

SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 4th January, 2023

Place: Committee Room 1 - Civic Suite

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

In Attendance: Councillor L Hyde
G Gilbert, K Waters, P Keyes, S Mouratidis, H Thompson, M Warren
and T Row

Start/End Time: 2.00 pm - 3.15 pm

594 Apologies for Absence

Apologies for absence were received from Councillors Berry (no substitute), Jarvis (substitute: Councillor Folkard), and Shead (no substitute).

595 Declarations of Interest

The following interests were declared at the meeting:

(i) Councillor Dear – Application 22/01954/FULH (8a Woodberry Close, Leigh on Sea) – Had been contacted by the applicant for advice on the application and had been contacted by a number of neighbours in Woodberry Close (withdrew).

596 Supplementary Report

The Committee received and noted a supplementary report by the Executive Director (Growth and Housing) that provided additional information on the items referred to elsewhere on the Agenda, since the publication of the reports.

597 22/01116/FULM - Prince Avenue Academy and Nursery, Hornby Avenue, Westcliff on Sea (St Laurence Ward)

Proposal: Construct 7v7 3G football turf pitch with 3m boundary fencing and emergency access on existing playing field to southwest of school site, erect 4no. 10m high floodlights, one sanitary cabin and one games equipment store

Applicant: Mr Nigel Brunning

Agent: Mr Mark Hatley of PCH Associates Ltd

Resolved:- That planning permission be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin no later than three years from the date of 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 plan: 22011-D-200-P1, 22011-D-800-P1, 9358-D-PS, 201-15_PL-01.R3, 201-15_PL-02.R2, 201-15_PL-03.R4, 201-15_PL-05.R3, 201-15_PL-06.R2, 201-15_SK_100.R0, 201-15_SK_101.R0, 201-15_PL-04.R4, 201-15_PL-07.R0, 201-15_PL-08.R0, 201-15_PL-09.R2.

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

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no development shall take place, other than for demolition and site clearance works, until samples and or details of the materials to be used in the construction of the external elevations of the storage and WC buildings, and the fencing and hard surfaces hereby approved, have been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The development shall be carried out and completed in accordance with the approved details before it is brought into use.

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

04 Prior to first use of the artificial pitch hereby approved, a Community Use Agreement shall be submitted to and approved in writing by the Local Planning Authority under the terms of this condition. The Community Use Agreement submitted shall include, but not be limited to, details of the following:

- (i) Hours of opening for the different sporting and community facilities provided at the site and measures to be used to mitigate noise and disturbance from the use of the site;
- (ii) Pricing policy on charging for use of the facilities provided at the site;
- (iii) Policy on access and availability to the site's facilities for members and non-members of the facility;
- (iv) Management arrangements for the site and facilities provided, including a mechanism for review of the Community Use Agreement;
- (v) Parking arrangements for users of the site, including cycle parking;
- (vi) Code of conduct for users of the site.

The development shall be used in full accordance with the approved Community Use Agreement in perpetuity from the first use of the pitch.

Reason: To secure well managed access to the sports and community facilities provided by the scheme and to ensure sufficient benefit to the development of sport in accordance with the National Planning Policy Framework (2021) and Policies CP6 and CP7 of the Core Strategy (2007).

05 No development shall take place unless and until details of the implementation, adoption, maintenance and management of the drainage system to be used at the

site have been submitted to and approved in writing by the Local Planning Authority. This shall include:

- (i) full details of the sustainable urban drainage systems to be used and how these have been selected.
- (ii) Full drainage calculations showing that the following parameters have been used:
 - (a) A Cv value of 1.00 for all designs
 - (b) The maximum rainfall intensity value set to the maximum the software allows (generally 550 mm/hr, default is 50 mm/hr)
 - (c) The MADD/Addition Storage factor is provided and set to 0 (default is 20 m³/ha)
 - (d) Storage volume calculations provided
 - (e) Half drain times for storage features have been provided and are less than 24 hours
- (iii) An updated drainage plan which details exceedance and conveyance flow routes, including provision for failure of a pump, should it be required
- (iv) An agreement in principle from Anglian Water to make a new drainage connection, including confirmation of the maximum flow rate this connection will discharge at
- (v) How flood risk will be minimised during the construction phase
- (vi) A SuDS Management Plan, detailing the body that will be responsible for the maintenance of the drainage system throughout the lifetime of the development including a management statement and schedule to outline the required maintenance for the SuDS features, such as attenuation tank(s).

