Public Document Pack southend-on-sea city council

Development Control Committee

Date: Wednesday, 4th January, 2023 Time: 2.00 pm Place: Jubilee Room, Civic Suite, Civic Centre

Contact: Tim Row - Principal Democratic Services Officer email: committeesection@southend.gov.uk

<u>A G E N D A</u>

1 Apologies for Absence

- 2 Declarations of Interest
- 3 Supplementary Report

The supplementary report by the Executive Director (Growth and Housing) will provide additional information (if any) on the items referred to on the Agenda and will be available on the morning of the meeting.

**** Contents List and Introduction

- 4 22/01116/FULM Prince Avenue Academy and Nursery, Hornby Avenue, Westcliff on Sea (St Laurence Ward) (Pages 7 - 56)
- 5 22/01877/FUL 11 Imperial Avenue, Westcliff-on-Sea (Chalkwell Ward) (Pages 57 - 88)
- 6 22/01954/FULH 8A Woodberry Close, Leigh-on-Sea (Belfairs Ward) (Pages 89 - 114)

TO: The Chair & Members fo Development Control Committee:

Councillor N Ward (Chair),

Councillors M Borton (Vice-Chair), M Berry, K Buck, A Dear, M Dent, F Evans, D Garston, S Habermel, D Jarvis, A Jones, C Mulroney, M Sadza, I Shead, A Thompson, C Walker and R Woodley

AGENDA 04th January 2023

WARD APP/REF NO. ADDRESS

Main Plans Report		
St Laurene	22/01116/FULM	Prince Avenue Academy and Nursery Hornby Avenue
Chalkwell	22/01877/FUL	11 Imperial Avenue Westcliff-on-Sea
Belfairs	22/01954/FULH	8A Woodberry Close Leigh-on-Sea

INTRODUCTION

(i) Recommendations in capitals at the end of each report are those of the Executive Director (Growth & Housing), are not the decision of the Committee and are subject to Member consideration.

- (ii) All plans have been considered in the context of the City Council's Environmental Charter. An assessment of the environmental implications of development proposals is inherent in the development control process and implicit in the reports.
- (iii) Reports will not necessarily be dealt with in the order in which they are printed.
- (iv) The following abbreviations are used in the reports: -

-	Community Infrastructure Levy
-	Design & Access Statement
-	Department of Environment, Food and Rural Affairs
-	Development Plan Document
-	Environmental Agency
-	Essex Planning Officer's Association
-	Southend Airport and Environs Joint Area Action Plan
-	Ministry of Housing, Communities and Local Government
-	National Design Guide
-	Nationally Described Space Standards
-	National Planning Policy Framework
-	National Planning Practice Guidance
-	Recreation disturbance Avoidance and Mitigation Strategy
-	Southend Central Area Action Plan
-	Supplementary Planning Document
-	Sites of Special Scientific Interest. A national designation. SSSIs
	are the country's very best wildlife and geological sites.
-	Special Protection Area. An area designated for special protection
	under the terms of the European Community Directive on the
	Conservation of Wild Birds.
-	Describes sites that meet the criteria for inclusion in the list of
	Wetlands of International Importance under the Ramsar
	Convention. (Named after a town in Iran, the Ramsar Convention
	is concerned with the protection of wetlands, especially those
	important for migratory birds)

Background Papers

- (i) Planning applications and supporting documents and plans
- (ii) Application worksheets and supporting papers
- (iii) Non-exempt contents of property files
- (iv) Consultation and publicity responses
- (v) NPPF and PPG including the NDG
- (vi) NDSS
- (vii) Core Strategy
- (viii) Development Management Document
- (ix) London Southend Airport & Environs JAAP
- (x) SCAAP
- (xi) Design and Townscape Guide
- (xii) Technical Housing Standards Policy Transition Statement
- (xiii) Waste Storage, Collection and Management Guide for New Developments
- (xiv) Essex Coast RAMS SPD
- (xv) CIL Charging Schedule
- (xvi) Southend Electric Vehicles Charging Infrastructure SPD
- **NB** Other letters and papers not taken into account in preparing this report but received subsequently will be reported to the Committee either orally or in a supplementary report.

<u>Use Classes</u> (Generally in force from 1st September 2020)

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

Deleted Use Classes

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

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

Reference:	22/01116/FULM	
Application Type:	Full Application	
Ward:	St Laurence	
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	
Address:	Prince Avenue Academy and Nursery, Hornby Avenue, Westcliff- on-Sea	
Applicant:	Mr Nigel Brunning	
Agent:	Mr Mark Hatley of PCH Associates Ltd	
Consultation Expiry:	17th November 2022	
Expiry Date:	11th January 2023	
Case Officer:	Kara Elliott	
Plan Nos:	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	
Additional information:	Design and Access Statement, Stage 2 Detailed UXO Risk Assessment (ref. DRA-22-1382-PCHA04R), Product Module Datasheet (Siteco), Arboricultural Survey and Implications Assessment (ref. 6348,AR,ARB,TC,RF,KL,12-04-22,V2), Preliminary Ecological Appraisal (ref. 6316,EC, /PEA/RH,JB,AC/23-03-22/V1), Level 1 Flood Risk Assessment (ref.4183,AR,EC,FR,SI,TO,US,UX,FLOOD,PC,SG,19-08-19,V1)	
Recommendation:	GRANT PLANNING PERMISSION subject to conditions	



1 Site and Surroundings

1.1 The site is occupied by Prince Avenue Academy and Nursery which is a two-form entry primary school and 68-place nursery. The site is located north of the A127 Prince Avenue and is otherwise surrounded by residential development. The entire school site amounts to some 2.8 hectares (ha). There is a 1.3 ha school field to the south of the school buildings where the pitch is to be located. The school field is designated Protected Green Space. The boundaries of the existing school field are tree lined.

2 The Proposal

- 2.1 Planning permission is sought for a 54.9m x 36.6m 7v7 artificial surface football pitch on the existing playing field to the south-west of the school site. The development includes:
 - pitch with white surface markings
 - 2 x non-standard 26m x 27m football pitch markings in red
 - 4 x LED (light emitting diode) floodlighting columns 10.2m high
 - 2m x 6m goal recess area
 - 3m player runoff
 - 3m high perimeter twinbar fencing
 - Some 500sqm of spectator standing area to the north and east of the pitch
 - 1.2m high spectator fence
 - 2 no. double gates (1 for emergency access) in green (colour RAL 6005)
 - 2 no. single gates in green (colour RAL 6005)
 - 1 no. 2.6m h x 6m w x 2.4m toilet cabin
 - 1 no. 2.4m h x 4m w x 2.4m games store (existing on site and to be moved to new location)
- 2.2 The games pitch surface will be made up of the following materials:
 - 270mm type 1 MOT subbase- Granite-Limestone
 - Geotextile membrane
 - Type 3 sub-base Granite-Limestone
 - Graded aggregate stone
 - 30mm primary asphalt binding layer
 - Corrugated perforated pipe
 - Fine aggregate stone
 - 25mm Insitu rubber E-layer

- 50mm 3G artificial turf
- 2.3 The pitch would be fitted with a drainage system to reduce the flow of water into the local surface water drains, using a drainage attenuation system. This would consist of a soakaway but full details of this have not been submitted with the application.
- 2.4 The pitch is proposed to be used at the following times:

During Term time	
Mondays to Fridays	09:00 – 20:00 (09:00 – 17:00 school only)
Saturdays	09:00 – 18:00
Sundays and Bank Holidays	09:00 – 18:00
<u>Outside Term time</u> Mondays to Fridays Saturdays Sundays and Bank Holidays	09:00 – 20:00 09:00 – 18:00 09:00 – 18:00

2.5 The floodlighting is proposed to be used at the following times:

<u>During Term time</u>	
Mondays to Fridays	15:00 – 20:00
Saturdays	15:00 – 18:00
Sundays and Bank Holidays	15:00 – 18:00
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Outside Term time	
Mondays to Fridays	15:00 – 20:00
Saturdays	15:00 – 18:00
Sundays and Bank Holidays	

2.6 The application states that the existing on-site car parking facilities for the school will provide parking for users of the pitch outside of school times. The car park has 42 spaces. There are also 20 cycle parking racks at the school. A number of trees and hedges will be required to be removed as part of the development and re-planting on the western side of the pitch is proposed.

