information item:

- CIPFA Audit Committee Update – Helping Audit Committees to be Effective.

Chair: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee A

Date: Thursday, 29th April, 2021
Place: Virtual Meeting via MS Teams

15

Present: Councillor H McDonald (Chair)
Councillors N Folkard and K Mitchell

In Attendance: A Brown, T Row, A Penn, P Richards and E Cook

Start/End Time: 10.00 am - 12.10 pm

984 Apologies for Absence

There were no apologies for absence.

985 Declarations of Interest

No interests were declared at the meeting.

986 Mad Dogs & Englishmen Interior Ltd, 1349-1353 London Road, Leigh-On-Sea, Essex SS9 2AB - Application for a Premises Licence

The sub-committee received a report of the Executive Director (Neighbourhoods and Environment) concerning an application by Mad Dog & Englishmen Interiors Ltd for the grant of a Premises Licence at Mad Dogs & Englishmen Interior Ltd, 1349-1353 London Road, Leigh-On-Sea, Essex SS9 2AB.

The application was presented by the Applicant, Ms Gill Hazell (Director) and Mr Justin Hazell (Designated Premises Supervisor).

The sub-committee noted that no letters of objection to this application had been received from any of the Responsible Authorities

Eleven (11) representations in total had been received from local residents, objecting to the application. Three (3) of these representations were, however, not accepted by the Licensing Authority for the following reasons:

- a) One (1) was invalid as it did not refer/relate to any of the four licensing objectives;
- b) One (1) did not want their address passed on, nor published; and
- c) One (1) was received after the expiration of the consultation process.

One (1) of the representations was withdrawn prior to the commencement of the hearing. Six (6) of the objectors, namely Mr & Mrs Fleetwood, Mr & Mrs Harris, Mr Bewick and Ms Pickering, attended the hearing and gave evidence.

The objections/representations related to concerns of noise and public nuisance, particularly, the noise and disturbance of patrons attending and leaving the premises, and the protection of children from harm, given the close proximity of the premises to a local school. Other issues that were questioned the need for a

licensed premises/cocktail bar until 10.00 p.m. daily at this location, the fear of anti-social behaviour and disturbance from intoxicated patrons and the potential of the premises being converted into a bar in the future, parking in residential streets.

The need for licensed premises is not a matter for the sub-committee to consider. The sub-committee noted that there were other licensed premises in proximity to the schools in the area with longer operating hours. The sub-committee also heard that patrons would not be able to drink outside the premises and would only be able to smoke at the front of the premises in London Road. A doorperson/concierge would be able to manage the front of house. There was no intention to change the business to a bar/club but would remain a predominantly afternoon tea business with themed events. The licence was being sought to enable alcohol to be served as part of the offer to customers, in line with other similar afternoon tea businesses. Patrons were currently permitted to bring their own alcohol for consumption on the premises. There had also been several temporary events held at the premises under temporary event notices and there had no recorded incidents/complaints about the premises. The premises had a good relationship with the local community and always tried to address any issues of concern.

During the hearing and in response to resident's concerns, the Applicants agreed to amend the application reducing the timing of licensable activities sought and the times the premises would be open to the public to now be as follows:-

Sundays and Mondays – 12.00 (noon) to 20.00 hrs
Tuesdays to Saturdays – 12.00 (noon) to 22.00 hrs.

The Applicants also offered the following conditions to be added to the licence should the application be granted:-

- Smokers will only be permitted to use the area at the front of the premises in London Road and shall be limited to a maximum of 6 persons.
- No drinks, glassware or bottles to be taken outside of the premises.
- Bottles would not be put into the external bins between the hours of 8.00 p.m. until 9.00 a.m. the following morning.
- Alcohol shall only be served to patrons seated at the tables.

The potential disturbance from the bottles being placed in the external bins and the collection of waste from the bins was discussed. Whilst the Applicant agreed not to put bottles in the bins after 8.00 p.m. until 9.00 a.m. the following day and the collection of the bins by the refuse company generally took place after 9.00 a.m., it may not be possible to prevent the company collecting at an earlier time. The sub-committee noted the undertaking of the Applicant to minimise disturbance and arrange collections after 9.00 a.m. where possible.

On the basis of the evidence presented to it, the sub-committee did not consider that the promotion of the licensing objectives would be undermined by the granting of the application as amended at the hearing, subject to the imposition of appropriate conditions. The sub-committee therefore:

Resolved:-

That the application as amended at the meeting be granted subject to:

(i) The Mandatory Conditions set out in Appendix 1 to the report of the Executive Director (Neighbourhoods and Environment); and

(ii) The conditions drawn from the Operating Schedule as set out in Appendix 2 to the report of the Executive Director (Neighbourhoods and Environment), subject to the amendment of Condition 10 to now read:

“10. Customers shall not be permitted to remove from the premises any drinks supplied by the premises and no bottles, glasses or drinking vessels shall be permitted to be taken beyond the licensed area marked on the authorised plan.”

(iii) The following additional conditions:

- Smokers are only be permitted to use the area at the front of the premises in London Road and shall be limited to a maximum of 6 persons at any one time.
- No disposal of bottles in the bins shall take place between the hours of 8.00 p.m. until 9.00 a.m. the following morning.
- All alcohol sales shall be delivered via a waiter/waitress service to tables. Consumption shall only be permitted while patrons are seated.
- The use of the door at the rear of the premises shall be restricted to authorised personnel, access and egress for disabled persons or emergency access/egress only.

Chair: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 2nd June, 2021
Place: Council Chamber - Civic Suite

16

Present: Councillor N Ward (Chair)
Councillors A Dear (Vice-Chair), J Beck, K Buck, D Cowan, M Dent,
F Evans, D Garne, D Garston, S Habermel, D Jarvis, A Jones,
K Mitchell, C Mulroney, I Shead*, A Thompson and C Walker
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillor N Folkard
G Gilbert, K Waters, P Keyes, S Mouratidis, C White, M Warren and
T Row

Start/End Time: 2.00 pm - 4.30 pm

24 Apologies for Absence

Apologies for absence were received from Councillor Wakefield (Substitute: Councillor Shead).

25 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Buck – Agenda Item No. 11 (21/00721/FULH - 237 Prittlewell Chase, Westcliff-on-Sea) – Non-pecuniary interest: Had been contacted by objectors;

(b) Councillor D Garston – Agenda Item No. 11 (21/00721/FULH - 237 Prittlewell Chase, Westcliff-on-Sea) – Non-pecuniary interest: Had been contacted by objectors and the applicant;

(c) Councillor Jones – Agenda Item No. 5 (20/01726/BC3M - Garages at Eagle Way, Shoeburyness) – Disqualifying non-pecuniary interest: Relevant Cabinet Member (withdrew);

(d) Councillor Mulroney – Agenda Item No. 5 (20/01726/BC3M - Garages at Eagle Way, Shoeburyness) – Non-pecuniary interest; Cabinet Member (Council Application)

(e) Councillor Mulroney – Agenda Item No. 8 (21/00692/AMDT - Development Land Underwood Square, Leigh on Sea) – Non-pecuniary interest: Member of Leigh Town Council non-participant in planning;

(f) Councillor Walker – Agenda Item No. 8 (21/00692/AMDT - Development Land Underwood Square, Leigh on Sea) – Non-pecuniary interest: Friend lives in Fairview Lodge: and

(g) Councillor Ward – Agenda Item No. 8 (21/00692/AMDT - Development Land Underwood Square, Leigh on Sea) – Non-pecuniary interest: Has previously worked at this site

26 Minutes of the Meeting held on Wednesday, 3rd March 2021

Resolved:-

That the Minutes of the Meeting held on Wednesday, 3rd March 2021 be received, confirmed as a correct record and signed.

27 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.

28 20/01726/BC3M - Garages at Eagle Way, Shoeburyness (Shoeburyness Ward)

Proposal: Demolish former disused garage sites to rear of 16 Eagle Way (Site 1A) and former compound site (Site 1B) and redevelop sites comprising of 5 terrace dwellinghouses with associated parking and amenity space (site 1A) and erect four storey block of 16 self-contained flats with communal garden and cycle store to rear, lay out associated parking and form additional vehicular access to north of site (1B) on to Eagle Way

Applicant: Southend on Sea Borough Council

Agent: AK Design Partnership LLP

Resolved: That planning permission be GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans 4760.111 PL8, 4760.113 PL2, 4760.116 PL6, 4760.117 PL3, 4760.118 PL4

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

03 No development can commence unless and until a scheme for securing the timing and delivery of all of the dwellings hereby approved (21 dwellings) as affordable dwellings, including their location, tenure and mix has been submitted to and approved in writing by the Local Planning Authority. Such a scheme must include a suitable means to secure the continuing provision of the 21 units as affordable housing. No housing in the scheme can be occupied until it has been built and management handed over to South Essex Homes in accordance with the terms set out in the scheme approved under this condition.

Reason: A pre-commencement condition is necessary to ensure that the affordable housing is secured for the lifetime of the development in accordance with Core Strategy (2007) Policies CP6 and CP8.

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 a brick sample and full product details of the materials to be used on all the external elevations, including walls, roof, doors and windows, balconies, canopies, soffits and boundaries have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details before it is brought into use.

Reason: To safeguard the visual amenities of the area, in accordance with the National Planning Policy Framework (2019) Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

05 The 44 car parking spaces, including 6 disabled car parking spaces and the associated vehicular access for the spaces to access the public highway, shown on approved plans 4760.111-PL8 and 4760.116-PL6 shall be provided and made available for use at the site prior to the first occupation of the dwellings hereby approved. The car parking spaces noted on the approved plan and the associated vehicular access to and from the public highway shall thereafter be permanently retained as such.

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

06 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby permitted shall not be first occupied unless and until a car park management plan, including full details of the residential parking permit scheme to be used for the parking spaces hereby approved, has been submitted to and approved in writing by the local planning authority. The car park management plan, including the residential parking permit scheme, must be implemented in full accordance with the details approved under this condition prior to first occupation of any part of the development hereby approved and the site shall be managed in accordance with the details approved under this condition in perpetuity thereafter.

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

07 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above a ground floor slab level shall take place until full details of both hard and soft landscape works and proposed boundary treatment have been submitted to and approved in writing by the local planning authority. These details shall include:

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

The hard landscaping shall be implemented in full accordance with the approved details before the development is occupied or brought into use. The soft landscaping shall be completed before the end of the first planting season following first occupation of the building. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and policies DM1 and DM3 of the Development Management Document (2015) and advice contained within the Southend Design and Townscape Guide (2009).

08 Prior to the commencement of development the tree protective fences as shown on plan reference 4760-118-PL4 shall be installed. The protective measures shall remain in place throughout the construction phase of the development. Implementation of the development shall be undertaken only in full accordance with British Standard 3998 and British Standard 5837 including supervision of works by a qualified arboriculturalist.

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

09 The first floor windows on the side elevation of house plot 5 shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and fixed shut up to a height of not less than 1.7m above first floor level before the occupation of the dwellings hereby approved and shall be retained as such in perpetuity. In the case of multiple or double-glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

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

10 The flatted development hereby approved shall not be occupied or brought into use until the refuse and recycling storage facilities are provided and made available for use by the occupiers in full accordance with the details shown on approved drawing number 4760.118 PL4 or any other details that have been

previously submitted to and agreed in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained as such thereafter.

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

11 The flatted development hereby approved shall not be occupied or brought into use until the cycle storage facilities are provided in full and made available for use by the occupiers in accordance with the details shown on drawing number 4760.118 PL4 or any other details that have been previously submitted to and agreed in writing by the Local Planning Authority. The cycle storage facilities shall be permanently retained as such thereafter.

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

12 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:

- a) The parking of vehicles of site operatives and visitors
- b) Loading and unloading of plant and materials
- c) Storage of plant and materials used in constructing the development
- d) The erection and maintenance of security hoarding including measures to ensure the protection of the existing grass verges to the north section of the site to be retained.
- e) Measures to control the emission of noise, dust and dirt during construction f) 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).

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

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

14 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, including the Drainage Strategy Report reference 200372 dated Dec 2020 and associated Drainage Plans references DBS200372-01A, DBS200372-02, DBS200372-03, DBS200372-04, the development hereby

permitted shall not be commenced other than for demolition works unless and until the remaining information required in relation to sustainable drainage at the site has been submitted to and approved in writing by the local planning authority. The following additional information on the proposed sustainable drainage system shall be provided:

- a) The proposed drainage strategy for the permeable pavement elements should be assessed based on the infiltration results. It should be noted that permeable pavement systems are compatible with low infiltration soils but different construction details may be required.
- b) The design and statement should incorporate further consideration to other applicable types of SuDS (e.g. permeable pavement in car park spaces, green roofs, raingardens, swales, etc). Where these are not implemented, a valid justification should be provided.
- c) A plan showing the areas positively drained into the system should be provided.
- d) The type and location of flow control device should be shown on the plan.
- e) Exceedance flow routes should be shown on the plan.
- f) Construction details of permeable pavement, underground storage and flow controls should be provided.
- g) Calculations or justification should be provided to confirm that the proposed discharge is below the pre-development discharge rates.
- h) Evidence of acceptance from Anglian Water is required for the discharge.
- i) Evidence of acceptance from Anglian water is required for the two sewer diversions.
- j) Confirmation is required that no additional catchment area is proposed to be discharged into the sewer in relation to the pre-development status.
- k) The method used to calculate the attenuation storage calculation (BRE Digest 365) is only applicable to infiltration systems. An acceptable calculation method for attenuation storage (see chapter 24 in CIRIA SuDS Manual C753) should be used and detailed calculations provided.
- l) The statement should incorporate a section on water quality.
- m) Apart from the sewer diversions, the drainage strategy does not include the proposals for the foul drainage on the site. These proposals should be included in the report and drawing.
- n) Details of management of health and safety risks in relation to the drainage design should be provided.
- o) A method statement detailing the effect of surface water during the construction phase should be provided.
- p) A SuDS Management Plan should be provided and should include details of the body who will be responsible for the drainage maintenance, the required maintenance activities, the maintenance schedules and any access points and easements.