The details and measures so approved shall be implemented at the site and thereafter managed and maintained in accordance with the approved details. Those details shall include a timetable for implementation and a management and maintenance plan for the lifetime of the development.

Reason: In order to ensure a satisfactory standard of sustainable drainage and to prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework (2021) and Policies KP2 and CP4 of the Core Strategy (2007).

06 No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority under the terms of this condition. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

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

(ix.) details in relation to how the surrounding grass pitches will remain in use during construction of the development hereby approved.

Reason: To protect residential amenity and general environmental quality in accordance with the general principles of the National Planning Policy Framework (2021); Core Strategy (2007) Policies KP2, CP4; and Development Management Document (2015) Policies DM1 and DM3.

07 Prior to the first use of the development hereby approved, details of all external illumination and floodlighting of the development including the luminance and spread of light and the design and specification of the light fittings shall be submitted to and approved in writing by the Local Planning Authority under the terms of this condition. All illumination shall be designed in accordance with the Institute of Lighting Professionals "Guidance Note 01/20: Guidance notes for the reduction of obtrusive light" and the CIBSE 'Lighting Guide 4: Sports Lighting'. All illumination within the development shall be retained in accordance with the approved details. There shall be no other lighting of the external areas of the development without planning permission having previously been obtained from the Local Planning Authority.

Reason: To protect residential amenity and general environmental quality in accordance with the general principles of the National Planning Policy Framework (2021); Core Strategy (2007) policies KP2, CP4; and Development Management Document (2015) Policies DM1 and DM3.

08 The Artificial Grass Pitch hereby approved shall not be used outside the hours of 9am to 8pm Monday to Friday, and 9am to 6pm Saturday, Sunday and Bank and Public Holidays.

Reason To protect residential amenity and general environmental quality in accordance with the general principles of the National Planning Policy Framework (2021); Core Strategy (2007) Policies KP2, CP4; and Development Management Document (2015) Policies DM1 and DM3.

09 The hours of use for the floodlighting to the development hereby approved shall be limited to 9am to 8pm Monday to Friday, and 9am to 6pm Saturday, Sunday and Bank and Public Holidays, and the floodlighting shall not operate outside these hours.

Reason: In the interests of visual amenity and to ensure the floodlighting does not cause demonstrable harm by way of light pollution to the character of the area, nearby residents' amenity and/or adversely affect aircraft movement in accordance National Planning Policy Framework (2021), Core Strategy (2007) policies KP2, CP4, Development Management Document (2015) Policy DM1 and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

10 The off street vehicle and cycle parking shown on approved plan no. 201-15_PL-03.R3 shall be made permanently available for users of and visitors to the development hereby permitted at all times the development is in use.

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

11 No construction works shall take place for the development hereby approved, unless and until the tree protection measures included in the Arboricultural Survey and Implications Assessment (ref. 6348,AR,ARB,TC,RF,KL,12-04-22,V2) and any avoidance measures contained within the Preliminary Ecological Appraisal (ref. 6316,EC, /PEA/RH,JB,AC/23-03-22/V1) have been implemented and/or adhered to. The tree protection measures and avoidance measures shall be retained/adhered to throughout the construction period.

Reason: To safeguard the character and appearance of the surrounding area and safeguard the local biodiversity in accordance with the National Planning Policy Framework (2021), Policies DM1 and DM3 of the Development Management Document (2015), Policies KP2 and CP4 of the Core Strategy (2007) and the advice contained in the Southend-on-Sea Design and Townscape Guide (2009).

12 Within the first available planting season following the first use of the development hereby approved, the landscaping scheme contained in approved plan 9358-D-PS and the biodiversity enhancement measures included in the Preliminary Ecological Appraisal (ref. 6316,EC, /PEA/RH,JB,AC/23-03-22/V1), or any alternative landscaping scheme or biodiversity enhancement measures submitted to and approved in writing by the Local Planning Authority under the provisions of this condition, shall be fully implemented at 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 under the terms of this condition.