3 Relevant Planning History

3.1 The most relevant planning history for the determination of this application is shown on Table 1 below:

Reference	Description	Outcome [Date]
21/01601/AD	Application for approval of details pursuant to condition 12 (details of travel plan) of planning permission 20/00394/BC3 dated 16.06.2020	Refused
20/01592/AD	Application for approval of details pursuant to conditions 04 (details of materials), 05 (details of hard and soft landscaping), 06 (details of boundary treatments), 08 (detailed assessment of potential for unexploded ordnance at site), 09 (noise impacts), 10 (scheme of noise mitigation), 11 (scheme of external lighting), 13 (construction method statement), 15	Split Decision

Table 1: Relevant Planning	History of the Application Site
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	(details of waste storage facilities), 16 (details of secure cycle storage), 18 (details of renewable energy) of planning permission 20/00394/BC3 dated 16/06/2020	
20/00394/BC3	Erect single storey modular building as Children's Nursery facility (Class D1) on land between Hornby Avenue and Northern Boundary of existing School	Granted
16/02060/TPO	Fell 38 Poplar trees (Application for works to trees covered by a tree preservation order)	Granted
16/01938/TPO	Re-pollard ten Populus (Poplar) Trees and fell three Populus (Poplar) Trees (G14) to Prince Avenue Boundary (Application for works to Trees covered by a Tree Preservation Order)	Granted
10/01725/AD	Application for Approval of Details pursuant to condition 06 (Highways Pedestrians and Transport Scheme) of Planning Permission 09/01666/BC3 dated 20.10.09	Agreed Details
10/01015/AD	Application for approval of details pursuant to condition 2 (materials) of planning permission 09/01666/BC3	Agreed Details
09/01666/BC3	Demolish existing dining hall, erect single storey family centre with canopy on north and east elevation, erect raised play area and form new access onto Hornby Avenue	Granted
09/01362/BC3	Erect single storey infill extension to form new kitchen and alter east elevation incorporating access ramps	Granted

4 Representation Summary

Call-in

4.1 The application has been called in to Development Control Committee by Councillor Lydia Hyde

Public Consultation

- 4.2 Sixty-nine (69) neighbouring properties were consulted, a site notice was displayed and a press notice was published. Representations from four (4) interested parties have been received which make the following objections:
 - Loss of neighbour amenity from floodlighting, lighting pollution, building work, noise and parking demands
 - Impact on health due to light
 - Use of pitch outside school hours no details provided and potential disturbance
 - Lack of parking on site
 - Pitches should be located elsewhere on site.
- 4.3 The comments have been taken into consideration and the relevant planning matters raised are discussed in subsequent sections of the report. The objecting points raised by the representations have been taken into account in the assessment of the proposal but are not found to represent justifiable reasons for recommending refusal of the planning application in the circumstances of this case.

Sport England

4.4 No objection subject to conditions for surface quality and community use.

Highways

4.5 No objection subject to securing the use of the school parking for out of school hours use.

London Southend Airport

4.6 No objection subject to the floodlighting design ensuring that that no light is emitted above the horizon causing glare or distraction to pilots.

Environmental Health

4.7 No objection subject to conditions in relation to noise impact assessment, external illumination, development to be carried out in relation to the submitted Unexploded Ordnance (UXO) Risk Assessment, land contamination and construction/demolition management.

Lead Local Flood Authority (LLFA)

4.8 No objection subject to conditions in relation to flood risk, drainage calculations, a SuDS Management Plan

5 Planning Policy Summary

- 5.1 The National Planning Policy Framework (NPPF) (2021)
- 5.2 Planning Practice Guidance (PPG) National Design Guide (NDG) (2021)
- 5.3 Core Strategy (2007): Policies KP2 (Development Principles), CP3 (Transport & Accessibility), CP4 (Environment and Urban Renaissance), CP6 (Community Infrastructure), CP7 (Sport, Recreation and Green Space)
- 5.4 Development Management Document (2015): Policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM15 (Sustainable Transport Management)
- 5.5 Southend-on-Sea Design and Townscape Guide (2009)
- 5.6 Waste Storage, Collection and Management Guide for New Developments (2019)
- 5.7 Community Infrastructure Levy (CIL) Charging Schedule (2015)

6 Planning Considerations

6.1 The main considerations in relation to this application are the principle of the development, the design and impact on the character and appearance of the area, the impact on residential amenity, traffic and parking implications, energy sustainability, flooding and drainage, ecology and CIL liability.

7 Appraisal

Principle of Development

7.1 The the needs of education, skills and lifelong learning strategies. proposed development is in line with the central principles of Policy CP6 of the Core Strategy which support improvements to existing, and the provision of new, facilities to support

- 7.2 The proposed development will take place within a Protected Green Space. Policy CP7 states the Council will bring forward proposals that contribute to sports, recreation and green space facilities within the City for the benefit of local residents and visitors. This includes optimising the potential for sports excellence and research and development centred on existing sports and leisure facilities, such as the existing school sports field.
- 7.3 The development would be in line with paragraph 99 of the NPPF which states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use and the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.
- 7.4 In this case, the proposal would allow the space to be used for extended periods within the year both by the school and the wider community resulting in a qualitative improvement to the sports facilities in the area. Therefore, the principle of development is considered acceptable.
- 7.5 The Environmental Health officer notes that the submitted documents show no significant risk of harm from ground contamination and that the submitted Preliminary UXO report highlights that further investigations into potential ordnance at the site and conditions are necessary in relation to potential for unexploded ordnance and unexpected contamination.
- 7.6 Subject to conditions controlling these matters there are no objections to the principle of the development.

Design and Impact on the Character of the Area

- 7.7 Good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management Document. The Council's Design and Townscape Guide also states that the Council is committed to good design and will seek to create attractive, high-quality living environments.
- 7.8 It is considered that the proposed pitch, associated fencing and four floodlights would appear in keeping with the context of the surrounding sports and school facilities and would not significantly harm the character and appearance of the site, the streetscene or the wider surrounding area.
- 7.9 The proposed storage and toilet buildings would be located within the proposed fenced area. Whilst utilitarian and of limited architectural merit, they are not considered to erode the openness of the land due to their minor scale. Their appearance is acceptably commensurate with storage buildings incidental to sports pitches.
- 7.10 Similarly, the hardstanding, mainly proposed to serve as a 500sqm spectator area, which would be linear in form and running around the north and east sides of the pitch enclosure would be limited in extent when viewed in the site context. The hardstanding would not result in any significant loss of the surrounding playing fields to the detriment of their appearance or the openness of the site.
- 7.11 It is considered that the proposal would not significantly harm the character and appearance of the site and the surrounding area. The proposed development is acceptable and policy compliant in these regards.

Amenity Impacts

- 7.12 Local and national planning policies and guidance seek to secure high quality development which protects amenity. Policy DM1 of the Development Management Document specifically identifies that development should protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight. Further advice on how to achieve this is set out in the Council's Design and Townscape Guide.
- 7.13 The proposed pitch is relatively close (some 12m) to residential properties in Dolphins to the west of the site. There is an existing football pitch marked out in the approximate area of the proposed development during the winter months, but it is further away from the boundary with the adjacent houses (some 28m), is not floodlit and its use is in practise restricted by the condition of the grass, so it will be used less than the potential use of the proposed artificial, floodlit pitch. Although the use of the pitch and playing field by the school during school hours is likely to be well managed and monitored, so there will be some control over noise from players and spectators (shouting, cheering etc), once the pitch is hired out to a wider community use (older children and adults for example in the evenings), it is likely that there will not be as much direct supervisory control. As well as 'people' noise, other noise associated with this type of activity/area include whistles blowing, surface impact noise and noise from balls hitting the side fencing. The area designed for spectator standing is linear in form and would run along the northern and eastern sides of the pitch enclosure away from the nearest residential properties to the west. To reasonably protect neighbour amenity in all the above regards conditions are recommended requiring the submission and agreement of a noise impact assessment and completion of any associated/required mitigation measures prior to first use of the development and the submission of a management plan.
- 7.14 Sport England advise that operating hours sought for community use of such facilities is generally up to 10pm but recognise that local planning authorities may impose a stricter time restriction, so long as the condition is not overly restrictive. In consideration of the specific proposal and taking into account its relationship to the nearest dwellings it is considered on the basis of the submitted information that an end time of 8pm is reasonable and appropriate in the specific circumstances of this case and is recommended to be conditioned accordingly.
- 7.15 The four proposed floodlights will be positioned to the north and south sides of the proposed pitch, near the eastern and western corners. The nearest residential properties to the proposed lighting are to the west of the application site. The eastern boundary of No.18 Dolphins would be some 18m away from the floodlight on the southwestern corner of the pitch and the rear elevations of Nos. 19 and 20 Dolphins would be some 20.8m away from the floodlight at the north-western corner of the pitch.
- 7.16 A plan showing lighting contours has been submitted demonstrating that the proposed floodlighting would involve only limited and acceptable degrees of light spill away from the proposed pitch. The floodlighting would also be directed, sited and screened so as not to cause any harmful intrusion of light into adjacent residential properties. The lighting, located on 10m high masts is also designed to avoid appearing as a bright point source in the night sky or to result in detrimental "sky glow". The western boundary of the site already benefits from mature trees and vegetation which create a buffer between the playing field of the school and the neighbouring properties. It is proposed to enhance this planted buffer offering greater visual separation from neighbouring dwellings. Whilst the resulting relationship with the neighbouring dwellings is considered acceptable on

its own, the enhanced planting would offer an additional degree of mitigation against light pollution. Conditions are recommended to control the hours of use of the floodlighting and to secure this LPA's agreement to a Lighting Impact Assessment In the interests of residential amenity.