The approved scheme shall be implemented in accordance with the approved details before the development is occupied or brought into use and be maintained as such thereafter in perpetuity

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework (2019), Policy KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015)

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

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

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

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

17 The development hereby approved shall be carried out in a manner to ensure that at least 10% of the dwellings, a minimum of 3 units, comply with building regulation M4(3) 'wheelchair user dwellings' and the remaining dwellings comply with building regulation M4 (2) 'accessible and adaptable dwellings' before it is occupied.

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

18 The development shall be carried out in full accordance with the recommendations set out in Sections 15.1 and 15.4 of the Combined Phase I and Phase II Site Investigation Report by agb Environmental reference P3220.1.0 dated 20 December 2018 before the development is occupied, including undertaking a watching brief by a competent person during any below ground works in accordance with the steps set out in paragraphs 15.1.2 and 15.4.2 If, during the development, land contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further works shall be carried out until a method statement detailing a scheme of mitigation for dealing with the additional contamination has been submitted to and agreed in writing with the Local Planning Authority. The approved scheme of additional contamination mitigation shall be implemented in full before the development is occupied.

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

19 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 dwellinghouses (plots 1-5) hereby approved specified within Schedule 2, Part 1, Classes A, B, D and E of the Town and Country Planning (General Permitted Development) Order 2015 without the receipt of express planning permission in writing from the Local Planning Authority.

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

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

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

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

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

03 The applicant is advised that the appropriate highways licences should be obtained prior to the commencement of the development.

04 The applicant is advised that the commitment to seek the nationally recognised security accreditation is welcomed by Essex Police and the applicant is invited to contact Essex Police who can provide support for this application at designingoutcrime@essex.police.uk

05 The applicant is advised that Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence. Please contact Anglian Water at planningliaison@anglianwater.co.uk Reference 167627/1/0110592.

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

29 20/02224/FUL - Former 51 Chalkwell Avenue Westcliff-on-Sea (Chalkwell Ward)

Proposal: Erect one three storey block of no. 9 self-contained flats with associated off-street parking to rear, balconies to north, east and west elevations, terrace areas to rear upper floor flats, private garden areas to rear ground floor flats, layout communal amenity space and landscaping, cycle and bin storage to rear and form vehicular access on to Kings Road

Applicant: Herald Build Limited

Agent: iArch Consulting

Mrs Elman, a local resident spoke as an objector to the application. Mr Wislocki, responded on behalf of the applicants.

Resolved:-

That planning permission be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not later than three years 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 Location Plan, 001 (11.05.21), 002 (11.05.21), 003 (11.05.21), 004 (11.05.01), 005 (11.05.21), 006 (11.05.21.21), 007 (11.05.21), 008 (11.05.21)

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 unless and until full product details of the materials to be used on all the external elevations, including walls, bays and balconies, roof, eaves and roof terraces, windows and doors, entrance glazing and porch, fascia and soffits, balcony balustrades and privacy screen, bin and cycle stores, rainwater goods and boundaries have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before it is brought into first use.

Reason: To safeguard the visual amenities of the area, in accordance with the National Planning Policy Framework (2019) Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works ground floor slab level shall take place unless and until full detailed design drawings and cross sections of the main entrance and porch, projecting bay and balconies including balustrade, projecting eaves detail including soffits, windows and doors including reveals and framing, flat roof ridge edge detail, tile hanging and brick decoration, 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 accordance with the approved details before it is brought into use.

Reason: To safeguard the visual amenities of the area, in accordance with the National Planning Policy Framework (2019) Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

05 The proposed first floor window in the south elevation of unit 7 of the development hereby approved shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal finished floor level. In the case of multiple or double-glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4 on the Pilkington scale.

Reason: To ensure the development has an acceptable design and protects the amenities of neighbouring occupiers in accordance with policy DM1 of the Development Management Document (2015).

06 Prior to the occupation of the development an obscure glazed privacy screen (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) of not less than 1.7m high above terrace level shall be fitted to the south side of the 2nd floor terrace to unit 9 in accordance with details and specifications that have previously been submitted to and approved in writing by the Local Planning Authority. The screen shall be retained for the lifetime of the development in accordance with the approved details.

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

07 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 of the existing building shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority. The details submitted shall include, but not limited to:-

- i) Proposed finished site levels or contours;
- ii) Means of enclosure, of the site including any gates or boundary walls and fencing;
- iii) hard surfacing materials;
- iv) full details of any structures (e.g. benches, planters, loggias, lighting etc.);
- v) full details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification and tree management plan.
- vi) 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 the 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)

08 The tree and tree root protection measures as set out in Tree Protection Plan Rev 1 dated 22.04.21 and Appendix 3 of the Arboricultural Report by Andrew Day Arboricultural Consultancy Rev 1 dated 22.04.21 in relation to the trees identified

as T2, T3, T4, T6, T7, T8 and T9 in this statement including the mitigation measures in relation to construction within the root protection areas shall be implemented in full prior to commencement of the development and shall be retained throughout the construction phase of the development hereby approved. Implementation of the development shall be undertaken only in full accordance with British Standard 3998 and British Standard 5837 including supervision of works by a qualified arboriculturalist.

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

09 The 9 car parking spaces and the associated new vehicular access for the spaces to access the public highway at the site, including the reinstatement of the redundant crossover on Chalkwell Avenue back to planted verge, as shown on approved plan 001 (11.05.21) shall be provided and made available for use prior to the first occupation of the dwellings hereby approved. The car parking spaces and the associated vehicular access to and from the public highway shall thereafter be permanently retained solely for the parking of vehicles and the accessing of the car parking spaces in connection with the occupiers of the dwelling hereby approved and their visitors.

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

10 The development hereby approved shall not be occupied until and unless full details of the refuse and recycling store and the secure, covered cycle parking to serve the residential 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 Policy CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

11 A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources shall be submitted to, agreed in writing by the Local Planning Authority and implemented in full in accordance with the approved details prior to the first occupation of the 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 (2019), Core Strategy

(2007) policy KP2 and CP4, Development Management Document (2015) policy DM2 and the Southend Design and Townscape Guide (2009).

12 Prior to occupation of the development 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 105 litres per person per day (lpd) (110 lpd when including external water consumption), to include measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be implemented for the whole development and retained in perpetuity.

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

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

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

14 No drainage infrastructure, including earthworks, associated with this development hereby approved shall be undertaken until details of the design implementation; maintenance and management of a scheme for surface water drainage works (incorporating Sustainable Urban Drainage (SuDS) Principles) have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details before the development is occupied or brought into use and shall be maintained as such thereafter in perpetuity.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework (2019), Policy KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015)

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

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

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

Reason: In the interests of the amenities of neighbours pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015).

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 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 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).

Informatives

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

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

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

04 The applicant is advised that the appropriate highways licences should be obtained prior to the commencement of the development. The applicant is advised to contact the Councils Highways Officer martinwarren@southend.gov.uk to arrange the reinstatement of the crossover and verge on the Chalkwell Avenue frontage which must be carried out by the Councils appointed contractor.

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.

- 30 21/00674/FUL - 59 First Avenue, Westcliff-on-Sea (Chalkwell Ward)**
Proposal: Demolish existing garage and erect two storey building with garages on ground floor and storage on first floor
Applicant: T E Perkins
Agent: Metson Architects Ltd

Mrs Alessandrello, a local resident, spoke as an objector to the application.

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: 2100 TP-01, X-10.

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

03. The outbuilding hereby permitted shall only be used for vehicular parking and storage purposes ancillary to the residential units at no.59 First Avenue. It shall not be used for any other purposes and shall not be sold or let separately or used for residential accommodation.

Reason: In the interests of neighbour amenities and the character and quality of the area, pursuant to Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

04. Construction hours for the development hereby approved shall be restricted to 8am to 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Bank Holidays.

Reason: To protect the environment of people in neighbouring residential properties, 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).

05. No development above ground floor slab level shall take place unless and until full details of external materials have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

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. There is clear evidence that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire & Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can reduce the risk to life, business continuity and limit the impact of fire on the environment and to the local economy. Even where not required under Building Regulations guidance, ECFRS would strongly recommend a risk-based approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. We also encourage developers to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met.

4. It is the responsibility of anyone carrying out building work to comply with the relevant requirements of the Building Regulations. Applicants can decide whether to apply to the Local Authority for Building Control or to appoint an Approved Inspector. Local Authority Building Control will consult with the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority (hereafter called “the Authority”) in accordance with “Building Regulations and Fire Safety - Procedural Guidance”. Approved Inspectors will consult with the Authority in accordance with Regulation 12 of the Building (Approved Inspectors etc.) Regulations 2010 (as amended).

5. Plant & Materials - All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail’s property, must at all times be carried out in a “fail safe” manner such that in the event of mishandling, collapse or failure, no plant or materials are capable of falling within 3.0m of the boundary with Network Rail

6. Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. The applicant/applicant’s contractor must consider if they can undertake the works and associated scaffold/access for working at height within the footprint of their property boundary.

7. Future Maintenance - The applicant must ensure that any construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of/or encroaching upon Network Rail’s adjacent land and air space. Therefore, any buildings are required to be situated at least 2 metres (3m for overhead lines and third rail) from Network Rail’s boundary. This requirement will allow for the construction and future maintenance of a building without the need to access the operational railway environment. Any less than 2m (3m for overhead lines and third rail) and there is a strong possibility that the applicant (and any future resident) will need to utilize Network Rail land

and airspace to facilitate works as well as adversely impact upon Network Rail's maintenance teams' ability to maintain our boundary fencing and boundary treatments. Access to Network Rail's land may not always be granted and if granted may be subject to railway site safety requirements and special provisions with all associated railway costs charged to the applicant. As mentioned above, any works within Network Rail's land would need approval from the Network Rail Asset Protection Engineer. This request should be submitted at least 20 weeks before any works are due to commence on site and the applicant is liable for all associated costs (e.g. all possession, site safety, asset protection presence costs). However, Network Rail is not required to grant permission for any third-party access to its land.

31 21/00692/AMDT - Development Land Underwood Square, Leigh on Sea (West Leigh Ward)

Proposal: Vary conditions 02 to replace approved plan number drawings 385-P800A, 385-P801, 385-P802 and 385-P803, 385-P804 with 385-P8800, 385-P8801, 385-P8802 385-P8803- and 385-P8804 to move main entrance door to front, reduce front bay window, relocate stairs, install one dormer to north elevation instead of two, install rooflight to north elevation, alter openings to side and install flat roof to rear ground floor, alter wording of conditions 03, 05, 08, 13 and 15 to reflect this (Minor Material Amendment of planning permission 20/01309/FUL dated 04/11/2020)

Applicant: G Newton

Agent: SKArchitects

Resolved:- That planning permission be GRANTED subject to the following conditions:

01: The development hereby permitted shall begin not later than 04.11.2023.

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans 385-P8800, 385-P8801, 385-P8802, 385-P8803, 385-P8804

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

03 Prior to its occupation the materials for the external surfaces of the dwelling hereby approved shall be as set out on plan reference 385-P8801 or any other details that have previously been submitted to and approved in writing by the local planning authority.

Reason: To safeguard the visual amenities of the area, in accordance with the National Planning Policy Framework (2019) Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

04 The first floor and second floor windows in the north and south elevations of the approved dwelling shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent

that has been previously submitted to and agreed in writing by the local planning authority) and fixed shut up to a height of not less than 1.7m above first floor level before the occupation of the dwellings hereby approved and shall be retained as such in perpetuity. In the case of multiple or double-glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

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

05 The hard and soft landscaping and boundary treatments at the site shall be carried out in full accordance with the proposed landscaping scheme including street tree planting as shown on plans ref 385-P8801 and 385-P8802 prior to occupation of the dwelling hereby approved, or any other details that have previously been submitted to and approved in writing by the local planning authority. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.

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

06 No drainage infrastructure associated with this development shall be undertaken until details of the design implementation; maintenance and management of a scheme for surface water drainage works (incorporating Sustainable Urban Drainage (SuDS) Principles) have been submitted to and approved by the local planning authority. The approved scheme shall be implemented, in accordance with the approved details before the development is occupied or brought into use and be maintained as such thereafter in perpetuity.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework (2019), Policy KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015).