Reason: To safeguard the character and appearance of the surrounding area and safeguard the local biodiversity in accordance with the National Planning Policy Framework (2021), Policies DM1 and DM3 of the Development Management Document (2015), Policies KP2 and CP4 of the Core Strategy (2007) and the advice contained in the Southend-on-Sea Design and Townscape Guide (2009).

13 Use of the artificial grass pitch hereby approved shall not commence until:
(a) certification that the Artificial Grass Pitch hereby permitted has met the FIFA Quality accreditation or equivalent International Artificial Turf Standard (IATS); and
(b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches;
have been submitted to and approved in writing by the Local Planning Authority under the terms of this condition.

Reason: To ensure the development is fit for purpose and sustainable, provides sporting benefits and to accord with the National Planning Policy Framework (2021) and Policy CP7 of the Core Strategy (2007).

14 Prior to the first use of the development hereby approved, a noise impact assessment shall be conducted and shall be submitted to and approved in writing by the Local Planning Authority, under the terms of this condition, to demonstrate how noise will be mitigated to protect occupiers of nearby residential properties.

This shall be prepared by a competent person and shall include mitigation of noise impacts from:

- (i) Voices from users of and visitors to the development
- (ii) Whistles used by referees
- (iii) Rebound of balls against hard surfaces
- (iv) Crowd noise

Any mitigation measures identified in the noise impact assessment shall be implemented on site prior to the first use of the development hereby approved and shall be maintained as approved for the lifetime of the development. There shall be no amplified speech or music used in the approved development at any time.

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

15 All development works on the site shall be undertaken in accordance with the submitted Stage 2 Detailed UXO Risk Assessment (Ref PCHA04R dated 25th February 2022).

Reason: To ensure that risks from unexploded ordnance to the future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors in accordance with National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015).

16 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority under the terms of this condition. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared and submitted for the approval in writing of the Local Planning Authority under the terms of this condition. The approved remediation scheme shall then be implemented at the site.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority under the terms of this condition.

Investigation, remediation and verification must be undertaken by competent persons and in accordance with the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers' and DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and other current guidance deemed authoritative for the purposes.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other receptors in accordance with National Planning Policy Framework, Policies KP2

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

17 The development hereby approved shall not be used unless and until a noise management plan has been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The noise management plan shall relate to the operation of the approved pitch which shall be managed from its first use and thereafter for the lifetime of the development solely in accordance with the approved noise management plan.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM4 of the Development Management Document (2015) and the advice contained within the National Design Guide (2021) and the Southend-on-Sea 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. 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.
2. The applicant is advised that the approved pitch should be tested every three years by an accredited testing laboratory in order to achieve and maintain FIFA Quality accreditation.
3. The applicant is advised that the design and layout of the pitch hereby approved should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to the Football Association's Guide to 3G Football Turf Pitches Design Principles and Layouts.
4. The applicant is advised that the pitch should be tested every three years by an accredited testing laboratory in order to achieve and maintain FIFA Quality accreditation.
5. 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.

6. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that the Council will 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 city.

598 22/01877/FUL - 11 Imperial Avenue, Westcliff-on-Sea (Chalkwell Ward)
Proposal: Erect roof extensions and alter roof to existing building comprising of gable ends to front, rear and side, flat roof dormers to front and rear to form two additional self-contained flats at second floor level, balconies to front and rear elevations, bike store to rear, layout additional parking spaces to front and alterations to elevations
Applicant: Castelnu
Agent: Mr Ian Coward of Collins & Coward

Mr Currie, a local resident, spoke as an objector to the application. Mr Coward, the applicant's agent, responded.

Resolved:- That planning permission be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin no later than three years from the date of 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: 200 Rev02; 201 Rev01; 202 Rev03

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

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

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 (2021), Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) policy DM1, and the advice contained in the Southend-on-Sea Design and Townscape Guide (2009).

04 The development hereby approved shall not be occupied until and unless a hard landscaping scheme has first been carried out and implemented solely in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The hard landscaping scheme shall include details of permeable materials to be used on hardsurfacing as well as elevations and details of materials for any boundary treatment of the site, including boundaries within the site.