- 7.17 The proposed ancillary structures would be located some 22.5m to the east of No.20 Dolphins, the nearest property to them. Given the single storey nature of the structures and their proposed use as changing and storage facilities ancillary to the use of the proposed pitch, it is not considered that these structures would result in any significant harm to the residential amenity of neighbouring occupiers in any relevant regard.
- 7.18 The Council's Environmental Health officers raised no objection to the proposal. Subject to the described conditions, the proposal is considered to be acceptable and policy compliant in the above regards.

Traffic and Transportation Issues

- 7.19 The NPPF states (para 111) that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or, the residual cumulative impacts on the road network would be severe."
- 7.20 Policy CP3 of the Core Strategy and Policy DM15 of the Development Management Document aim to improve road safety, quality of life and equality of access for all. Policy DM15 of the Development Management Document states that development will be allowed where there is, or it can be demonstrated that there will be physical and environmental capacity to accommodate the type and amount of traffic generated in a safe and sustainable manner.
- 7.21 Policy DM15 of the Development Management Document sets a maximum parking standard of 20 spaces per pitch plus one space per 10 spectators. The proposal includes hardstanding for spectators amounting to some 500m². The guidance (UK Green Guide Guide to Safety at Sports Grounds) identifies a general ratio of 4.7 people per sqm for standing viewing areas. The above indicate that the proposal would require up to a maximum of some 106 parking spaces.
- 7.22 This standard is presented as a maximum and development should prioritise and promote viable alternatives to private vehicle use. The existing car park at the site, which according to the submitted documents would be made available for use in connection with the proposed pitch, contains 42 car parking spaces and 20 cycle rack spaces. The proposed development would not result in the loss of any existing car parking spaces. The proposed development will allow for more intensive use of the site, but it is considered that the existing car parking provision would provide suitable off-street parking to reasonably serve the development such that there would be no significant adverse parking, network or highway safety implications. The Council's Highways officer has raised no objections in these respects.
- 7.23 Furthermore, the application site is served by a number of main bus routes providing sustainable public transport options in line with local and national policies which seek to avoid the use of a private car and existing cycle parking is available on site.
- 7.24 Subject to conditions, it is therefore considered that the proposal is acceptable and policy compliant in the above regards.

Sustainability

- 7.25 Policy KP2 of the Core Strategy requires that: "at least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources)". Policy DM2 of the Development Management Document states that: "to ensure the delivery of sustainable development, all development proposals should contribute to minimising energy demand and carbon dioxide emissions".
- 7.26 No information has been submitted about energy use. This can be dealt with through the recommended condition subject to which the proposal would be acceptable and policy compliant in the above regards.

Ecology and Biodiversity

- 7.27 The NPPF requires that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles; If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for then planning permission should be refused.
- 7.28 The application site is not within a designated Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) or any other designation related to environmental importance of the land. The application is nevertheless supported by a Preliminary Ecological Appraisal which concludes that the findings of the extended Phase 1 Habitat Survey confirm that the habitats on site have the potential to support roosting bats, Hedgehog and nesting birds. The site is considered unlikely to support Badger, riparian mammals, Hazel Dormouse, Great Crested Newt, or reptiles. The survey includes avoidance measures and timings of works to reduce impact including Ecological Constraints and Recommended Actions.
- 7.29 The proposal would also result in the loss of trees and shrubs. In more detail the site contains 18 individually identified trees and 23 groups of trees. Five groups of trees will need to be removed fully or partially to facilitate the proposal. Groups G12 and G13 have been identified as Category C and would need to be removed completely. These are located at the northern side of the proposed pitch. Groups G9, G10 (southern side of the pitch) and G11 (northern side of the pitch) have been identified as being within Category B and C and will partially need to be removed to facilitate the development. For Groups G7 and G9, works will need to take place within their root protection area and the submitted arboricultural impact assessment recommends that these works are carried out by hand to minimise their impact. The other trees and groups of trees within the site will be protected during construction works. A landscaping plan has been submitted which shows additional planting of some 490 shrubs to take place to the west of the proposed pitch. Overall with the additional planting proposed it is considered that there would be a landscaping enhancement at the site.
- 7.30 Subject to the proposal being carried out in accordance with the contents of the Preliminary Ecological Appraisal, the submitted Arboricultural Survey and Implications Assessment and the landscaping plan, all of which can be secured by the recommended conditions, it is considered that it would not result in demonstrable harm in terms of biodiversity or wildlife and no objection is raised in this regard.

Flooding and Drainage

7.31 The proposal would result in areas of hardstanding so measures to reduce surface water run-off from the site are necessary. The submitted Flood Risk Assessment is incomplete and requires some technical corrections but the flood risk implications have been capable of assessment and the applicant has set out how sustainable drainage will be covered in the submitted drainage scheme and submitted plans ref 22011-D-800-P1 and 22011-D-200-P1. The Lead Local Flood Authority has proposed conditions which can be attached to ensure that the development is acceptable on flooding and drainage grounds. Subject to such conditions the development is considered acceptable and policy compliant in the above regards.

Community Infrastructure Levy (CIL)

7.32 The development is not liable for a payment under the Community Infrastructure Levy Regulations 2010 (as amended) as it would result in less than 100sqm of new covered 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.

Equality and Diversity Issues

7.33 The Equality Act 2010 (as amended) imposes important duties on public authorities in the exercise of their functions and specifically introduced a Public Sector Equality Duty. Under this duty, public organisations are required to have due regard for the need to eliminate unlawful discrimination, harassment and victimisation, and must advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. Officers have in considering this application and preparing this report had careful regard to the requirements of the Equalities Act 2010 (as amended). They have concluded that the decision recommended will not conflict with the Council's statutory duties under this legislation.

Conclusion

7.34 For the reasons outlined above the proposal is found to be acceptable and compliant with the relevant planning policies and guidance. The proposal is found to be acceptable in principle as it would result in a qualitative improvement to sports facilities in the Protected Green Space. It would have an acceptable impact on the character and appearance of the area, residential amenity highways and parking. It would not increase the risk of flooding elsewhere with appropriate drainage and would offer acceptable mitigation in relation to biodiversity. As there are no other material planning considerations which would justify reaching a different conclusion it is recommended that planning permission is granted subject to conditions.

8 Recommendation

Members are recommended to GRANT PLANNING PERMISSION subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved 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 nonmembers 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

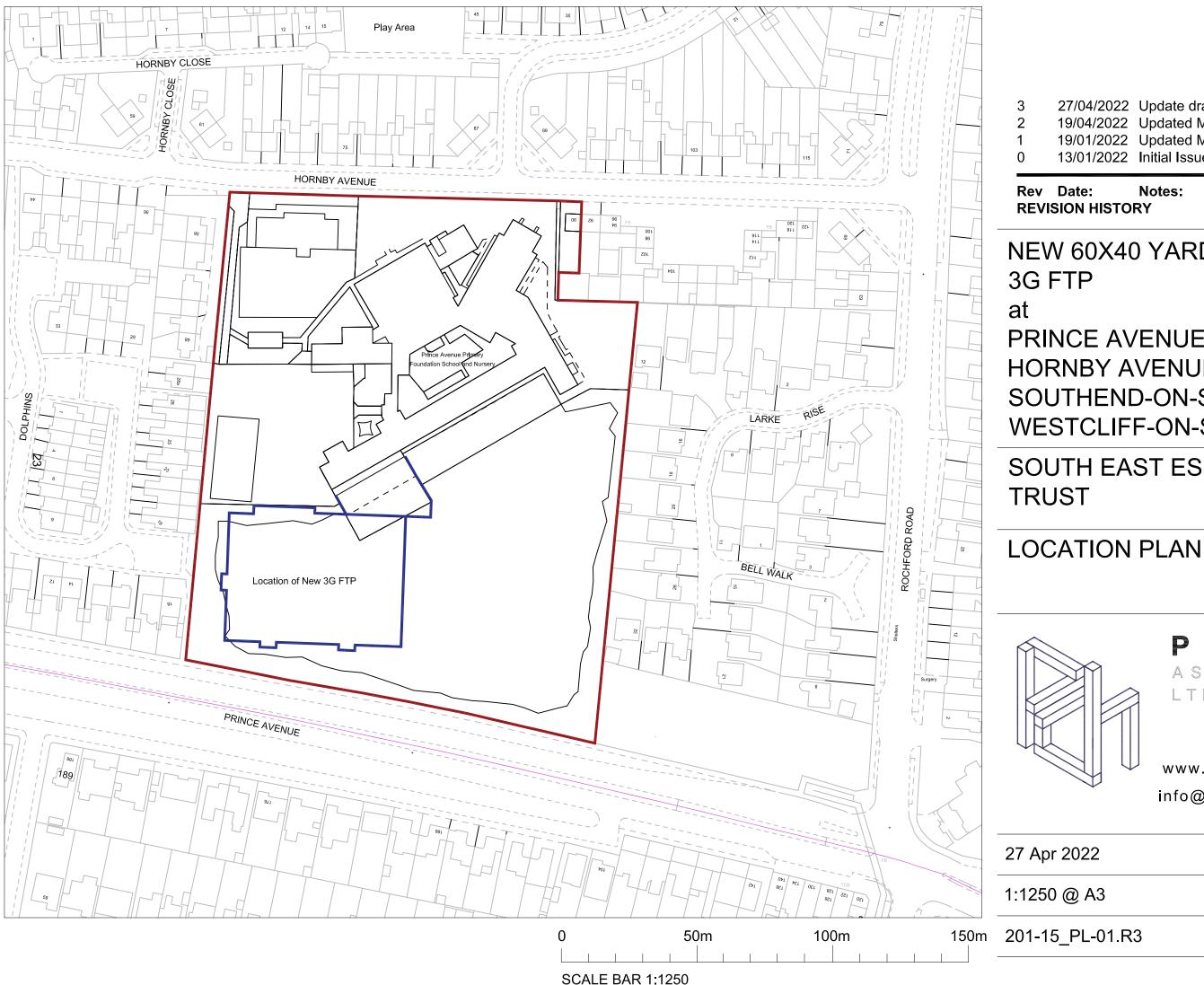
Design Guide (2021) and the Southend-on-Sea Design and Townscape Guide (2009).