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

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to

safeguard the character of the area in accordance the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

08 The two car parking spaces and the associated vehicular access for the spaces to access the public highway, shown on approved plan 385-P8801 shall be provided and made available for use at the site prior to the first occupation of the dwelling hereby approved. The car parking spaces and the associated vehicular access to and from the public highway shall thereafter be permanently retained solely for the parking of vehicles and the accessing of the car parking spaces in connection with the occupiers of the dwelling hereby approved and their visitors.

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

09 The tree and tree root protection measures as set out in Sections 3 and 4 of the submitted Arboricultural Impact Assessment and Method Statement by Owen Allpress reference 1971 Rev-02 dated 20/09/20 and associated Tree Protection Plan reference 1974-02-P1 dated 20/09/20, Ground Protection Plan reference 1953-02-P1 dated 21/09/20, Cellular Confinement Plan reference 1953-02-P2 dated 25/05/20 and Tree Works Plan reference 1935-02-P3 dated 25/05/20 in relation to the trees identified as T1-T10 in this statement including the mitigation measures in relation to construction within the root protection areas of the trees denoted as T8, T9 and T10, shall be implemented in full prior to commencement of the development and be retained throughout the construction phase of the development. Implementation of the development shall be undertaken only in full accordance with British Standard 3998 and British Standard 5837 including supervision of works by a qualified arboriculturalist. The tree works to trees identified as T8 and T9 shall be restricted to that set out in Section 3.4 of the above report.

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

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

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

(2015) Policy DM2 and advice contained within the Southend Design and Townscape Guide (2009).

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

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

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

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

13 The development hereby approved shall be carried out in full accordance with the recommendation set out in table 4.1 and Section 5 of the submitted Ecological Appraisal by The Ecology Consultancy version 3.0 dated 21.09.20 and plan reference 385-P8803 showing proposed habitat measures.

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

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

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

15 Before it is occupied the finished levels at the site shall be as set out on plan reference 385-P8804.

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

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

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

17 The roof of the single storey projection on the development hereby approved shall not be used as a balcony, roof garden or terrace or for any other purpose unless express planning permission has previously been obtained. The roof can however be used for the purposes of maintenance or to escape in the event of an emergency.

Reason: To ensure the development has an acceptable design and protects the amenities of neighbouring occupiers in accordance with policy DM1 of the Development Management Document (2015).

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

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

Informatives:

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

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

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

04 The applicant is advised that the appropriate highways licences should be obtained prior to the commencement of the development.

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

- 32 21/00316/AMDT - Westcliff Eruv, Westcliff-on-Sea (Chalkwell Ward)**
Proposal: Vary condition 02 of planning application 17/01263/FUL dated 03/10/2018 to replace approved plan numbers 911.23, 911.25, 911.33 and 911.002 with 911.23 RevA, 911.25 RevA, 911.33 RevA and 911.001 resiting and removal of poles at various locations (Minor Material Amendment of planning permission 17/01263/FUL dated 03/10/2018)
Applicant: Westcliff Jewish Association
Agent: Mr Daniel Rosenfelder of Rosenfelder Associates

Resolved:- That planning permission be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not later than 3rd October 2021

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans:

911.001C (Location Plan) ; 911.51; 911.002; 911.1; 911.2; 911.3; 911.4 A & B; 911.4 C & D; 911.5; 911.6; W.911.6; 911.7; 911.8; 911.9; 911.11; 911.12; 911.13 A & B; 911.13 C; 911.14; 911.15; 911.16; 911.17; 911.18; 911.19; 911.20; 911.21; 911.22; 911.23A; 911.25A; 911.26; 911.27; 911.28; 911.29; 911.30; 911.31; 911.32 Rev A; 911.33A; 911.34; 911.35; 911.36; 911.37 Rev A; 911.38; 911.39; 911.40 A & B; 911.40 C & D and 911.41.

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

03 In respect of all sites hereby approved, details of the design and colour of the external surfaces of the posts and poles and associated structures plus, in respect of sites 17, 27, 30, 31 and 39 the detailed locations, sizes and design details of the polycarbonate and steel sheet fixings, shall be submitted to the Local Planning Authority and approved in writing prior to the commencement of the development

at a particular site. Each individual pole, post or structure hereby approved shall be implemented in full accordance with the details approved under this condition within 6 months of the erection of that particular pole, post or structure. Notwithstanding the details shown on the plans submitted and otherwise hereby approved the pole erected outside the boundary of 70 and 72 Eastbourne Grove (Site 21) shall be chamfered above a height no less than 1m above ground level to a diameter of 76mm in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard character and appearance of surrounding area in accordance with the National Planning Policy Framework Policies KP2 and CP4 of the Core Strategy 2007 and policies DM1 and DM3 of the Development Management 2015 and the advice contained within the Design and Townscape Guide 2009.

04 A Construction, Management and Maintenance Strategy, for all works hereby approved on or adjacent to the public highway, including details of the management arrangements for implementation of the works hereby approved, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Local Highway Authority, prior to the commencement of the development. The Construction and Maintenance Strategy submitted shall include details on how the Eruv structure (poles, posts, associated structures and wire) would be constructed and maintained in a manner that would not compromise highway and pedestrian safety or unacceptably impact on movements on the public highway. The development shall be implemented and in full accordance with the approved Construction, Management and Maintenance Strategy and maintained in accordance with this Strategy in perpetuity.

Reason: In the interests of highway and pedestrian safety and to ensure that disruption to pedestrians and traffic on the road network arising from the development would be kept to a minimum in accordance with the National Planning Policy Framework Policies KP2, CP3 and CP4 of the Core Strategy 2007 and Policies DM1, DM3 and DM15 of the Development Management 2015 and the advice contained within the Design and Townscape Guide 2009.

05 No site works or other works associated with this development shall be commenced before an Arboricultural Method Statement and Tree Works Plan, detailing the precautions to be taken to minimise damage to trees within and adjacent the sites and any works to be carried out to trees as part of the implementation of the proposal (where relevant), in accordance with British Standards BS5837:2012 and BS3998:2010, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the Arboricultural Method Statement and Tree Works Plan approved under this condition. The approved tree protection measures shall be fully installed before the commencement of works and maintained during construction.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of tree protection, pursuant to Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and the advice contained in the Design and Townscape Guide (2009).

06 No site works or other works associated with this development shall be commenced unless and until an assessment of the impact of the wires on the flight paths of birds, for those approved structures within the reasonable proximity of Priory Park, have been submitted to and approved in writing by the Local Planning Authority. The assessment shall identify and propose measures such as, but not limited to, bird deflectors necessary to mitigate any identified harmful impacts and those agreed measures shall be fully installed prior to completion and first use of the respective developments and shall be permanently maintained for the lifetime of the developments hereby approved.

Reason: To ensure that the development protects local ecology in accordance with the National Planning Policy Framework, Policy KP2 and CP4 of the Council's Core Strategy (2007).

Informatives

01 The erection of the Eruv structures (poles, wires and any other associated works) on the highway would require a Highways Licence under the Highways Act 1980. This Licence would be subject to a number of conditions such as design, use of an approved contractor, indemnity insurance and a bond. If there are problems with any of these matters the licence would not be granted. The Highway Licence covers the proposal in terms of the positions of each pole and will check for any potential concerns, including impacts on clutter, sight lines, obstruction (this would be assessed in relation to all including the needs of disabled people), security and technical specification (including colour of poles and type of wire). The terms of the Licence require weekly inspections for the lifetime of the Eruv and the applicant must submit reports on the outcome of the inspection, any defects identified and actions taken to resolve. The Highways Group also charge an annual fee via the licence to carry out ad hoc inspections to ensure maintenance is being carried out.

02 Structures located on a footway or a footpath must allow for a minimum clearance of 1.5 metres for pedestrians. Location of any existing furniture in the vicinity must be taken into consideration to ensure that the minimum clearance required for pedestrians is not compromised.

03 The applicant is advised that any structures to be sited within or project over adopted highway will require Licences under the Highways Act 1980 in addition to planning permission. The exact location and details of these structures will be agreed as part of the licensing process. Please note that Licenses under the Highways Act 1980 will be issued for structures located on areas under the Local Authority's responsibility. For structures located in other areas, the applicant should seek an agreement with the land-owner. For structures impacting on adjacent boroughs, agreement must be sought from the relevant authorities.

04 The applicant is advised that on sites located on traffic sensitive routes, deliveries during the construction period should not take place during restricted hours.

05 Any and all works carried out in pursuance of this grant of planning permission will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the

provisions of the Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution.

06 The applicant is advised that they would be fully responsible for the maintenance of the proposed Eruv poles, wire and leci to be placed on the public highway at all times.

07 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.

- 33 21/00396/AMDT - 25 Mount Avenue, Westcliff-on-Sea (Chalkwell Ward)**
Proposal: Erect first floor extension with bay window to front to form additional floor to existing dwelling, recessed balcony to front, dormers and rooflights to side elevations to form habitable accommodation in roof and alter elevations (variation of plans approved under condition 2, variation of materials under condition 3 and variation of obscure glazing requirement under condition 5 attached to permission reference no. 20/01834/FULH dated 23/12/2020)
Applicant: Mrs McCormick
Agent: Mr Robert Parish

Resolved:- That planning permission be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin no later than 23/12/2023, three years from the date planning permission 20/01834/FULH was granted.

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: 20-051-pp-02 ISS09 & 20-051-pp-03 ISS08, 20-051-pp-01 ISS02.

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

03 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved plans.

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

04 Other than the first floor front bedroom corner wrap around window to the southern flank elevation of the application dwelling, the additional first floor windows to both flank elevations shall only be glazed in obscured glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and fixed shut to a height not less than 1.7m above finished internal floor level except for any top hung fanlight the lowest part of which shall be not less than 1.7m above the adjacent finished internal floor level and shall be retained as such in perpetuity.

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

05 With the exception of a top hung clear glazed opening fanlight, the windows belonging to the two side dormers facing No.21 Mount Avenue shall only be glazed in obscured glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut to a height not less than 1.7m above finished internal floor level and shall be retained as such in perpetuity.

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

Informatives

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

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

- 34 **21/00721/FULH - 237 Prittlewell Chase, Westcliff-on-Sea (Prittlewell Ward)**
Proposal: Erect part single/part two storey side and rear extension, install juliette balcony to rear, alter elevations (amended proposal)
Applicant: Mr & Mrs Matthew & Sarah Harding
Agent: Mr Danny Knott

Mr Abdul, a local resident, spoke as a objector to the application. The applicant, Mrs Harding responded.

Resolved:- That the matter be deferred for a pre-meeting site visit,

Chair: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Health & Wellbeing Board

Date: Wednesday, 9th June, 2021
Place: Council Chamber - Civic Suite

17

Present: Councillor C Nevin (Chair)
Dr J Garcia-Lobera (Vice-Chair),
Councillors S Buckley, M Davidson, T Harp, J Moyies and
C Mulroney

T D'Orsi, K Jackson, M Marks, T Forster and O Richards.

In Attendance: Councillor L Salter (observer – People Scrutiny Committee Chair)
R Harris and J Banks (ABSS)

Start/End Time: 5.00 pm - 6.45 pm

35 Apologies for Absence

Apologies for absence were received from A. Griffin, J. Gardner, S Dolling, Y. Blucher, A. Khaldi, P. Scott, J. Currell, J. Cripps and K. Ramkhelawon.

36 Declarations of Interest

The following declarations of interest were made:

(a) Cllr Salter – Minute 39 (Covid-19 Pandemic Updates), Minute 41 (ICS Boundary Review Update) and Minute 42 (Southend Healthwatch Strategic Priorities) – Non-pecuniary interest: Husband is consultant surgeon at Southend Hospital; daughter is a consultant at Basildon Hospital; Son-in-law is GP in the Borough;

(b) Cllr Harp – Minute 40 (A Better Start Progress Update) – Non-pecuniary interest: Non-pecuniary interest wife is employed by SAVS and he is a volunteer with SAVS; family friend employed in senior role at ABSS;

(c) Cllr Nevin – Minute 39 (Covid-19 Pandemic Updates) and Minute 41 (ICS Boundary Review Update) – Non-pecuniary interest: Employed at external NHS Trust; previous employment at Broomfield and Southend Hospitals; family members employed at Mid and South-Essex Trust hospitals and in the Trust's Estates Department; Group Director for Pathology at Mid and South Essex NHS Foundation Trust known to the councillor through previous employment.

(d) O. Richards – Minute 40 (A Better Start Progress Update) – Non-pecuniary interest: Employed by Family Action to run Healthwatch Southend, Family Action also run Children's Centres in the Borough.

37 Public Questions

There were no public questions at this meeting.

38 Minutes of the Meeting held on 8th March 2021

Resolved:-

That the Minutes of the Meeting held on 8th March 2021 be confirmed as a correct record and signed.

39 Covid-19 Pandemic Updates (Health Protection Board and Local Outbreak Plan Oversight and Engagement Board)

The Board considered a report from the Director of Public Health providing an update on the Covid-19 Local Outbreak Control Plan implementation of the national Pandemic Management Programme.

The Board asked a number of questions which were responded to by officers. In consideration of the report the Board commented on the vital importance of communication with the local population, particularly access to primary care.