Reason: In the interest of visual amenity in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the advice contained within the National Design Guide (2021) and the Southend-on-Sea Design and Townscape Guide (2009).

05 Within the first available planting season (October to March inclusive) following the first use of the development hereby approved, a soft landscaping scheme shall be implemented in line with details which have previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The soft landscaping scheme shall be implemented, completed and maintained thereafter in full accordance with the approved details.

Reason: In the interest of visual amenity in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the advice contained within the National Design Guide (2021) and the Southend-on-Sea Design and Townscape Guide (2009).

06 Notwithstanding the information submitted with this application, prior to the first occupation of the development hereby approved, full details (including elevations) shall be submitted to and approved in writing by the Local Planning Authority identifying the provision of secure and enclosed refuse and recycling storage for the approved development at the site. The approved refuse and recycling storage shall be provided in full and made available for use by the occupants of the approved dwellings prior to the first occupation of the dwellings hereby approved and shall be retained as such for the lifetime of the development.

Reason: In the interest of visual amenity in accordance with the National Planning Policy Framework (2021), 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 (2021), the Southend-on-Sea Design and Townscape Guide (2009), and the Waste Storage, Collection and Management Guide for New Developments (2019).

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 in writing 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, mud being carried onto the road 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: A pre-commencement condition is justified in the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

08 Construction and demolition 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 Bank and Public Holidays.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

09 Prior to the first occupation of the residential units hereby approved, no less than eight covered and secure cycle parking spaces shall be provided for the future occupiers of the new flats and made available for use on site in accordance with details which have been submitted to and approved by the Local Planning Authority. The cycle parking spaces shall be retained for the benefit of the future users and occupiers of the approved development and their visitors for the lifetime of the development.

Reason: To ensure the provision of adequate cycle parking in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policy CP3 and Development Management Document (2015) Policies DM3, DM8 and DM15.

10 Prior to the first occupation of the residential units hereby approved, no less than five car parking spaces shall be provided and made available for use on site by occupiers/users/visitors of four of the existing flats (one space each), and one of the new 2 bed/3 person flats hereby approved shown on drawing no. 202 Rev03 (one space). All parking spaces shall be fitted with an active electric vehicle charging point prior to first occupation of the development hereby approved. The car parking spaces shall be retained for the benefit of the future users and occupiers and visitors to the approved development and the four existing flats for the lifetime of the development.

Reason: To ensure the provision of adequate vehicle parking in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policy CP3 and Development Management Document (2015) Policies DM3, DM8 and DM15 and the Electric Vehicle Charging Infrastructure for new development SPD (2021)

11 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. The agreed measures shall be maintained on site as approved thereafter.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2021) and the Southend-on-Sea Design and Townscape Guide (2009).

12 The dwellings hereby approved shall incorporate water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting before they are occupied

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2021) and the Southend-on-Sea Design and Townscape Guide (2009).

13 The rear dormer side windows (serving the bathroom, second bedroom and kitchen within flat 8) hereby approved, must be permanently obscure-glazed (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and non-opening, unless the parts of the window which can be opened are more than 1.7metres above the finished floor level of the room in which the windows are installed 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 (2021), 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).

Positive and proactive statement:

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 will 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 city.

599 22/01954/FULH - 8A Woodberry Close, Leigh-on-Sea (Belfairs Ward)
Proposal: Erect two storey side and rear extensions incorporating integral garage to side, dormers to front and rear with balcony to rear and alter elevations (Amended Proposal)
Applicant: Mr B. Carter
Agent: Mr Paul Gardner of DSB Property Designs Ltd

Resolved:- That planning permission be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin no later than three years from the date of 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 solely in accordance with the following approved plans: 2022/01/8aWC Sheet 01 of 07 Revision A, Sheet 02 of 07 Revision A, Sheet 03 of 07 Revision A, Sheet 04 of 07 Revision A, Sheet 05 of 07 Revision A, Sheet 06 of 07 Revision A, Sheet 07 of 07 Revision A.

Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the

Development Management Document (2015) and advice in the National Design Guide (2021) and the Southend-on-Sea Design and Townscape Guide (2009).

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

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

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 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 will 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 City.

Chair: _____