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_inf rastructure_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.



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SOUTH EAST ESSEX ACADEMY

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PRINCE AVENUE PRIMARY HORNBY AVENUE SOUTHEND-ON-SEA WESTCLIFF-ON-SEA, SS0 0LG

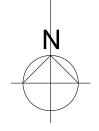
NEW 60X40 YARD FLOODLIT

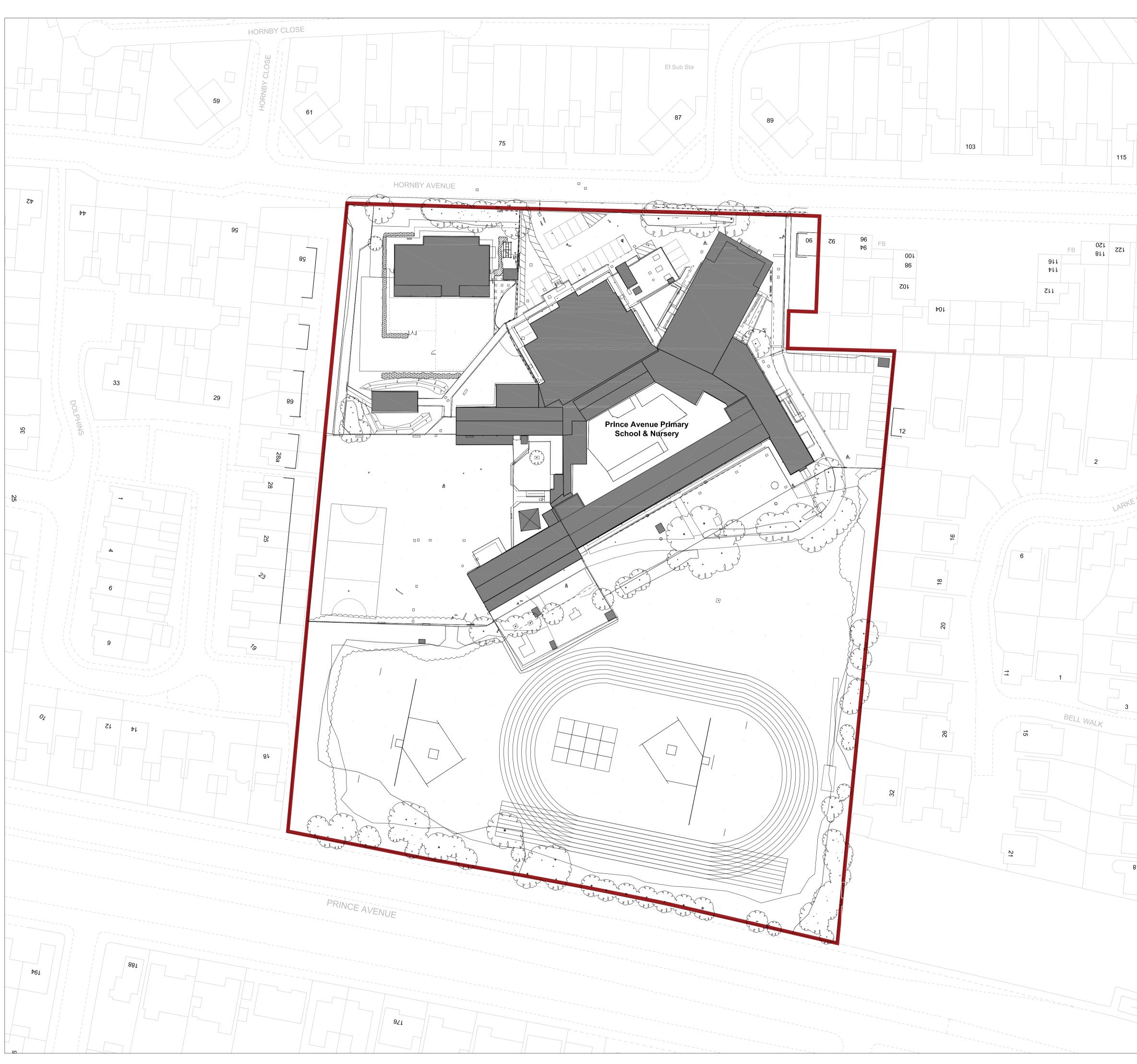
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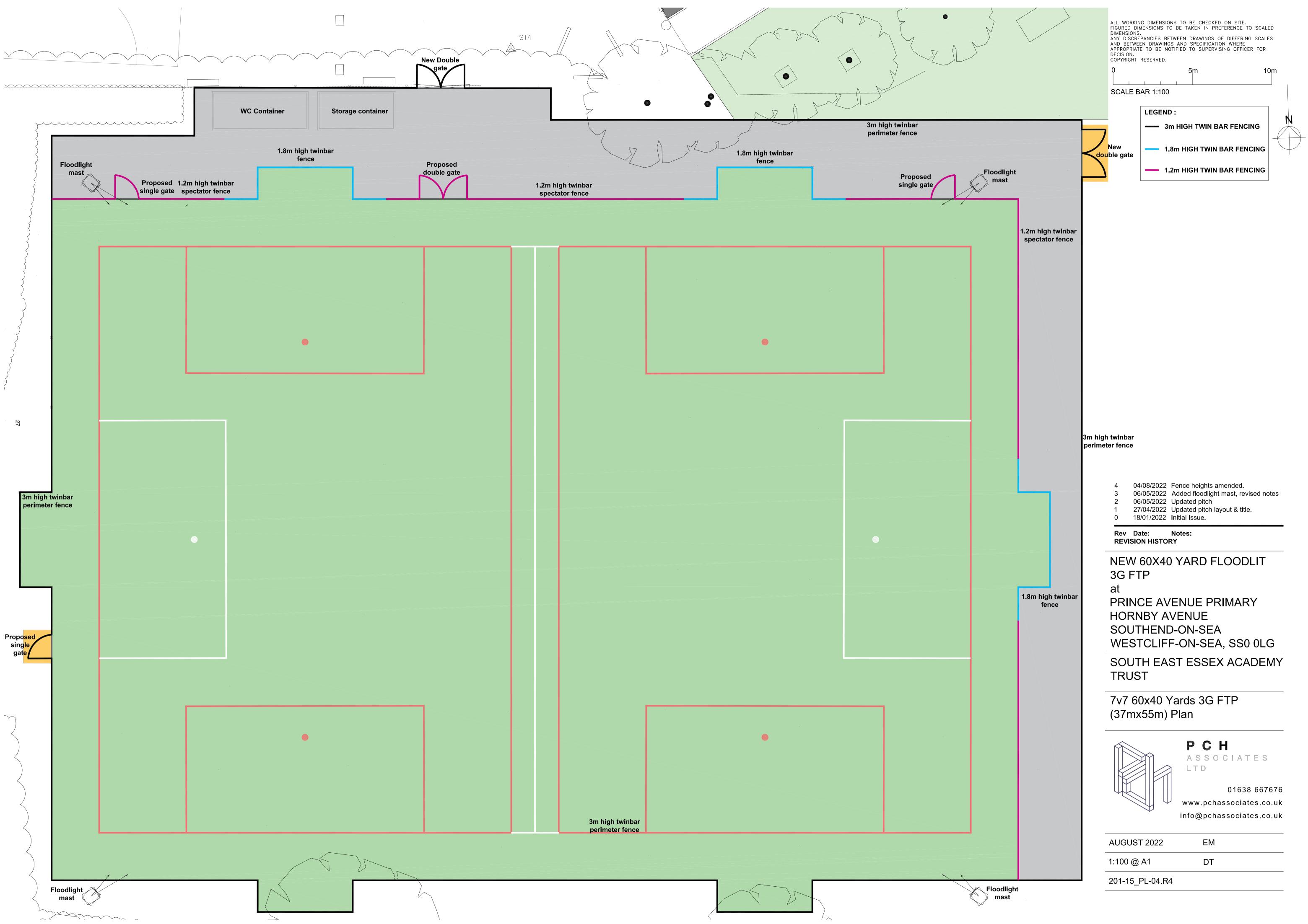
19/04/2022 Updated MUGA. 19/01/2022 Updated MUGA.