Reference was also made to the mobile vaccination initiative and how this could be adapted for use by other services, e.g. healthchecks.

Resolved:

1. That the progress and ongoing implementation of the Local Outbreak Management Plan by the Local Health Protection Board and the Outbreak Control Oversight and Engagement Board, be noted.

2. That the key documents endorsed by the Health Protection Board, be noted.

40 A Better Start Progress Update

The Board considered a report from the Director, A Better Start Southend (ABSS), providing an update from the ABSS Chair on key developments since the last meeting.

The Board asked a number of questions which were responded to by the ABSS Director.

Resolved:

That the report be noted.

41 ICS Boundary Review Update

The Board received an update from the Executive Director (Adults and Communities) on the Integrated Care System Boundary Review and associated matters, which included:

- Proposals in the Health and Care White Paper to make Integrated Care System a statutory function which will require new governance arrangements;
- There was ongoing dialogue and discussions. Views being sought on two options: (1) no change and continue as Mid and South Essex) and

(2) Reconfigure on a geographic boundary with Southend, Essex and Thurrock.

- Emphasised that this would be a change at the strategic level not the provision of services.

The Board asked a number of questions which were responded to by officers.

Resolved:

That the update on progress with the ICS Boundary Review, be noted.

42 Southend Healthwatch Strategic Priorities

The Board considered a report of the Strategic Manager, Healthwatch Southend, providing an overview of the current priorities and strategic direction of Healthwatch Southend and sought the views of the Board on the priority areas for the next 12 to 18 months.

The Board discussed the potential priorities for the next 12-18 months and stressed the need for trends analysis to identify gaps and barriers and produce SMART and deliverable outcomes.

Resolved:

That a further report be provided covering the trends, gaps and barriers for focussed activity over the next 12-18 months.

43 Future Dates 2021/22

Wednesday 8th September 2021 at 5pm

Thursday 2nd December 2021 at 5pm

Monday 7th March 2021 at 5pm

Chair: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet Committee

Date: Thursday, 10th June, 2021
Place: Council Chamber - Civic Suite

18

Present: Councillor R Woodley (Chair)
Councillors P Collins (Vice-Chair) and C Nevin

In Attendance: Councillors M Berry, K Buck, S Buckley, D Cowan, D Garston,
S Habermel, A Moring, J Moyies and S Wakefield
G Gilbert, S Harrington and T Row

Start/End Time: 6.30 pm - 7.50 pm

44 Apologies for Absence

There were no apologies for absence.

45 Declarations of Interest

The following interests were declared at the meeting:

(i) Councillor Buck – Agenda Item No. 5 (Update on Outstanding Schemes per Ward – Scheme No. 335 Highwood Close) – Non-pecuniary interest: Lives in the road;

(ii) Councillor Buckley – Agenda Item No. 4 (Boroughwide Junction Protection Scheme) – Non-pecuniary interest: Family members live in roads where junction protection is being implemented;

(iii) Councillor Cowan – Agenda Item No. 4 (Boroughwide Junction Protection Scheme) – Non-pecuniary interest: Has been lobbied for junction protection restrictions at the junctions within the Astronauts Estate;

(iv) Councillor Moring – Agenda Item No. 4 (Boroughwide Junction Protection Scheme) – Non-pecuniary interest: Lives in the Ward where junction is being implemented but not in the road where he lives;

(v) Councillor Nevin Agenda Item No. 5 (Update on Outstanding Schemes per Ward – Scheme No. 337 Seaforth Road) – Non-pecuniary interest: Residents have approached her about the proposals; and

(vi) Councillor Woodley – Agenda Item No. 6 (Thorpe Bay Gardens - Covenant) – Non-pecuniary interest: Resident of the Burgess Estate.

46 Minutes of the Meeting held on Monday 22nd February 2021

Resolved:-

That the Minutes of the Meeting held on Monday, 22nd February 2021, be received, confirmed as a correct record and signed.

47 Boroughwide Junction Protection Scheme

Prior to the consideration of this item, the Council's Head of Traffic Management & Highways Network gave a brief training session/overview on traffic regulation orders.

The Cabinet Committee received a report of the Executive Director (Neighbourhoods and Environment) that presented the locations where additional waiting restrictions were required to manage and maintain access at various junctions throughout the Borough. The objective of the restrictions was to improve access and safety by improving visibility at junctions.

The Cabinet Committee noted that a further tranche of proposed junction protection restrictions would be submitted to a future meeting of the Traffic Regulations Working Party and Cabinet Committee for consideration.

Having considered the view of the Traffic Regulation Working Party it was:

Resolved:-

1. That the Executive Director (Neighbourhoods and Environment) be authorised to commence the statutory consultation on the proposed waiting restriction at the junctions illustrated in the plans attached to the submitted report at Appendix 1 and, subject to there being no representations following statutory advertisement, to arrange for the relevant traffic regulation order(s) to be confirmed and the proposals implemented.
2. That, in the event formal objections are received following statutory consultation, any unresolved objections be submitted to the Traffic Regulations Working Party and Cabinet Committee for consideration.

Reason for Decision

As set out in the submitted report

Other Options

As set out in the submitted report

Note: This is an Executive function

Eligible for call-in to Place Scrutiny Committee

Cabinet Member: Councillor Woodley

48 Update on Outstanding Schemes per Ward

The Cabinet Committee received a report of the Executive Director (Neighbourhoods and Environment) that presented an update on the progression of traffic regulation order requests in respect of various proposed waiting restrictions and schemes by Ward.

The Council's Head of Traffic & Highways gave her assurances that she would be happy to meet with Ward Councillors to discuss particular schemes.

Resolved:-

That the report be noted and that any schemes missing from the list at Appendix 1 to the submitted report or any new schemes be forwarded to the relevant service area by email to traffweb@southend.gov.uk

Reason for Decision

As set out in the submitted report.

Other Options

As set out in the submitted report.

Note: This is an Executive function

Eligible for call-in to Place Scrutiny Committee

Cabinet Member: Councillor Woodley

49 Thorpe Bay Garden - Covenant

Pursuant to Minute 848 of its meeting held on Monday 22nd February 2021, the Cabinet Committee received a report of the Executive Director (Neighbourhoods and Environment) regarding a covenant ("the Covenant" as detailed at paragraph 3.1 of the submitted report) in relation to parking restrictions in Thorpe Bay Gardens. The report also set out options for the way forward in relation to this matter.

Resolved:-

1. That the Council, acting in its capacity as Highway Authority, commence the statutory consultation for the revocation of the existing seasonal restrictions in Thorpe Bay Gardens from its junction with St Augustine's Avenue to its eastern extremity and the introduction of no waiting at any time restrictions daily between the hours of 8.00 a.m. until 10.00 p.m.
2. That, any unresolved objections to the statutory consultation, be referred to the Traffic Regulations Working Party for consideration.
3. That the situation in Thorpe Bay Gardens be monitored and kept under review and that a report be submitted to the meeting of the Traffic Regulations Working Party and Cabinet Committee within one year.

Reasons for Decision

As set out in the submitted report

Other Options

As set out in the submitted report

Note: This is an Executive function

Eligible for call-in to Place Scrutiny Committee

Cabinet Member: Councillor Woodley

Chair: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

Date: Tuesday, 15th June, 2021
Place: Committee Room 1 - Civic Suite

19

Present: Councillor I Gilbert (Chair)
Councillors R Woodley (Vice-Chair), L Burton, P Collins, A Jones,
C Mulroney, C Nevin and M Terry

In Attendance: A Griffin, A Lewis, J Chesterton, A Eastgate, T Forster, M Marks,
J Ruffle, J Williams, S Baker, E Cooney, C Gamble, A Keating,
J O'Loughlin, C Sandercombe, T Saunders, M Sheppard and
C Victory

Start/End Time: 2.00 pm - 3.58 pm

50 Apologies for Absence

There were no apologies for absence at this meeting.

51 Declarations of Interest

The following declarations of interest were made:

- (a) Councillor C Mulroney – Agenda item 8 (Levelling Up Fund Applications) – Director of Leigh Port Partnership and previous chair of North Thames Fisheries Local Action Group - Non-pecuniary interests.
- (b) Councillor A Jones – Agenda item 7 (Culture-Lead Regeneration and the Town Centre) – Son employed by c-2-c Rail - Non-pecuniary interest and Agenda item 12 (ASELA Governance) – Husband employed by one of the ASELA partners - Non-pecuniary interest.
- (c) Councillor M Terry – Agenda item 8 (Levelling Up Fund Applications) – Board member of Southend BID - Non-pecuniary interest.
- (d) Councillor P Collins – Agenda item 11 (Electric Vehicle Charging Policy) – Son holds blue badge for disabled parking bays - Non-pecuniary interest.

Officer Interests:

J Williams, J Ruffle and C Gamble – Agenda Items 13 and 22 (Management Arrangements) – Pecuniary Interest (withdrew).

52 Minutes of the Meeting held on 23rd February 2021

Resolved:

That the Minutes of the meeting held on Tuesday 23rd February 2021, be confirmed and signed as a correct record.

53 COVID Update

The Cabinet considered a report of the Chief Executive providing an update on the action taken by the Council in response to the Covid-19 pandemic and its approach to protect and support residents, local businesses, staff and the Borough in general.

Resolved:

That the action taken to date in response to the Covid-19 crisis, be noted.

Reasons for decision:

To ensure the Council has an opportunity to review action taken to date to tackle the Covid-19 crisis and to consider the appropriate approach to be taken to enable the Borough and Council to recover.

Other options:

The Council could choose not to outline its response to Covid-19. However, that would mean failing to recognise the huge impact the crisis has had on the Borough, its people and the Council along with the Council's approach to recovery.

Note: This is an Executive Function

Eligible for call-in to: All three Scrutiny Committees

Cabinet Member: Cllr Gilbert

54 Delivery of Southend 2050 Outcomes and Priorities - Annual Report and Provisional Resources Outturn 2020/21

The Cabinet considered a report of the Executive Directors (Finance and Resources and Transformation) presenting the Southend 2050 Outcomes and Priorities Annual Report for 2020/21 and the provisional resources outturn for 2020/21.

Resolved:

1. That the achievements, successes and challenges brought to life within the Annual Report 2020/21 (Section 4 and Appendix 1 to the submitted report), be noted.

Recommended:

2. That the provisional 2020/21 revenue outturn position for both the General Fund (Section 5 of the report) and Housing Revenue Account (HRA) (Section 6 of the report), be noted and that the agreement of any final adjustments and the transfer of the actual final General Fund outturn position to the Business Transformation Reserve (Section 5.4 of the report) following the completion and audit of the Statement of Accounts be delegated to the Executive Director (Finance and Resources).

3. That the appropriation of revenue funds to and (from) earmarked reserves, as set out in Section 5.17 to 5.23 (General Fund) and Section 6.7 of the report (HRA), be approved.
4. That the potential revenue impact of the 2020/21 outturn on the 2021/22 General Fund budget and Medium-Term Financial Strategy (Section 5.24 – 5.38 of the report), be noted.
5. That it be noted that the expenditure on the capital investment programme for 2020/21 totalled £66.085m against a revised budget of £71.936m (Sections 7.4 and 7.7 of the report).
6. That the relevant budget carry forwards and accelerated delivery requests totalling a net £6.160m moving into 2021/22 and future years, as set out in Appendix 2 to the report, be approved.
7. That the virements, reprofiles, additions, deletions, transfers and new external funding for schemes, as detailed in Appendix 2 to the report be approved and that it be noted that this will result in an amended Capital Investment Programme deliverable by the Council of £151.529m for the period 2021/22 to 2025/26, as detailed in Appendix 3 to the report.
8. That it be noted that the requested changes, as detailed in Appendix 2 to the report, will result in an amended Capital Investment Programme deliverable by South Essex Homes Limited and Porters Place Southend-on-Sea LLP of £64.509m, as detailed in Appendix 3 to the report.
9. That the content of the Infrastructure Funding Statement 2020/21 (included in Appendix 4 to the report), be noted and that the Main Fund receipts from reported year 2020/21 and previous reported years be carried forward, until the CIL Governance Framework and spending plans are reviewed later this year.
10. That authority be delegated to the Deputy Chief Executive and Executive Director for Growth and Housing (in consultation with Ward Members and the Cabinet Member for Environment, Culture, Tourism and Planning) to agree how the Ward Neighbourhood Allocations received up until 31 March 2021 (excluding allocation to Leigh Town Council) are to be spent.
11. That the procurement for Parking Enforcement and Operations for 2021/22 as set out in Section 9 of the report (£1m+ contract value), be approved.

Reasons for decision:

To provide Cabinet with the final revenue and capital outturn position for 2020/21 and as part of the year end processes, to approve any appropriations to or from earmarked reserves and to approve capital budget carry forwards, accelerated delivery requests and in year amendments to the current approved programme.

Other options:

None.

Note: The decision in 1 above constitutes an Executive Function. The decisions in 2-11 above constitute a Council Function.

Eligible for call-in to: All three Scrutiny Committees

Cabinet Member: Cllr Gilbert

55 Southend New Local Plan

The Cabinet considered a report of the Deputy Chief Executive and Executive Director (Growth and Housing) seeking approval to publish the 'Refining the Plan Options' for public consultation as part of the next stage in preparing the Southend New Local Plan.