27/04/2022 Update drawing title.

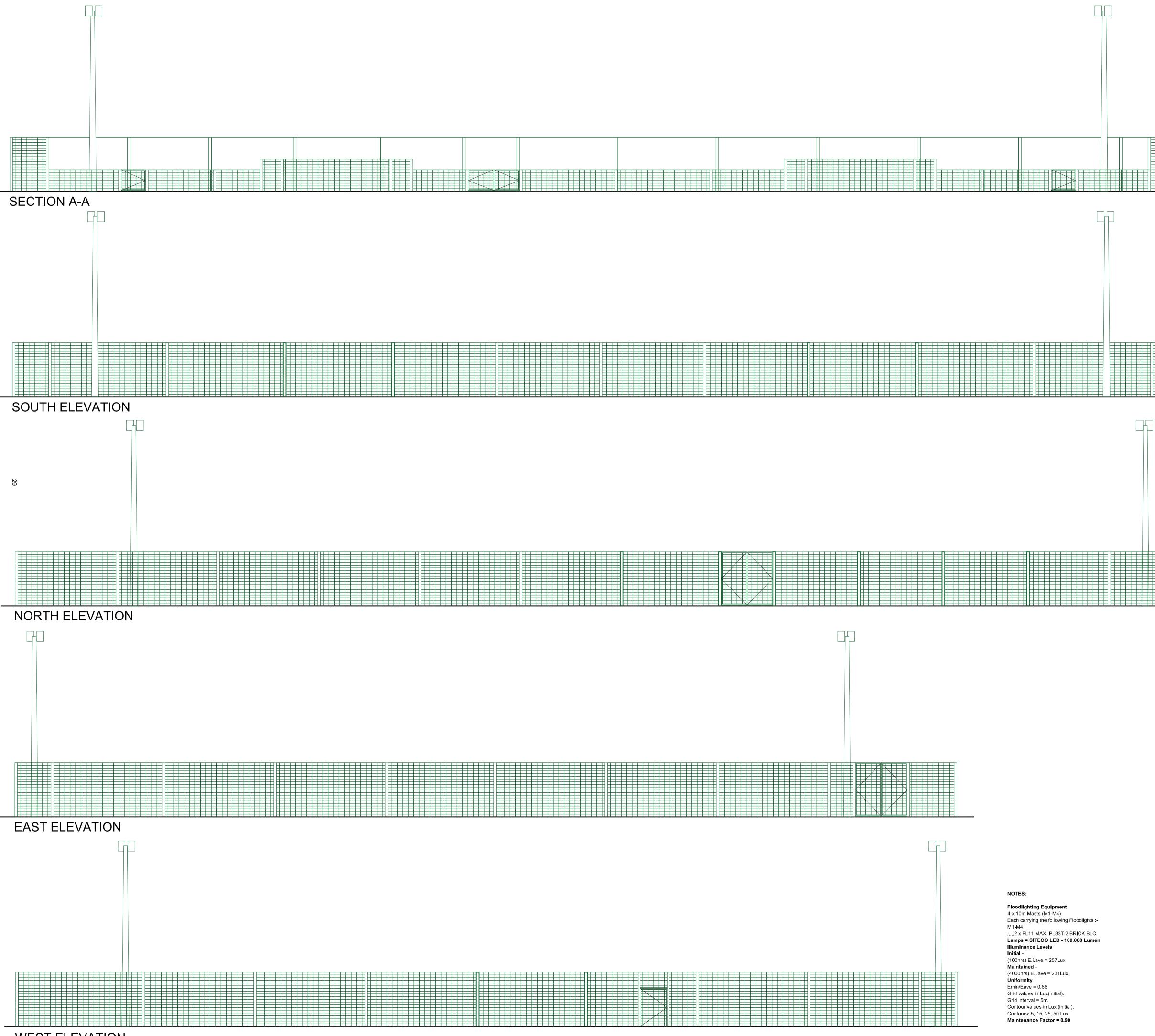




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	 1nr 200m Running Track. 2nr Rounders Pitches.
	Training Grids.1nr Long Jump.
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	 2 03/08/2022 Updated Title & Plans Updated. 1 27/04/2022 Updated title. 0 14/01/2022 Initial Issue.
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	SOUTH EAST ESSEX ACADEMY
	TRUST
	EXISTING SITEPLAN (SUMMER)
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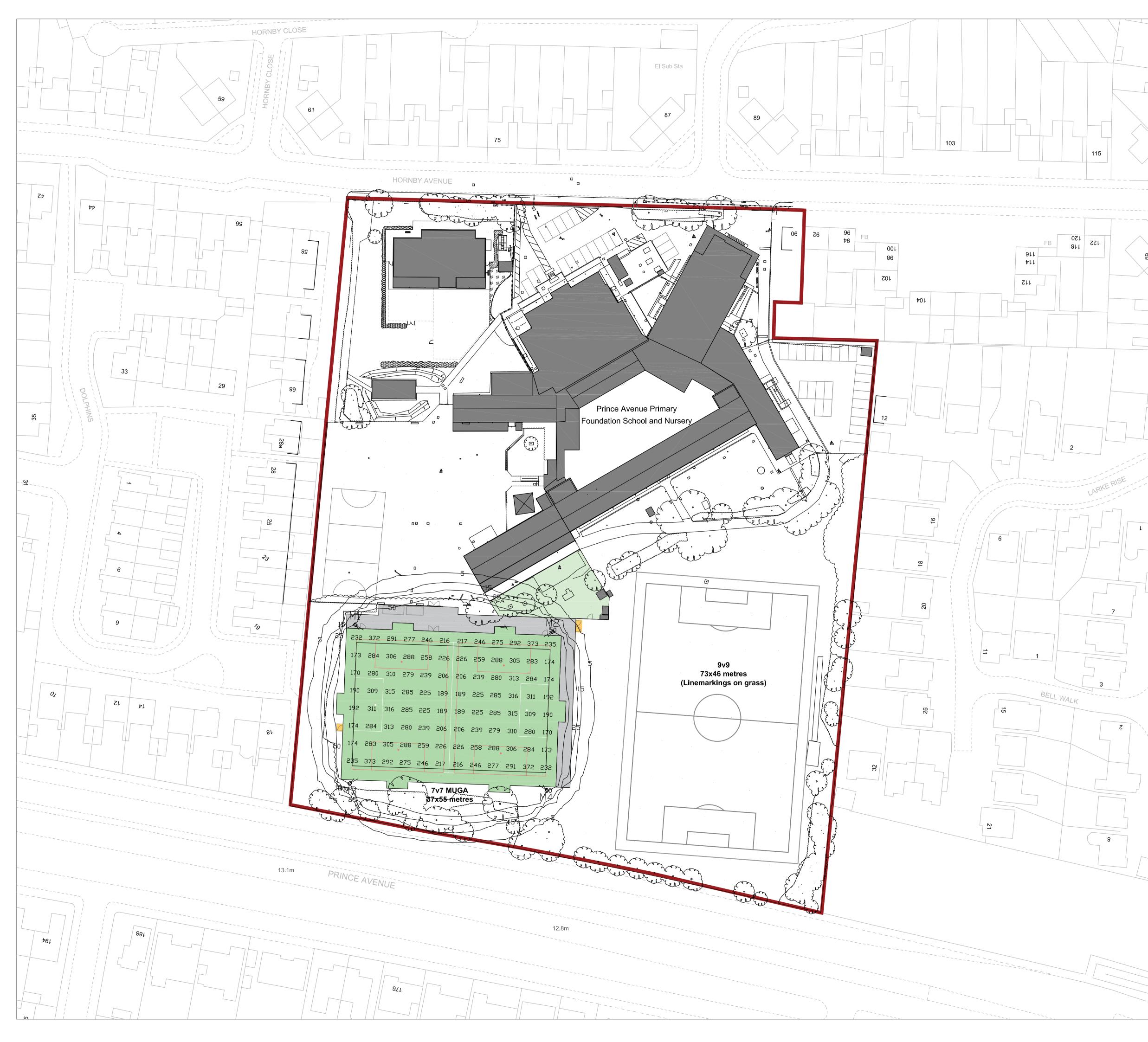


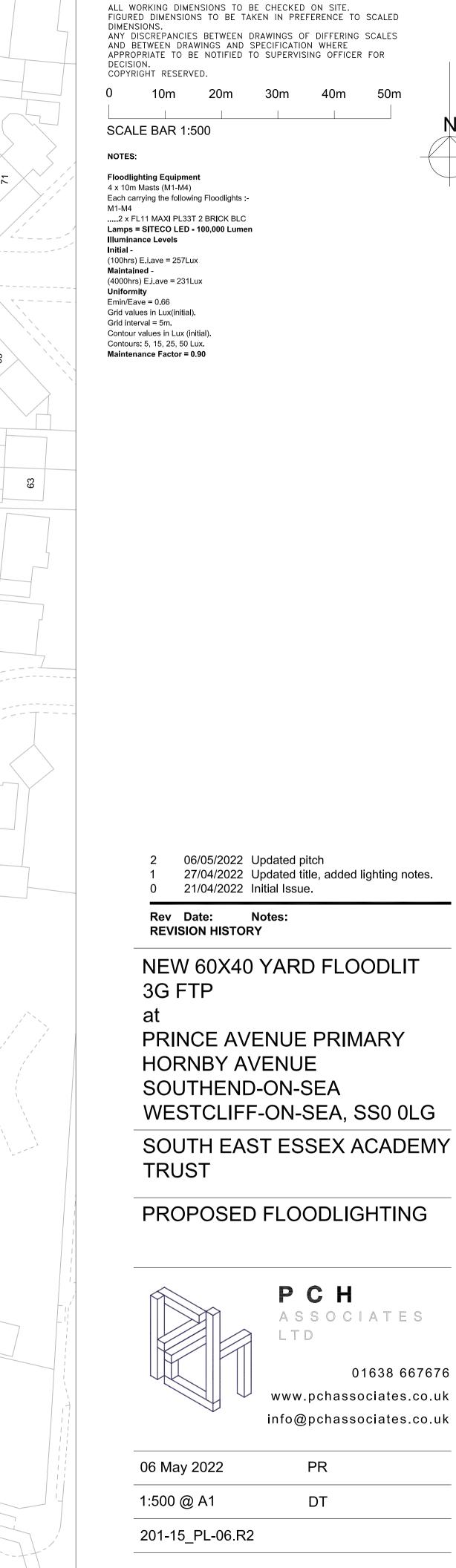
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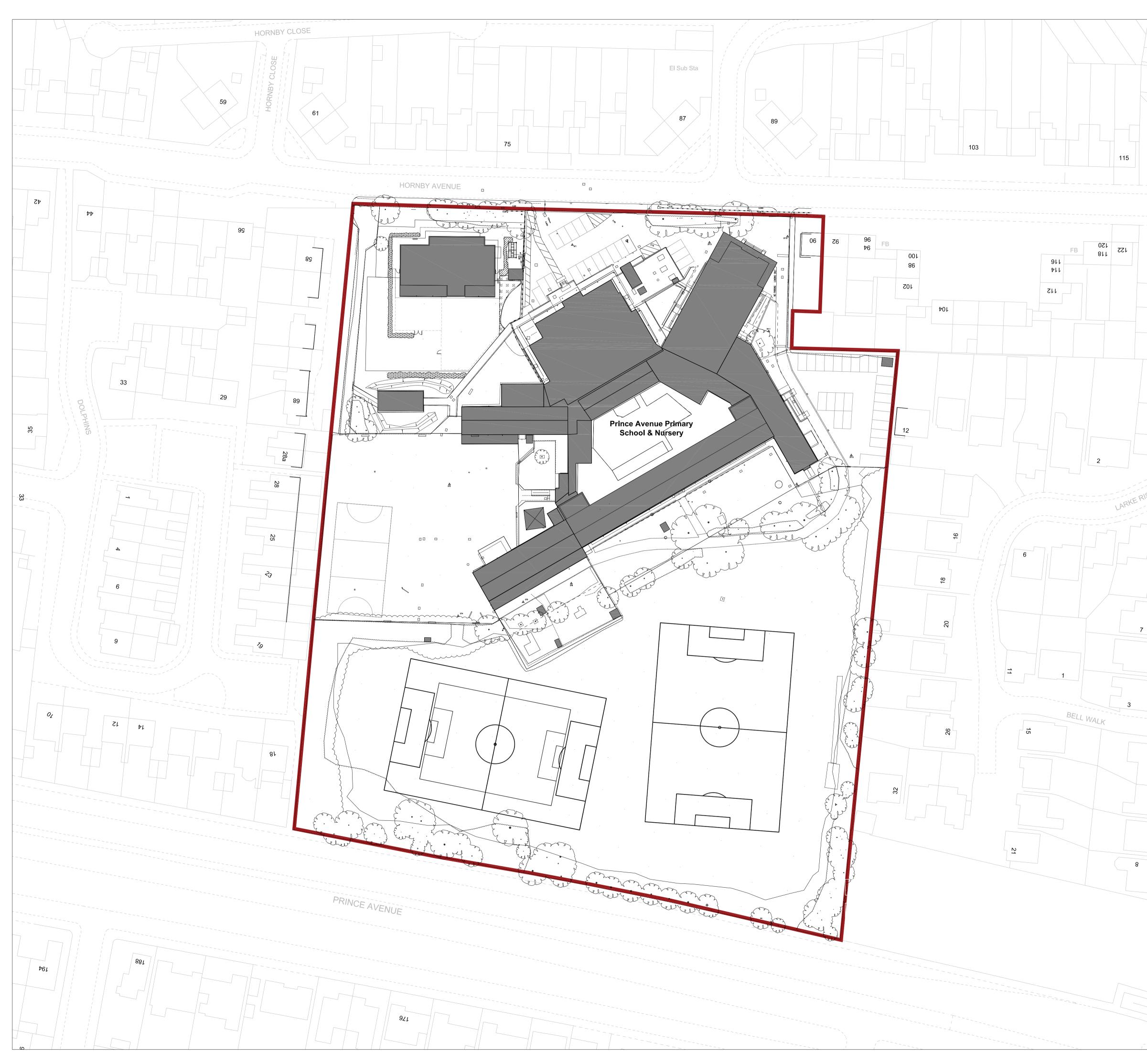
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NORTH ELEVATION
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 3 04/08/2022 Updated section. 2 06/05/2022 Updated west elevation.
 2 06/05/2022 Updated west elevation. 1 27/04/2022 Updated elevations/title, added lighting masts/specification. 0 18/01/2022 Initial Issue. Rev Date: Notes: REVISION HISTORY
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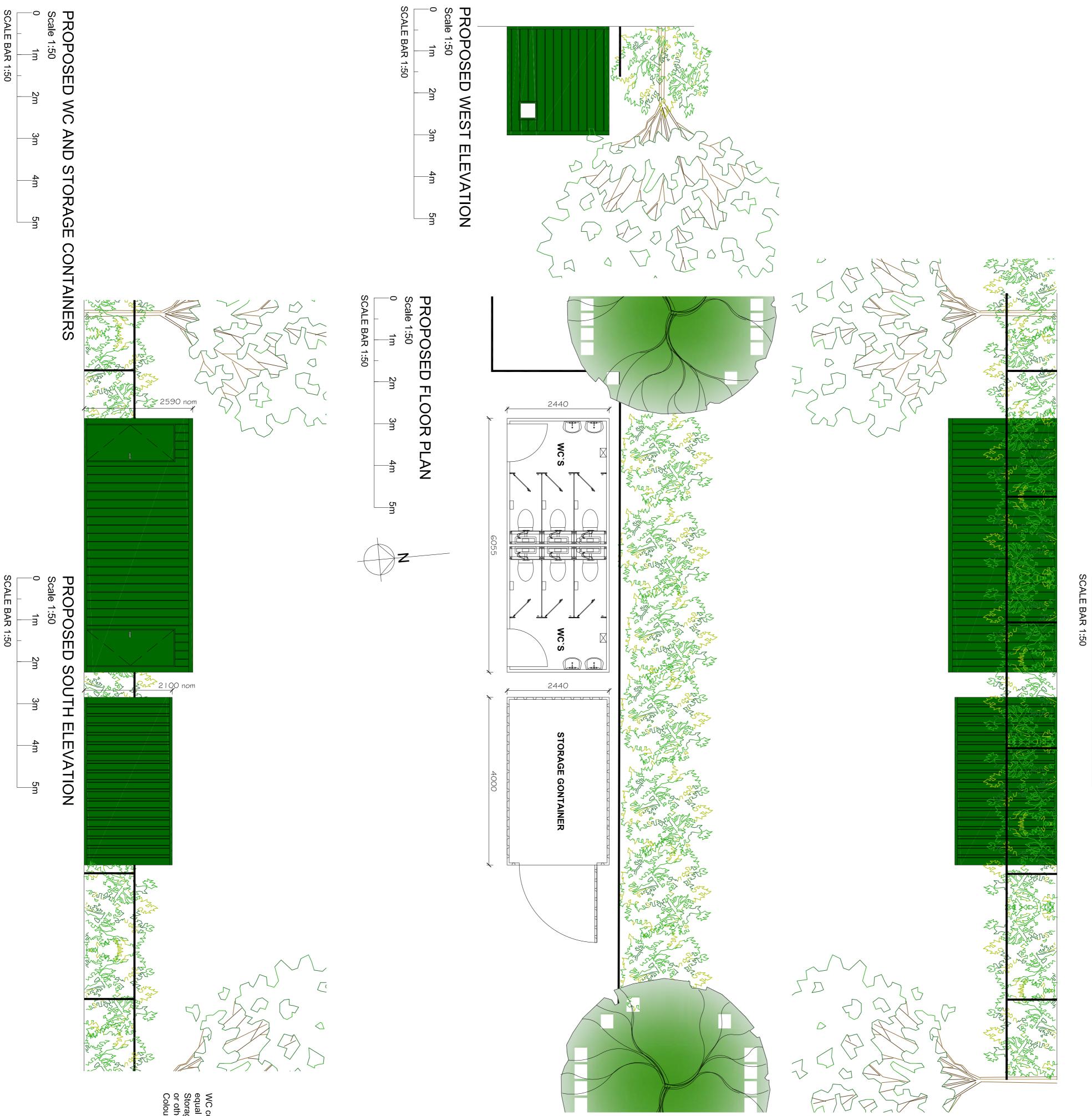