The Minutes of the Environment, Culture, Tourism and Planning Working Party held on 8th June 2021 were considered in conjunction with this matter.

On consideration of the report, members of the Cabinet requested that officers redouble their efforts to investigate any potential available land for housing development outwith the green belt.

Resolved:

1. That the 'Refining the Plan Options' document set out at Appendix 1 to the submitted report be approved as the second stage of the preparation of the Southend New Local Plan to be published for public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

2. That the feedback received during the previous stage of consultation, the Southend New Local Plan Issues and Options Document 2019, as set out in the accompanying Consultation Statement set out in Appendix 2 to the report, be noted.

3. That authority be delegated to the Deputy Chief Executive and Executive Director (Growth and Housing), in consultation with the Executive Councillor for Environment, Culture, Tourism and Planning to:

- Make minor amendments to the Southend New Local Plan prior to consultation; and
- Take all necessary steps to ensure compliance with the relevant statutory processes and procedures to undertake the consultation.

4. That, in view of the constraints within the Borough and given the potential effects on the Green Belt of meeting our housing needs in full, being consulted upon in Options 2 and 3 of the Local Plan Consultation Document, that the Council seek the assistance of the local Members of Parliament to effect a meeting with the Secretary of State for Housing, Communities and Local Government in order to lay before him the difficulties which the Council finds itself in meeting the housing figures imposed by the Government without impinging on substantial green belt land or over-densification of the urban area and the consequent detrimental effect on the health and wellbeing of residents of the Borough.

Reasons for decision:

To expedite production of a new Local Plan for Southend.

Other options:

The failure to prepare a new Local Plan for Southend would result in its current plans becoming progressively out of date and the Council becoming increasingly unable to positively influence the scale, nature and location of development within the Borough.

Note: This is an Executive Function

Eligible for call-in to: Place Scrutiny Committee

Cabinet Member: Cllr Mulroney

56 Culture-led Regeneration and the Town Centre

The Cabinet considered a report of the Deputy Chief Executive, Executive Director (Growth and Housing) and Executive Director (Adults and Communities) setting out the planned next steps towards a reimagined and thriving town centre and the transformational role of culture led regeneration in delivering this and other outcomes across the Borough.

Resolved:

1. That the principles of the Culture Visions as set out in Appendix 1 to the submitted report to shape and inform culture-led regeneration, be adopted.
2. That the progress of outcomes contributing towards a reimagined and thriving town centre, be noted.
3. That the design plans for the LGF funded public realm external works at the Forum (Elmer Square), be approved.
4. That the development of a visual 'masterplan lite' for the town centre be progressed with a culture-led regeneration focus and that £125,000 be set aside to support this work to be funded from the Covid Recovery Reserve.

Reasons for decision:

1. The masterplan lite will set out an ambition and principles for growth and investment in the town centre. This provides a framework for funding bids and a tool for securing commercial investment in areas which resonate with Southend and help to deliver agreed outcomes.
2. To place the Council in a position to take advantage of new funding as it becomes available to support recovery and economic growth.

Other options:

Not to progress with the masterplan lite work and embedding of culture-led regeneration in the town centre and more widely across the Borough. This would reduce the likelihood of the benefits set out in the report being realised, a lack of

focus for investment and development in the town centre and the absence of a framework for the corresponding Levelling-Up Fund bid and any subsequent funding applications.

Note: This is an Executive Function
Eligible for call-in to: Place Scrutiny Committee
Cabinet Members: Cllr Gilbert and Cllr Mulroney

57 Levelling Up Fund Applications

The Cabinet considered a report of the Deputy Chief Executive and Executive Director (Growth and Housing) setting out the proposed approach to applications to the Government's Levelling-Up Fund (LUF) and the outcomes that would be achieved by successful bids.

Recommended:

1. That a bid to the Levelling-Up Fund (LUF) for highways in the first round, noting the associated additional capital and revenue costs, be approved.
2. That a bid to the LUF for the visitor economy in the first round, noting the associated additional capital and revenue costs, be approved.
3. That a further bid for culture-led town centre regeneration be developed in the second round as a lead authority for a potential joint bid with Rochford District Council, noting the need for associated additional capital and revenue costs for the Council and that Cabinet consider this bid further once the business case has been developed.
4. That if these bids are successful the relevant legal agreements be entered into to draw down the funding.
5. That the addition of £880,000 to the 2021/22 and 2022/23 Capital Investment Programme funded from borrowing to enable preliminary works associated with this bid to commence for the Leigh Port element of the visitor economy bid, be approved.
6. That the required additions (including additional resources for match funding) to the Capital Investment Programme, as set out in section 7.2 of the submitted report once the final outcome of the bids are known, be approved.
7. That the additional revenue implications to the Council of proceeding with these schemes be noted and if the bids are successful that these additional revenue costs will need to be considered as part of the Annual Budget Setting process in February 2022.

Reasons for decision:

The outcomes and benefits to be gained from these three bids cut across a significant number of the Southend 2050 outcomes. If successful, the LUF funded projects themselves will support some of Southend's key sectors, driving up footfall and spend, thereby safeguarding and potentially creating jobs. They will

also enhance the visitor offer, deliver improvements to traffic flows, environmental impact and community cohesion.

Other options:

1. It could be decided not to pursue any LUF bids and focus on existing projects in the capital programme. This would be to the detriment of Southend both in terms of the funding which could be attracted to deliver existing 2050 priorities while supporting economic recovery, and in terms of reputation and actively pursuing levelling-up and growth ambitions.

2. Alternatively the Council could decide to pursue other projects for the three bids. As the proposed bids are rooted in consultation and delivery of 2050 outcomes, this could risk disenfranchisement and reputational damage amongst stakeholders and delay economic recovery.

Note: This is a Council Function

Referred direct to Special Policy and Resources Scrutiny Committee

Cabinet Member: Cllr Gilbert

58 Disabled Grants Policy

The Cabinet considered a report of the Executive Director (Adults and Communities) seeking approval of the Disabled Facilities Grants Policy for Southend-on-Sea Borough Council.

Resolved:

1. That the removal of a means test for grants under £6,000 (£6,500 for a curved stairlift) to speed up prevention process for applicants, be approved.

2. That the circumstances where a discretionary disabled facilities grant can be considered, including relocation grants, special assistance grants and top-up grants, be approved.

3. That the Disabled Facilities Grants Policy document be adopted with immediate effect.

Reasons for decision:

To adopt the Disabled Facilities Grants (DFG) Policy and remove the mean's test for adaptations under £6,000 and stair lifts (average cost of which is £6,500).

Other options:

1. Not to introduce a discretionary Disabled Facilities Grant policy, continuing to only provide the mandatory elements of the DFG.

2. To continue to means test for all grants as per the mandatory requirements.

Note: This is an Executive Function

Eligible for call-in to: People Scrutiny Committee

Cabinet Member: Cllr Gilbert

59 Special Guardianship Order (SGO) Updated Policy

The Cabinet considered a report of the Executive Director (Children and Public Health) setting out changes and updates to the Special Guardianship Order (SGO) Policy, including changes to the financial support provided by the Council when a Special Guardianship Order (SGO) is made by the Family Court. The updated policy also sets out how the Council will respond to requests for financial support throughout the term of an SGO.

Resolved:

1. That the revised SGO Policy set out at Appendix 1 to the submitted report, be approved.
2. That the need to revise the Policy following the recommendation from the Local Government Ombudsman, be noted.
3. That the financial implications of the new policy for previous years and also for new cases going forward, be noted.

Reasons for decision:

1. To comply with a recommendation made by the Local Government Ombudsman (LGO) following a finding from the LGO that the Council's Special Guardianship allowance practice was not fully in line with legislation, statutory practice and case law.
2. The revised SGO Policy will ensure that special guardians receive the correct financial payment and following a review of all special guardians who did not receive the correct payments, for the 2-year transitional period, under the previous SGO policy, backdated payments are currently being arranged.

Other options:

None.

Note: This is an Executive Function
Eligible for call-in to: People Scrutiny Committee
Cabinet Member: Cllr Burton

60 Electric Vehicle Charging Policy

The Cabinet considered a report of the Deputy Chief Executive and Executive Director (Growth and Housing) concerning the preparation of new local planning policy for developers on the provision of electric vehicle charging points in new residential and commercial schemes, to support the Council's Green City Action Plan, and assist in delivering on relevant Southend 2050 outcomes.

Resolved:

1. That the Interim Policy Guidance for Electric Vehicles Charging Infrastructure Requirements to guide new developments in developing management decisions set out in Appendix 1 to the submitted report, be approved.
2. That the Electric Vehicles Charging Infrastructure Requirements in the New Developments draft Supplementary Planning Document set out in Appendix 2 to the report being subject to a 4 week period of public consultation, be approved.
3. That authority be delegated to the Deputy Chief Executive and Executive Director (Growth and Housing), in consultation with the Executive Councillor for Environment, Culture, Tourism and Planning to:
 - Make minor amendments to the draft Supplementary Planning Document prior to consultation; and
 - Take all necessary steps to ensure compliance with the relevant statutory processes and procedures to undertake the consultation.

Reason for decision:

To ensure the timely roll out of EV charging infrastructure to keep pace with new developments in the Borough.

Other options:

None.

Note: This is an Executive Function
Eligible for call-in to: Place Scrutiny Committee
Cabinet Member: Cllr Mulroney

61 ASELA Governance

The Cabinet considered a report of the Chief Executive providing an update on developments in relation to ASELA and proposed that the Council becomes a member of a Joint Committee of constituent members to oversee ASELA and provide enhanced transparency and accountability in the new delivery stage of its work programme.

The Minutes of the ASELA and Local Government Reform Working Party held on 7th June 2021 were considered in conjunction with this matter.

Recommended:

1. That the updates provided in the submitted report, be noted.
2. That the Council formally becomes a member of the Association of South Essex Local Authorities (ASELA) Joint Committee in accordance with Section 101 of the Local Government Act 1972, to oversee ASELA and provide enhanced transparency and accountability in the new delivery stage of its work programmes.

3. That the governance arrangements of the Joint Committee set out in Appendix 1 to the report and the related Joint Committee Agreement and Terms of Reference, be approved.

4. That the Leader of the Council be appointed to represent the Council on the Joint Committee.

5. That Councillor Woodley be appointed as the deputy representative to substitute for the Leader, in line with Part 7 of the Constitution.

Reason for Decision:

To provide ASELA with the governance arrangements required to enable delivery of the Growth and Recovery Prospectus and ten delivery programmes and for Southend and its residents to be a direct and indirect beneficiary of the work.

Other options:

Do nothing. Continuing with the existing informal arrangements does not support ASELA's ability to secure large scale investment from Government and the private sector. Nor does it provide transparency of decision making or accountability for delivery.

Note: This is a Council Function.

Eligible for call-in to: Policy and Resources Scrutiny Committee

Cabinet Member: Cllr Gilbert

62 Management Arrangements

The Cabinet considered a report of the Chief Executive setting out proposals for a reconfigured corporate management team structure.

Resolved:

1. That the reconfigured corporate management structure to reduce by one Executive Director from September 2021 and the associated annual saving from April 2022, be noted.

2. That the current Executive Director roles for Legal and Democratic Services and Transformation be deleted and one new Executive Director role (Strategy, Change and Governance) be created.

3. That the outcome of the HR procedures for individual officers be noted and approved as detailed in the confidential Appendix C to the submitted report.

4. That the funding of the one-off payments detailed in the confidential Appendix C, be noted.

5. That the services currently underneath the Executive Director roles for Legal and Democratic Services, Transformation and Finance and Resources be realigned to the new post of Executive Director (Strategy, Change and Governance) and Executive Director (Finance and Resources), as set out in Appendix B to the report.

6. That external recruitment be arranged for the vacant Executive Director (Strategy, Change and Governance) post and interim arrangements be put in place whilst the recruitment process is undertaken.

7. That the revised Senior Leadership team posts, be noted.

8. That the Chief Executive, in consultation with the Leader, be authorised to make further adjustments to the corporate management structure following relevant HR processes.

Reasons for decision:

The decision enables the proposals and rationale for the proposals set out in the report to be implemented and will ensure, provided the Council is successful in recruitment, to deliver Councillors' priorities and manage corporate services more effectively and efficiently.

Other options:

To make no changes to the current management arrangements. The risk is that the two Executive Director roles identified continue as currently aligned and do not allow for flexibility to effectively deliver the ambition and meet the changing demands and opportunities that have arisen as a result of the pandemic. The opportunity to make efficiencies and savings will be lost.

Note: This is an Executive Function

Eligible for call-in to: Policy and Resources Scrutiny Committee

Cabinet Member: Cllr Gilbert

63 Treasury Management Report 2020/21

The Cabinet considered a report of the Executive Director (Finance and Resources) covering the treasury activity for the period April 2020 to March 2021 and reviewed performance against the Prudential Indicators for 2020/21.

Resolved:

1. That the Annual Treasury Management Report for 2020/21 and the outturn Prudential Indicators for 2020/21, be approved.

2. That it be noted that the financing of 2020/21 capital expenditure of £66.085m has been funded in accordance with the schedule set out in Table 1 of section 4 of the submitted report.