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3	- 2nr 60x40yd Grass Pitches.	
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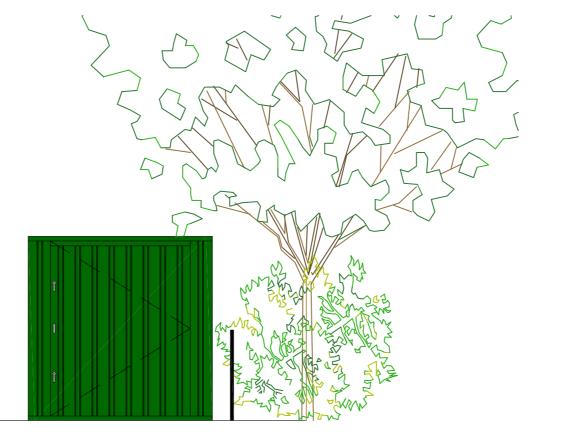


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	PROPOSED PROVISION:
	 1nr 60x40yd FTP incorporating 2nr 5 aside pitches. 1nr 60x40yd Grass Pitch.
	 - 1nr 40x30yd Grass Pitch. - 1nr Long Jump Pitch.
	NOTE: Not all pitches can be used concurrently as per the existing arrangements.
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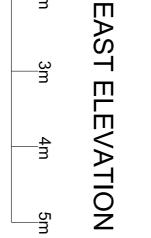
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PRINCE AVENUE PRIMARY HORNBY AVENUE SOUTHEND-ON-SEA WESTCLIFF-ON-SEA, SS0 0LG 3G FTP OCTOBER 2022 1:50 @ A1 201-15_PL-09.R2 at SOUTH EAST ESSEX ACADEMY TRUST NEW 60X40 YARD FLOODLIT PROPOSED WC'S AND STORAGE CONTAINER Rev Date: Notes: REVISION HISTORY 0 ^ N 06/10/2022 Colour of units revised to greem. 05/10/2022 Storage container size reduced to 4.0r 04/10/2022 Initial Issue. info@pchassociates.co.uk TTD ASSOCIA www.pchassociates.co.uk D AW 01638 667676 S

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 PROPOSED NORTH ELEVATION

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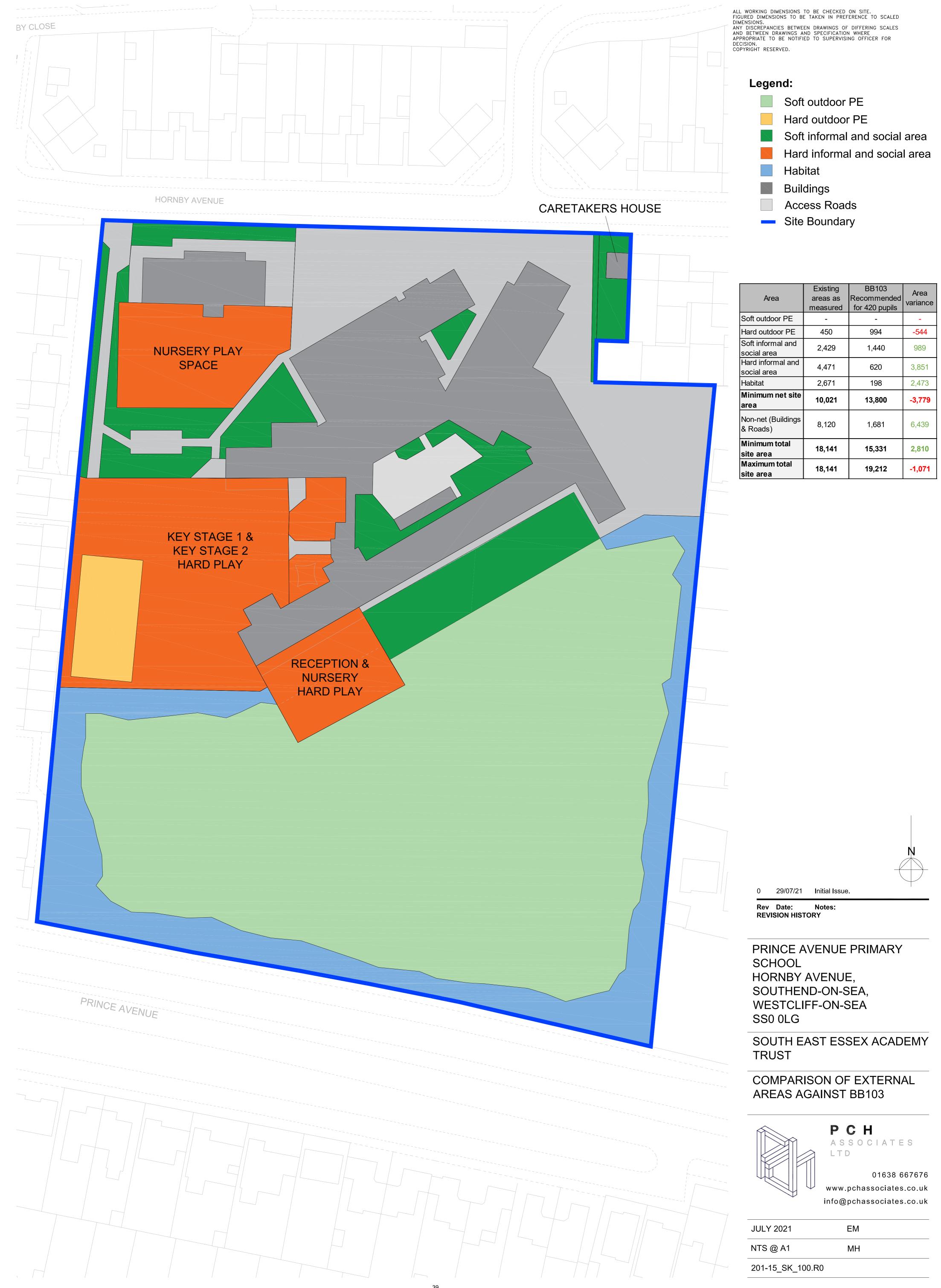
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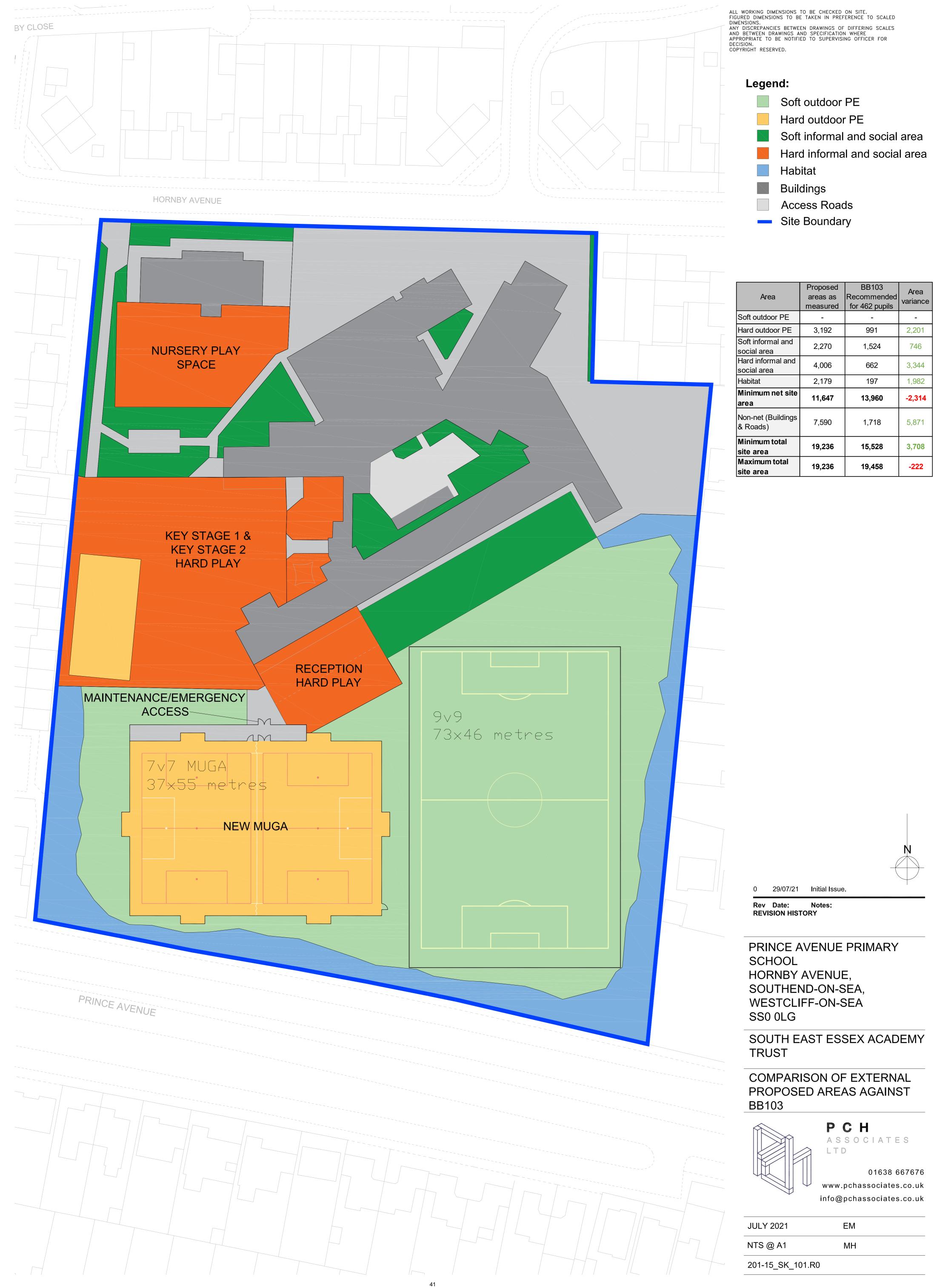
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appealing planting scheme that requires the absolute minimum maintenance once established.
The Principles of Noise Mitigation through Planting
"Density, height, length and width of the green sound barrier are the most important factors to consider in reducing noise." (Cooke & Havebecke, 1974).
Tree belts 4m to 10m wide and 12m high, planted close to the source of noise are the most effective. A 10m wide tree belt can be expected to give a 5db reduction in sound, whereas a 20m wide tree belt will only give an additional 1db reduction in sound (i.e.,6db in total).
Noise mitigation can be made more effective if the planting is carried out on a mound of soil called a "Berm". Ideally, 1m high with a level top of minimum 3m and slopes of 10 degrees as shown below:
Cross-section of Berm
I→ 12.83 m →
5 m 5 m
Showing minimum dimensions Angle of slope = 10 degrees Maximum height = 1m
Length of slopes = 5m Minimum width of berm = 3m The Berm must not encroach onto the rootzone
of any tree to be retained.
It is not possible to create a Berm at this location as the minimum distance between the root protection zone and the MUGA is less than 12.83m – the minimum width required for creating a 1-metre-high berm with a 3m wide top.
The choice of plants is important. Ideally, large leaves, evergreen and with an even distribution from the top to the ground (as found in hedges). A selection of plants with different sized leaves and growth habits achieves the most effective noise reduction across the sound spectrum.
Planting arrangement is important. A crossing planting arrangement reduces low frequency noise better than planting in rows