3. That it be noted that Capital Financing and Treasury Management were carried out in accordance with statutory requirements, good practice and in compliance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Prudential Code during 2020/21.

4. That the following in respect of the return on investment and borrowing, be noted:

- The loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk.
- £1.606m of interest and income distributions for all investments were earned during 2020/21 at an average rate of 1.06%. This is 1.13% over the average 7 day LIBID rate (London Interbank Bid Rate) and 0.96% over the average bank base rate. Also the value of the externally managed funds decreased by a net of £0.353m due to the changes in the unit price, giving a combined return of 0.83%. (Section 7).
- The level of borrowing from the Public Works Loan Board (PWLb) (excluding debt relating to services transferred from Essex County Council on 1st April 1998) remained at £310.3m (Housing Revenue Account (HRA): £75.0m, General Fund (GF): £235.3m) throughout 2020/21.
- The level of financing for 'invest to save' schemes decreased from £8.64m to £8.53m by the end of 2020/21.

Reasons for decision:

The CIPFA Code of Practice on Treasury Management recommends that local authorities should submit reports regularly. The Treasury Management Policy Statement for 2020/21 sets out that reports would be submitted to Cabinet quarterly on the activities of the treasury management operation.

Other options:

There are many options available for the operation of the Treasury Management function, with varying degrees of risk associated with them. The Treasury Management Policy aims to effectively control risk to within a prudent level, whilst providing optimum performance consistent with that level of risk.

Note: This is an Executive Function

Eligible for call-in to: Policy and Resources Scrutiny Committee

Cabinet Member: Cllr Collins

64 Council Debt Management - Position to 31st March 2021

The Cabinet considered a report of the Executive Director (Finance and Resources) concerning the position of outstanding debt to the Council, as at 31st March 2021 and debts that have been written off, or are recommended for write off, in the current financial year as at 31st March 2021.

Resolved:

That the current outstanding debt position as at 31st March 2021 and the position of debts written off to 31st March 2021, as set out in Appendices A and B to the submitted report, be noted.

Reasons for decision:

All reasonable steps to recover all outstanding debt have been explored and undertaken before any consideration for write-off is recommended. If the Council wishes to pursue debts for bankruptcy proceedings, it will follow the agreed and published recovery policy that outlines the approach to this.

Other options:

None.

Note: This is an Executive Function

Eligible for call-in to: Policy and Resources Scrutiny Committee

Cabinet Member: Cllr Gilbert

65 Minutes of the Housing & Communities Working Party held 22nd April 2021

The Cabinet considered the recommendations of the Housing and Communities Working Party held on 22nd April 2021 relating to Notices of Motion referred by the Council at its meeting on 4th March 2021 to the Working Party.

Resolved:

Notice of Motion – Fuel Poverty

1. That the notice of motion concerning action to reduce fuel poverty in Southend, be noted.
2. That the existing work to support local residents to improve fuel poor homes through the Local Energy Advice Programme and REMeDY consortium, be maintained, and that the factors that contribute to fuel poverty be included within ongoing wider work to tackle poverty related issues.

Notice of Motion – Local Welfare Assistance

1. That the Notice of Motion concerning the establishment and maintenance of a Local Welfare Assistance Scheme, be noted.
2. That the current Essential Living Fund (ELF) programme be maintained as the Council's Local Welfare Assistance Scheme and that ongoing demand for the fund continue to be tracked and monitored in order to determine the extent to which additional funding for the ELF programme may be required going forward.
3. That the Council continue to provide the Government with detailed data on the financial impact of the Covid-19 pandemic on the services that it provides, in order to highlight areas of financial need.
4. That the Council continue to lobby the Government to provide appropriate additional financial assistance to support the future delivery of the ELF programme.

Notice of Motion – Membership of Development Control Committee

1. That the Notice of Motion concerning current requirements for the appointment of members of the Development Control Committee, be noted.
2. That the requirements for the appointment of members of the Development Control Committee be considered as part of the review of the Constitution that was currently being undertaken.

Reasons for decisions:

To respond to the Notices of Motion.

Other options:

None.

Note: This is an Executive Function

Eligible for call-in to:

Place Scrutiny Committee (Notice of Motion: Fuel Poverty and Membership of Development Control Committee)

Policy and Resources Scrutiny Committee (Notice of Motion: Local Welfare Assistance).

Cabinet Member: Cllr Gilbert

66 Minutes of the ASELA and Local Government Reform Working Party held 7th June 2021

The Minutes of the above-mentioned Working Party were considered under Item 12 (ASELA Governance) above.

67 Minutes of the Public Protection Working Party held 8th June 2021

The Cabinet considered the recommendations of the Public Protection Working Party held on 8th June 2021 relating to the Notice of Motion referred by the Council at its meeting on 4th March 2021 to the Working Party.

Resolved:

Notice of Motion – Death Certificate Compassionate Fund

1. That the Notice of Motion seeking the establishment of a Death Certificate Compassionate Fund, be noted.
2. That the establishment of an appropriate Death Certificate Compassionate Fund, be initiated.
3. That support arising from the proposed Death Certificate Compassionate Fund only be available to applicants in receipt of Housing Benefit or Council Tax Reduction, or otherwise at the discretion of the Council's Registrars on a case-by-case basis.
4. That, in considering the detail and application criteria of the proposed Death Certificate Compassionate Fund, full details of the estimated cost and financial implications of the operation of the Fund be brought to Cabinet for consideration.

Reasons for decision:

To respond to the Notice of Motion.

Other options:

None.

Note: This is an Executive Function

Eligible for call-in to: Policy and Resources Scrutiny Committee

Cabinet Member: Cllr Terry

68 Minutes of the Environment, Culture, Tourism and Planning Working Party held 8th June 2021

The Minutes of the above-mentioned Working Party were considered in conjunction with Item 6 (New Southend Local Plan) above.

69 SO46 Report

Resolved:

That the submitted report, be noted.

Note: This is an Executive Function

Eligible for call-in to: Relevant Scrutiny Committee

Cabinet Member: as appropriate to the item.

70 Exclusion of the Public

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below, on the grounds that they would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

71 Confidential Appendix - Management Arrangements

Resolved:

That the confidential Appendix C to the Management Arrangements, be noted.

Note: This is an Executive Function

Eligible for call-in to: Policy and Resources Scrutiny Committee

Cabinet Member: Cllr Gilbert

72 SO46 Confidential Sheet

Resolved:

That the confidential SO46 sheet, be noted.

Note: This is an Executive Function

Eligible for call-in to: relevant Scrutiny Committee

Cabinet Member: as appropriate to the item

Chair: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Appeals Committee A

Date: Tuesday, 15th June, 2021
Place: Committee Room 1 - Civic Suite

20

Present: Councillor M Stafford (Chair)
Councillors M Berry (Vice-Chair), D Garne, B Beggs, A Line,
A Thompson and *K Buck

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: R Harris and A Smith.

Start/End Time: 6.00 - 6.40 pm

73 Apologies for Absence

Apologies for absence were received from Councillor Buckley (substitute: Cllr Buck).

74 Declarations of Interest

There were no declarations of interest at this meeting.

75 Exclusion of the Public

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the item of business set out below, on the grounds that it would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

76 School Transport Appeal - Student SD

The Committee considered a report of the Executive Director (Children and Public Health), together with supporting correspondence from the parent of student SD, in connection with an application for home to school transport assistance.

The appellant was in attendance and presented their case and reasons.

Resolved:

That the appeal be upheld and home to school transport assistance be granted for student SD to the end of the academic year (July 2022).

Chair: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Policy and Resources Scrutiny Committee

Date: Tuesday, 15th June, 2021
Place: Council Chamber - Civic Suite

21

Present: Councillor D Garston (Chair)
Councillors S Habermel (Vice-Chair), S Buckley, D Cowan, T Cox,
T Cowdrey, M Davidson, M Dent, S George, D Jarvis*, D McGlone,
J Moyies, I Shead, A Thompson and P Wexham

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors I Gilbert, P Collins, A Jones and C Mulroney (Cabinet Members), A Lewis, T Forster, J Williams, E Cooney and S Tautz

Start/End Time: 6.30 - 7.45 pm

77 Apologies for Absence

Apologies for absence were received from Councillor M Kelly (no substitute) and Councillor D Nelson (Substitute: Councillor D Jarvis).

78 Declarations of Interest

The following interests were declared at the meeting:

- (a) Councillors I Gilbert, P Collins, A Jones and C Mulroney (Cabinet Members) - Interest in the referred item; attended pursuant to the dispensation agreed at Council on 19 July 2012, under S.33 of the Localism Act 2011.
- (b) Councillor M Dent - Agenda item 4 (Levelling Up Fund Applications) - Has worked with the Concrete Culture arts collective to undertake consultation on the future use of the Kursaal - Non-pecuniary interest.
- (c) Councillor T Cowdrey - Agenda item 4 (Levelling Up Fund Applications) - Has attended meetings of the Concrete Culture arts collective with regard to the future use of the Kursaal - Non-pecuniary interest.
- (d) Councillor C Mulroney - Agenda item 4 (Levelling Up Fund Applications) - Director of Leigh Port Partnership and former Chair of North Thames Fisheries Local Action Group - Non-pecuniary interests.
- (e) Councillor P Wexham - Agenda item 4 (Levelling Up Fund Applications) - Director of Leigh Port Partnership and member of North Thames Fisheries Local Action Group - Non-pecuniary interests.
- (f) Councillor A Jones - Agenda item 4 (Levelling Up Fund Applications) - Son employed by c-2-c Rail - Non-pecuniary interest.
- (g) Councillor D Cowan - Agenda item 4 (Levelling Up Fund Applications) - Has lobbied for improvements to the Harp House Roundabout - Non-pecuniary interest.

79 Questions from Members of the Public

There were no questions from members of the public relating to business included in the agenda for the meeting.

80 Levelling Up Fund Applications

The Committee considered Agenda Item 8 of the meeting of the Cabinet held on 15 June 2021, which had been referred directly to the Policy and Resources Scrutiny Committee, together with a report of the Director of Regeneration and Growth setting out the proposed approach to applications to the Government's Levelling-Up Fund and the outcomes that would be achieved by successful bids.

The Leader of the Council undertook to provide a written response to all members before the meeting of the Council to be held on 16 June 2021, with regard to questions concerning the borrowing requirement for preliminary works for the Leigh Port element of the proposed Visitor Economy Bid and the cost of capacity procured from external specialist advisors for the development of the Highways Bid.

Resolved:

That the following recommendations of the Cabinet be noted:

"(1) That a bid to the Levelling-Up Fund (LUF) for highways in the first round noting the associated additional capital and revenue costs, be approved.

(2) That a bid to the LUF for the visitor economy in the first round, noting the associated additional capital and revenue costs, be noted.

(3) That a further bid for culture-led town centre regeneration be developed in the second round as a lead authority for a potential joint bid with Rochford District Council noting the need for associated additional capital and revenue costs for the Council and that Cabinet consider this bid further once the business case has been developed.

(4) That if these bids are successful, relevant legal agreements be entered into to draw down the funding.

(5) That the addition of £880,000 to the 2021/22 and 2022/23 Capital Investment Programme funded from borrowing to enable preliminary works associated with this bid to commence for the Leigh Port element of the visitor economy bid, be approved.

(6) That the required additions (including additional resources for match funding) to the Capital Investment Programme, as set out in section 7.2 of the report once the final outcome of the bids are known, be approved.

(7) That the additional revenue implications to the Council of proceeding with these schemes be noted and if the bids are successful, that these additional revenue costs be considered as part of the Annual Budget Setting process in February 2022."

Note: This is a Council Function

Cabinet Member: Councillor I Gilbert

Chair: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee A

Date: Wednesday, 16th June, 2021

Place: Virtual Meeting via MS Teams

22

Present: Councillor K Mitchell (Chair)
Councillors A Dear and D McGlone

In Attendance: E Anakwue, T. Row, A Penn, P Richards and C Woodcraft

Start/End Time: 10.00 am - 11.50 am

81 Apologies for Absence

There were no apologies for absence.

82 Declarations of Interest

No interests were declared at the meeting.

83 Cornichon, 109 - 111 The Broadway, Leigh-on-Sea, SS9 1AD - Application for a Premises Licence

The sub-committee received a report of the Executive Director (Neighbourhoods and Environment) concerning an application by Hook & Partners Solicitors, acting on behalf of Regis Entertainment No. 2 Ltd, trading as Cornichon, for the grant of a Premises Licence at 109–111 The Broadway, Leigh-on-Sea, SS9 1AD.

The application was presented by Mr Hook, the Applicant's Solicitor. At the outset of the meeting, the Applicant's Solicitor confirmed that the name of the premises had changed from "Cornichon" to "Franks".

The sub-committee noted that representations to this application had been received from Essex Police and the Council's Environmental Health Team, but these representations were subsequently withdrawn following discussions with the Applicants and the imposition of appropriate measures should the application be granted. These were included in a supplementary pack which had been circulated prior to the meeting taking place. This included the amendment by the Applicant, so as to reduce the terminal hours originally sought on Thursdays by one hour. For clarity, the amended application is as follows:

(a) The supply of alcohol for consumption on and off the premises:
Sundays to Thursdays from 10:00hrs to 00:00hrs.
Friday and Saturday from 10:00hrs to 01:00hrs

(b) The Provisions of or Live & Recorded Music
Sundays to Thursdays from 10:00hrs to 00:00hrs.
Friday and Saturday from 10:00hrs to 01:00hrs

(c) To provide the Provision of Late-Night Refreshment:
Sunday to Thursdays from 23:00hrs to 00:00hrs
Friday and Saturday from 23:00hrs to 01:00hrs.

(d) Hours the premises are open to the Public:
Sunday to Thursdays from 07:00hrs to 00:30hrs.
Friday and Saturday from 07:00hrs to 01:30hrs

Thirteen (13) representations were received from local residents objecting to the application. One (1) of those objectors subsequently withdrew their representation following communication with the Applicant's Solicitor. Four (4) of the objectors, namely Mr Day, Mr Monk, Mrs Milton and Mr Nicholls attended the meeting and gave evidence. Their objections/representations related to all four of the licensing objectives.

The objectors' concerns are summarised as primarily being the potential for crime and disorder and anti-social behaviour from intoxicated persons, including drugs, vomit on the pavement, people urinating on garden walls and sex acts in alleyways; noise, nuisance and disturbance from loud music emanating from and patrons attending the premises which were located in a dense residential area with young families late at night; of anti-social behaviour from intoxicated persons; bottles, glasses and rubbish discarded by people visiting the premises; the belief that the premises may become a bar/club and not a restaurant; noise from taxis and cars parking in the street and parking congestion and traffic and highways safety issues; and the need for such hours late at night. These concerns were essentially based on the experiences of the previous management of the premises. The eligibility of the application was also questioned on the basis that the post code for the premises as shown on the statutory notices was also incorrect.

At the meeting, concerns were also expressed at the control of smokers outside of the premises and the potential for discarded cigarette ends on the highway. The Applicant's Solicitor assured the sub-committee that the premises would be operated primarily as a restaurant, with at least 40 covers being set out at all times the premises was open. (Covers means a place set at a table with a seat, cutlery, plate(s) and glass(es).) He also explained that good management required maintaining the cleanliness of the premises outside and gave assurances that the outside area would be monitored and that it would be in the best interests of the new licence holder to ensure that areas around the premises were kept clean at all times.

The need for a late-night licence and the rationale for making the application are not matters for the sub-committee to consider and the issues of highways and parking are essentially matters for planning. The concern relating to the possible procedural irregularities in respect of the accuracy of post code for the premises was considered by the sub-committee. It determined that, the address for the premises was clear for the purposes of the application and that the requirements of the Act had been complied and that the application had not been prejudiced.

The sub-committee acknowledged the issues of concern raised by the objectors. The sub-committee recognised that the problems alleged may have arisen from the premises under the control of the previous licence holder and therefore could not be attributed to the new Applicants. Additionally, each of the responsible

authority are experts in their respective field (paragraph 9.12 of the Revised Guidance issued under section 182 of the Licensing Act 2003 refers). The Police and Environmental Health had withdrawn their representations on the basis that conditions agreed with the Applicants should the application be granted. Furthermore, a key protection for the community where problems associated with the licensing objectives occur, was the possibility of reviewing the licence.

The sub-committee noted that the quality of the plan submitted with the application was unclear and felt that a revised plan should be provided clearly illustrating the extent of the licensed area, the location of the CCTV camera, the extent of the smoking area and the location of the toilets.

On the basis of the evidence presented to it and after considering all the relevant issues, the sub-committee concluded that the promotion of the licensing objectives would not be undermined by the granting of the amended application, subject to the imposition of appropriate conditions. The sub-committee therefore:

Resolved:-

That the application be granted subject to:

(i) The Mandatory Conditions set out in Appendix 1 to the report of the Executive Director (Neighbourhoods and Environment);

(ii) The revised Conditions drawn from the Operating Schedule, together with the Conditions agreed between the Applicant and the Responsible Authorities, circulated in the supplementary pack subject to the following the amendment of Condition 7 on page 1 to now read:

Condition 7

“Signs shall be displayed at the exit(s) of the premises requesting customers leave the premises quietly, not to loiter and to vacate the vicinity with consideration so as not to disturb nearby residents.”

the amendment to Condition 5 on page 3 to now read:

Condition 5

“There shall be no use of the external area between the hours of 22.00 and 08:00 the following day save as a smoking area. During those times, the maximum permitted capacity within that area shall not exceed eight (8) persons. No drinking vessels of any kind shall be taken into the external smoking area during these times.”

(iii) The following additional condition:

Condition

Prior to commencement of the licence coming into force, the Licensee shall provide to the Licensing Authority a revised plan clearly illustrating the extent of the licensed area in red, the location of the CCTV camera, the extent of the smoking area and the location of the toilets.

Chair: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet Committee

Date: Thursday, 17th June, 2021
Place: Council Chamber - Civic Suite

23

Present: Councillor R Woodley (Chair)
Councillors P Collins (Vice-Chair) and C Nevin

In Attendance: Councillors M Berry, D Cowan, T Cox, D Garston, S Habermel,
A Moring, J Moyies and S Wakefield
S Harrington and T Row

Start/End Time: 6.30 pm - 7.35 pm

84 Apologies for Absence

There were no apologies for absence.

85 Declarations of Interest

No interests were declared at the meeting.

86 Exclusion of the Public

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below, on the grounds that they would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

87 Permanent Vehicular Crossing (PVX) - Exceptional Circumstances Application(s)

The Cabinet Committee received a report of Executive Director (Neighbourhoods and the Environment) presenting the exceptional circumstance applications for permanent vehicle crossings (PVX) as set out in Appendix 1 to the report. The Applicants or their representatives attended the meeting to present their respective applications.

Having considered the views of the Traffic Regulations Working Party, it was:

Resolved:-

1. That the following applications be refused on the grounds that no extenuating circumstances that would warrant an exception to the current established policy could be identified:

Application Reference No. 20/00282; and
Application Reference No. 21/00088.

2. That, in view of the extenuating factors in relation to the individual case, the PVX exceptional circumstance application ref no. 21/00089 be granted.

Reasons for Decision

As set out in the submitted report

Other Options

As set out in the submitted report

Note: This is an Executive function

Not eligible for call-in pursuant to Scrutiny Procedure Rule 15(e)(iv)

Cabinet Member: Cllr Woodley

Chair: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Appointments and Disciplinary Committee

Date: Tuesday, 29th June, 2021
Place: Committee Room 4a - Civic Suite

24

Present: Councillor I Gilbert (Chair)
Councillors R Woodley (Vice-Chair), D Cowan, T Cox, M Davidson,
D Jarvis and C Mulroney

In Attendance: S Putt and M Bearn (Hays Executive)

Start/End Time: 9.30 am - 11.15 am

88 Apologies for Absence

There were no apologies for absence at this meeting.

89 Declarations of Interest

There were no declarations of interest at this meeting.

90 Exclusion of the Public

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below, on the grounds that they would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

91 Interim Chief Executive Arrangements

Resolved:

That the Deputy Chief Executive be appointed as Chief Executive for the interim period until the new Chief Executive is appointed and takes up the post.

92 Appointment of New Chief Executive (Shortlisting)

The Committee considered candidates for short-listing for the post of Chief Executive.

Resolved:

The Committee agreed a shortlist of 3 candidates for the post of Chief Executive as set out below:

MA, RB, CB

Chair: _____

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NOTICE OF MOTION

CLIMATE AND ECOLOGICAL EMERGENCY BILL

The Climate and Ecological Emergency Bill seeks to introduce a legal framework to ensure the delivery of targets on carbon emissions which are currently aspirational.

This Council declared a Climate Emergency in 2019 and is working towards net carbon zero by 2030. The Covid 19 pandemic has inevitably caused delay to moving forward on many initiatives and as members have previously been informed there is a need for Government action to take forward relevant policies and allocate funding to Councils to carry them through.

The evidence of effects on climate change are becoming ever more evident in the UK and worldwide. Impacts are being felt by all with the rise in Global temperatures and atmospheric CO₂ levels which are above 400 parts per million (ppm) and continue to rise.

This far exceeds the 350ppm deemed to be a safe level for humanity. Without more significant and sustained action, the world is set to exceed the Paris Agreement's 1.5°C limit between 2030 and 2040.

The increase in harm caused by a rise of 2°C rather than 1.5°C is significant. The costs of failing to address this crisis will far outstrip the investments required to prevent it. Investing now will bring many benefits in the form of good jobs, breathable cities and thriving communities.

It is therefore RECOMMENDED THAT

This Council adopts the following motion on the Climate and Ecological Emergency Bill

Council notes that

- i. This council has declared a climate and ecological emergency;
- ii. There is a Bill before Parliament—the Climate and Ecological Emergency Bill (published as the “Climate and Ecology Bill”)—according to which the Government must develop an emergency strategy that:
 - a. requires that the UK plays its fair and proper role in reducing greenhouse gas emissions consistent with limiting global temperature increase to 1.5 degrees C above pre-industrial temperatures;
 - b. ensures that all the UK's consumption emissions are accounted for;
 - c. includes emissions from aviation and shipping;

- d. protects and restores biodiverse habitats along overseas supply chains;
- e. restores and regenerates the UK's depleted soils, wildlife habitats and species populations to healthy and robust states, maximising their capacity to absorb CO2 and their resistance to climate heating;
- f. sets up an independent Citizens' Assembly, representative of the UK's population, to engage with Parliament and Government and help develop the emergency strategy.

Council therefore resolves to:

- i. Support the Climate and Ecological Emergency Bill
 - ii. Inform the local media of this decision;
 - iii. Write to local MPs, asking them to support the Bill; and
 - iv. Write to the CEE Bill Alliance, the organisers of the campaign for the Bill, expressing its support (campaign@ceebill.uk)."
- Signed

Paul Collins
Beth Hooper
Carole Mulroney
Ashley Thompson
Peter Wexham

Notice of Motion

Ban the Use of Glyphosate in Parks and Open Spaces

That the Cabinet considers a full ban in the Borough on the use of all glyphosate in the Borough's parks and open spaces and to look at all alternatives to using glyphosate.

Cllr Ward
Cllr Chalk
Cllr Wakefield
Cllr Stafford
Cllr Ayling
Cllr Shead

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Council – 15th July 2021

Notice of Motion

Support for the Licensing of Jet Skis and other powered water craft

In November 2020 Hywel Williams, MP for Arfon, a coastal constituency based around Bangor and Carnafon, presented a Private Members Bill for its First Reading, in respect of the licensing of jet skis.

In moving the Bill the MP stated that *“Jet skis, or otherwise motorised personal watercraft, are powerful machines of up to 300 hp, which can lead to speeds of up to 40 mph on water. They are easy to tow and to launch from any beach. Compared with other watercraft, they are not expensive and their use has been growing for many years....”*

Hon. Members may be surprised that in the UK, anyone can use a jet ski. No licence is required. There is no compulsory training or test of competence. The recommended lower age limit is 12 years. Local authorities and other bodies have limited regulatory powers, such as setting speed limits in some areas and specifying launching areas, but enforcement is difficult and can be expensive in a time of cuts....

Current regulatory measures are useful but cannot be a substitute for what is really needed, and that is a proper licensing system, with training and a test of competence, and proportionate enforcement, properly funded. Antisocial and, less commonly, the dangerous use of jet skis, sometimes associated with prior alcohol consumption, has long been a problem..... The UK is the only state in Europe without a licensing system.”

We agree with the MP’s assessment and our officers have been discussing for some time, with the Marine Police and local interests how we as a coastal authority can tackle what is a growing problem.

As members of the LGA Special Interest Group of Bathing Water Safety, the Council is part of a group of members from around the coastline who are similarly considering the issue which is seen as requiring urgent action.

Very often these machines are launched from outside our Borough so arrive ‘in the water’ at speed with erratic courses and causing a danger to those in boats, swimmers and our fishing fleet, which some delight in ‘buzzing’ without any thought of the danger to themselves or others. The use and numbers of jet skis are increasing around our coastline and locally and consequently the dangers are also increasing. We regularly receive complaints from fishermen, residents and watercraft owners regarding the dangers.

The effect of the proposed Bill would be to require all such craft to be licensed (which includes the need for competency in their use) and make it an offence to be unlicensed. We would like to go a step further to ensure that jetskis are insured properly in the same way road vehicles have to be.

We therefore, move that –

1. This Council writes to Hywell Williams MP to express its support for the MP for Arfon in his efforts to bring the Jet Ski bill to the statute book and requests Southend MPs to also lend their support to the Bill and press for a Second Reading, which has yet to be listed.
2. That if this particular Bill should not proceed, Southend MPs be requested to act in the interests of their residents and visitors in promoting a Bill for the Licensing of Jet Skis in similar vein as swiftly as possible and to keep the Council informed of their progress.
3. That both 1 and 2 above also include the need for craft to be insured properly.

Carole Mulroney
Peter Wexham
Paul Collins
Beth Hooper
Ashley Thompson

Kursaal Comeback

The Kursaal has been part of Southend for 120 years, and in that time it has been a rich piece of the town's cultural and architectural heritage as well as being an icon of the town.

Since the bowling alley at the Kursaal closed in April 2019, a large portion of the building has been closed to the public. With the closure of the Rendezvous Casino in June 2020, the majority of the building has sat empty with Tesco Express the only tenant in the building. The first floor has never had a Tennant since its 1997 refurbishment.

The Council notes

- There is a widespread desire in the town to see the Kursaal open to and designed by the public, for the benefit of residents and visitors alike, and a concern at the possibility of the building decaying.
- Since September 2020, the local arts and community residents cooperative Concrete Culture have been investigating potential ideas for getting the Kursaal back in use and how to make the best use of it for the people of Southend.
- The public consultation run by Concrete Culture on the future of the Kursaal received over 1,100 responses from every ward in Southend. This has brought forward a surge of interest in the Kursaal and its potential uses.
- The Council owns the freehold of the Kursaal building.

The Council resolves:

- To seek to reacquire the lease of the Kursaal in order to reopen it to the public, in a way that both preserves its rich heritage and delivers the best option for local taxpayers.
- To work with Concrete Culture to explore the ideas sourced from Southend residents, and find a way to realise Concrete Culture's vision for the Kursaal, co-created and produced with Southend residents.
- To explore all possible funding options to ensure that the Kursaal has a strong and lasting future at the centre of Southend's identity.

Proposed: Cllr Matt Dent

Seconded: Cllr Helen McDonald

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MEMBERS' PLEDGE TOWARDS NET ZERO AND JOINING UK100

This Council has declared a Climate Change Emergency and is working on its plans to achieve net zero by 2030.

There is no doubt that the aim is high and the task is hard but it is achievable with the right co-ordination and partnership working, both locally and nationally.

UK100 is the only network for UK locally elected leaders who have pledged to play their part in the global effort to avoid the worst impacts of climate change by switching to 100% clean energy by 2050.

To accelerate the transition to this Net Zero society, UK100 brings together local authorities, from cities to the countryside, to share knowledge, collaborate, and petition the UK government with their collective power.

They are working together to create flourishing communities, seizing the opportunities of technology to create jobs and establishing a nationwide projects of renewal, focussed on local needs and ambitions.

UK100 works closely with elected representatives and policy experts to develop solutions to the challenges all local leaders face, and to build public support for the transition.

Many local authorities have already joined UK100 and taken the pledge to do everything they can to achieve its aims. The benefit of a united organisation in the battle for net zero is undoubtedly one that Southend should embrace, for by learning from and with others we move closer to achieving our aims.

It costs nothing to join UK100 but it is more than likely to reap the rewards of shared experience, knowledge and support and build a network across the UK to work with each other and government, challenge Government to move quickly and effectively and to monitor progress, adapting as new technologies come forward.

Attached is the Pledge that Members take to work to achieve the aims and also a note of clarification. To date 110 local authorities have taken the pledge but Essex is not represented on the list – let's make Southend the leader of the Essex contingent.

It is therefore RECOMMENDED:

That this Council support the Leadership of the Council acting on behalf of all members, present and future, in taking the UK100 pledge and working with others to achieve the stated aims.

Signed – Paul Collins, Beth Hooper, Carole Mulroney, Ashley Thompson, Peter Wexham

Membership Pledge

As **local leaders across the UK**, we see the challenges our communities face. We recognise our responsibility to tackle the climate emergency and protect our environment to secure the future for them and for people around the world.

In 2019, the UK Parliament passed legislation to bring all greenhouse gas emissions to Net Zero by 2050. This was to keep in line with international commitment in the Paris Agreement to limit global warming to 1.5 degrees. But science tells us **we need to start now and make rapid reductions** much sooner.

We will do everything within our power and influence to rapidly reduce our greenhouse gas emissions. We will bring our **council emissions to Net Zero by 2030*** and we will work with our residents and businesses to bring our wider **communities' emissions in line with Net Zero as soon as possible** (and by 2045* at the latest).

We will continue to lead the UK's response to Net Zero, going ahead of the government goal and taking the first steps with urgency. We will make substantial progress within the next decade to deliver Net Zero. With greater powers, we would go further, faster.

We will be **bold and brave**, carrying out strong climate action now and building prosperous, secure and more resilient communities that are healthier, cleaner and safer, in ways that follow the science and are practical and achievable.

We pledge to **assess** our largest impacts on climate change, **prioritise** where action needs to be taken and **measure** and **monitor** progress towards targets. We will reduce our emissions at source and limit the use of carbon offsets as part of the global effort to avoid the worst impacts of climate change.

As local leaders, **we are uniquely placed to help tackle the climate emergency**. We are closer to the people who live and work in our communities, so we have a better understanding of their needs. This means we can collaborate with them to build consensus for the solutions we need to transition to a Net Zero society that delivers multiple benefits and is fair, just and works for everyone.

We have come together from local authorities across the UK to share knowledge and collaborate with each other, with businesses and our residents to deliver action now. And we will also use our experience of our ability and achievements to advocate to the UK government in order to accelerate the transition to a Net Zero society.

As a nation, we have demonstrated throughout our history that we are able and willing to lead on finding solutions to the challenges the world faces. The success and prosperity of our nation has largely rested on our ability to harness the power of dirty fossil fuels. It is now our shared responsibility to turn this ingenuity to solving the climate emergency in a way that has a positive impact on our communities. **We need to ensure our future is better than our past.**

UK100 Net Zero Pledge – guidance and clarifications

- Net Zero target date: council operations/estate by 2030*, whole area by 2045* at the latest.
- * Countryside counties can have a Net Zero target date of 2050 for their area-wide emissions, with the aim of moving towards an earlier Net Zero target date as soon as possible. The different date for countryside counties is because of the specific challenges they face due to their rural geography, scale powers and responsibilities. We will engage with these countryside counties via our Countryside Climate Network to identify specific challenges they face in setting an earlier Net Zero date, to advocate to national government for policy change that will enable them to move to an earlier Net Zero target date as soon as possible.
- * Combined authorities and city regions should have set a Net Zero target date before 2045 for both their council emissions and their areawide emissions, to reflect their strategic scale and wide-ranging responsibilities.
- Offsets: The use of offsets should be limited and used only as a last resort when reducing emissions to Net Zero at source is not possible. Offsets should aim to be as local as possible.
- Reporting: Reporting should be annual, from 2022 onwards. • Scopes: At least scopes 1 and 2 for council emissions and area wide emissions.
- Baseline of emissions: from 1990 levels, in line with IPCC. For councils that have been established after that, this needs to be clarified on an individual basis.
- Those pledging should set interim targets, focusing on early actions and prioritising sectors that will contribute to rapid reductions in GHG emissions.
- The focus of the pledge is mitigation, which is UK100's focus on work. The ecological emergency, biodiversity and adaptation are important related issues but not specific targets of this pledge. • The pledge is designed to demonstrate the ambition and ability of democratically elected local leaders to deliver on Net Zero.
- It is also intended to create the conditions for stronger climate action at national level to help local authorities reach Net Zero faster.

Environmentally sound management of roadside verges

Southend Council notes that:

- Road verges are home to almost half of the UK's wildflower species, which in turn are home to hundreds of species of pollinators, from beetles to bumblebees.
- In September 2019 Southend Council declared a climate emergency, in recognition of the existential threat that climate change poses, and committed to achieving net-zero carbon emissions for the Borough by 2030.
- Bees and other pollinators have been in decline for at least the last 30 years, due to widescale habitat loss and use of pesticides and weedkillers.
- The use of glyphosate and other chemical weedkillers has a profoundly adverse effect on the natural environment and is a contributory factor in the decline of fauna and flora vital to the ecosystem.

Southend Council therefore resolves:

- To work to pilot a scheme whereby roadside verges on non-residential roads in safe locations in Southend can be planted with wildflowers to provide increased biodiversity and natural habitat.
- To carefully coordinate maintenance of all roadside verges to prioritise the natural environment of the borough.
- To phase out the use of glyphosate and other such environmentally damaging chemical herbicides and pesticides within the Borough.

Proposer

Cllr Matt Dent

Seconder

Cllr Aston Line

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NOTICE OF MOTION

SOUTHEND GOING GREEN GRANT SCHEME 2021

All members are aware that this Council has passed a climate change declaration and is working towards net zero by 2030. We are also looking for the Borough as a District to achieve that target. However, we recognise that we cannot do it alone and will need the help and support of businesses and residents to make Southend a greener Borough.

We need to be supporting local groups, many of whom have ideas of small schemes that can advance the climate change agenda in their local areas. We need to be supporting them in order to bring their ideas to fruition not just with help and advice but with a level of funding as well.

Therefore we propose a Southend Going Green Grant Scheme to deliver the commitments made in our Climate Change Declaration, through active engagement with local green initiatives, working with local community groups.

The purpose of this Motion is to set aside a single one off amount split across the 17 wards equally for the purpose of grants to community groups (not ward members or LTC) to bring forward their own projects.

IT IS THEREFORE RECOMMENDED:

That this Council approve the creation of the Southend Going Green Grant Scheme 2021, to enable the Council to work with local organisations on local green initiatives and allocates appropriate resources to support this.

The Scheme to be funded by an allocation of £85k as a one-off fund divided equally between the 17 wards, (£5000 per ward) awarded under a criteria to be agreed.

The establishment of the Southend Going Greener Grants Scheme 2021 will encourage wider community engagement to help deliver localised projects which benefit the environment and will facilitate community-led initiatives that both improve a local area and enable wider “green” actions.

The Scheme will operate through an application process with applications to be submitted between August and September 2021.

Carole Mulroney

Peter Wexham

Paul Collins

Beth Hooper

Ashley Thompson

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Southend-on-Sea Borough Council

Agenda
Item No.

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Report of Executive Director
(Legal and Democratic Services)

to
Council

on
15 July 2021

Report prepared by: John Williams
Executive Director (Legal & Democratic Services)

Change to the Constitution

Part 1 - Public Agenda Item

1. Purpose of Report

For the Council to agree a minor amendment to Standing Order 31.2.

2. Recommendation

That a minor amendment be made to Standing Order 31.2 as set out in Appendix 1 and that Part 4(a) of the Constitution be amended accordingly.

3. Background

- 3.1 Standing Order 31 deals with Substitute Councillors on Committees.
If a councillor wishes a Substitute Councillor to attend a meeting in their place, then notice has to be given to the Chief Executive no later than 3 hours before the time fixed for the meeting.
- 3.2 Recently two councillors were unable to attend a meeting for Covid related reasons discovered less than 3 hours before a meeting.
- 3.3 In order to address the situation in 3.2, it is recommended that a minor amendment be made to Standing Order 31.2 as set out in Appendix 1.

4. Background Papers

None

5. Appendices

Appendix 1 - Proposed amendment to Standing Order 31.2 in Part 4(a) of the Constitution

31. Substitute Councillors

31.1 Each political group may nominate any number of its members to be appointed by the Council to act as Substitute Councillors on each Committee in the circumstances set out below.

31.2 A member of a Committee shall, if he / she wishes a Substitute Councillor to attend a meeting of that Committee in his / her place, give the Chief Executive written notice by sending an e-mail to committeesection@southend.gov.uk no later than 3 hours before the time fixed for the meeting that he / she is unable to attend and that the Substitute Councillor named in the substitution notice will attend in his / her place **save that, if the absence is Covid related and evidence to that effect is provided in writing, then notice can be given up to the commencement of the meeting.**

If a Councillor is indisposed, then he or she may give written notice to the Chief Executive that for a specified period of time his or her Group Leader will deal with the appointment of Substitute Councillors on his / her behalf. In such circumstances the specified Group Leader shall be able to serve substitution notices on behalf of the Councillor concerned in accordance with the general rule stated above.

31.3 The effect of such substitution shall be that the Councillor giving the notice shall cease to be a member of that Committee for the duration of that meeting and for the duration of any adjournment of it, and that the Substitute Councillor shall be a full member of the Committee for the same period. If a Councillor for whom a substitute has been notified in accordance with sub-paragraph (2) above and not revoked subsequently attends any part of the relevant meeting he / she shall do so as an observer only, but may be permitted to speak in accordance with Standing Order 37(2).

31.4 A substitution notice given in respect of any meeting may be revoked by notice in writing given to the Chief Executive by the Councillor who gave the original notice at any time up to the time for receipt of a substitution notice as prescribed in sub-paragraph (2) above.

31.5 The Chief Executive shall give notice of Committee meetings in the usual way to all members of the Committee and to all Substitute Councillors.

31.6 These arrangements shall apply in the same way in respect of Sub-Committees, Working Parties, Forums, Panels, and other bodies but not the Cabinet or Cabinet Committee which are regulated by 31.7.

31.7 The Leader shall appoint a substitute for each of the Cabinet Members in order to cover his / her portfolio in the event he or she is absent or disqualified for whatever reason. All the substitutes shall be drawn from amongst the other Cabinet Members. The same arrangements will apply to Cabinet Members in the Cabinet Committee.

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Opposition Business: Notice of Motions referred to Working Parties

Motion

We call upon the Council to reverse the decision to refer all motions to the working parties and re-instate that all motions are referred direct to Cabinet.

Proposer: Cllr Cox

Seconders: All members of the Conservative Group

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