This Detailed Planting Plan has been developed after a site visit carried out on 15th February 2022

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following the brief supplied by the client asking specifically for planting to aid noise reduction. The

plants have been chosen based on the soil type and site location to ensure that they have the

The site lies on a bedrock layer of London Clay Formation - Clay, Silt and Sand with a recorded

superficial layer of River Terrace Deposits - Clay and Silt. These soils are freely draining slightly

acid loamy soils of low fertility. They tend to dry out in the East of England during the summer,

The site is located in the school playing field immediately adjacent to the main dual carriageway servicing Southend on Sea (A127) and under the flight path of Southend Airport. Both these

The focus of this planting design is to mitigate the increased sound effects of the development on the immediate neighbourhood. At the same time care has been exercised in creating a visually

best opportunity for not only survival but to flourish with minimal expert maintenance.

features contribute to an existing high level of background noise in the area.

giving rise to an increased risk of drought stress in planting.

Planting arrangeme better than planting in rows.

Mulch and fallen leaves at ground level play a contributing role in absorbing sound.

Site Preparation (General)

Design Notes

The existing tree groups G10 and G11 are to be retained and will provide height along the edge of the new tree belt planting. About 90% of the existing ivy needs to be cleared from these tree groups along with all dead, damaged and fallen vegetation to give clear access to the area to be

Excavation shall not be undertaken within the root protection zone of any existing tree or other plants to be retained.

Existing topsoil shall be stripped in construction areas before landscaping work commences. Imported topsoil shall be to BS3882:2015 and shall be multipurpose grade, of medium texture with a high proportion of fertile loamy material. It shall be free from subsoil, rubbish, rubble, contamination, roots of perennial weeds and other materials injurious to plant growth. The maximum stone content of the soil shall be 20% with the maximum size of stone 25mm in any one dimension. All topsoil shall be stacked in heaps not exceeding 2m high until required. During storage all topsoil heaps shall be kept free from compaction, contamination, and weeds.

Unless otherwise indicated areas to be planted shall be cleared of all surface rubbish and excavated to the dimensions below finished levels as follows when the soil is not waterlogged or frozen. Ensure the locations of all services are known before any excavation operations are carried out:

Planted areas: 450mm deep.

The base of excavated areas shall be forked or otherwise cultivated to a depth of 150mm to facilitate drainage and all bricks, stones, and other debris over 75mm in any one dimension shall be removed. Areas trafficked by construction vehicles shall be ripped to a depth of 150-300mm to relieve compaction.

Where excavated areas are lower than the required depth, excavations shall be backfilled with selected subsoil and lightly consolidated to make up levels. Selected subsoil shall be friable. second quality topsoil or similar and be free of rubbish, roots, stones over 75mm in anyone dimension, perennial weeds, or other matter injurious to plant growth.

Planted areas shall be backfilled in layers with clean topsoil (as specified above) thoroughly mixed with an approved planting composted bark product or approved compost incorporated at a rate of 80 litres per 5-6m2.

Planting ideally shall be undertaken between the months of October and April when the temperature is above 5 degrees centigrade. If it is carried out outside of these months regular watering throughout the summer must be planned for to ensure adequate establishment. At the time of planting, the Contractor must incorporate into the soil a slow-release fertiliser, equal parts NPK, and in accordance with the manufacturer's instructions.

Biosecurity

"BS8545: Trees - From Nursery to independence in the landscape" shall be adhered to. In the interest of biosecurity, no plant should be imported directly from European suppliers and planted straight into the site unless they have appropriate certification that they are 100% disease free and have come from an area with no known horticultural diseases. If disease free certification is not possible, the plants shall have spent a full growing season in quarantine, in a UK nursery to ensure they are free from foreign pests and diseases. This is a measure to address the threat of the introduction of pests and diseases from outside the UK.

Plant Schedule

Plants shall be supplied in accordance with BS3936-1:1992, set out in accordance with this plan and planted to the densities as shown in the Plant Schedule. All plants must be always kept adequately moist whilst waiting to be planted.

Shrub Planting Specification

Great care must be taken to avoid damage to the root and stem system when planting. The rootball around any container grown plants must be disturbed and loosened to prevent the roots circling. Sufficient soil must be taken from the bed to enable the roots to be fully spread. Place containerised plants upright in position and set at the same height as previously growing. Bare root material must have the roots carefully spread out, and finely broken soil must be packed around the roots. As the soil is returned, it must be consolidated.

Following planting, the planted areas must be lightly forked over to level the surface by removing depressions caused during the planting process. All debris must be removed and disposed of. Mulch all planted areas and under tree groups G10 and G11 with a layer of good quality, mediumgrade wood chip to an even depth of 75-100mm, taking due care not to excessively cover any leaves of any plant.

Maintenance During Establishment (The First Five Years After Planting)

Maintenance visits will be required at three monthly intervals from April to September and once during the dormant season to carry out the following operations to establish healthy growing plants/grass in weed free areas:

- Weed control in years 1-3, the planted areas will require hand weeding during the growing season (April to September). The presence of mulch should ensure this job is not onerous. season (April to September). The presence of mulch should ensure this job is not should ensure this job is not should ensure the job the planted stock.
- Watering no planting shall be allowed to dry out during establishment. In periods of dry weather manual watering will be required to ensure plants do not wilt. In general, during dry spells in year 1, 5 litres of water will be required per square metre of planted area twice per week.
- · Annual inspection on one occasion during August/September inspect all trees and shrubs, remove any that have died and replant with the same species during the planting season, October to March.

arisings to be carted away and disposed of in an approved manner. All work to be carried out accordance with good horticultural practise.

Plant Species Common Name Shrubs

G10

150 Prunus laurocerasus

edge of trees in G11 and G10

Plant under the canopy

A State State

State State State

4 6 8 8

Darwin's Barberry

False Holly

Red Tip Photinia

Cherry Laurel

Berberis darwinii Osmanthus "Goshiki" Photinia "Red Robin"





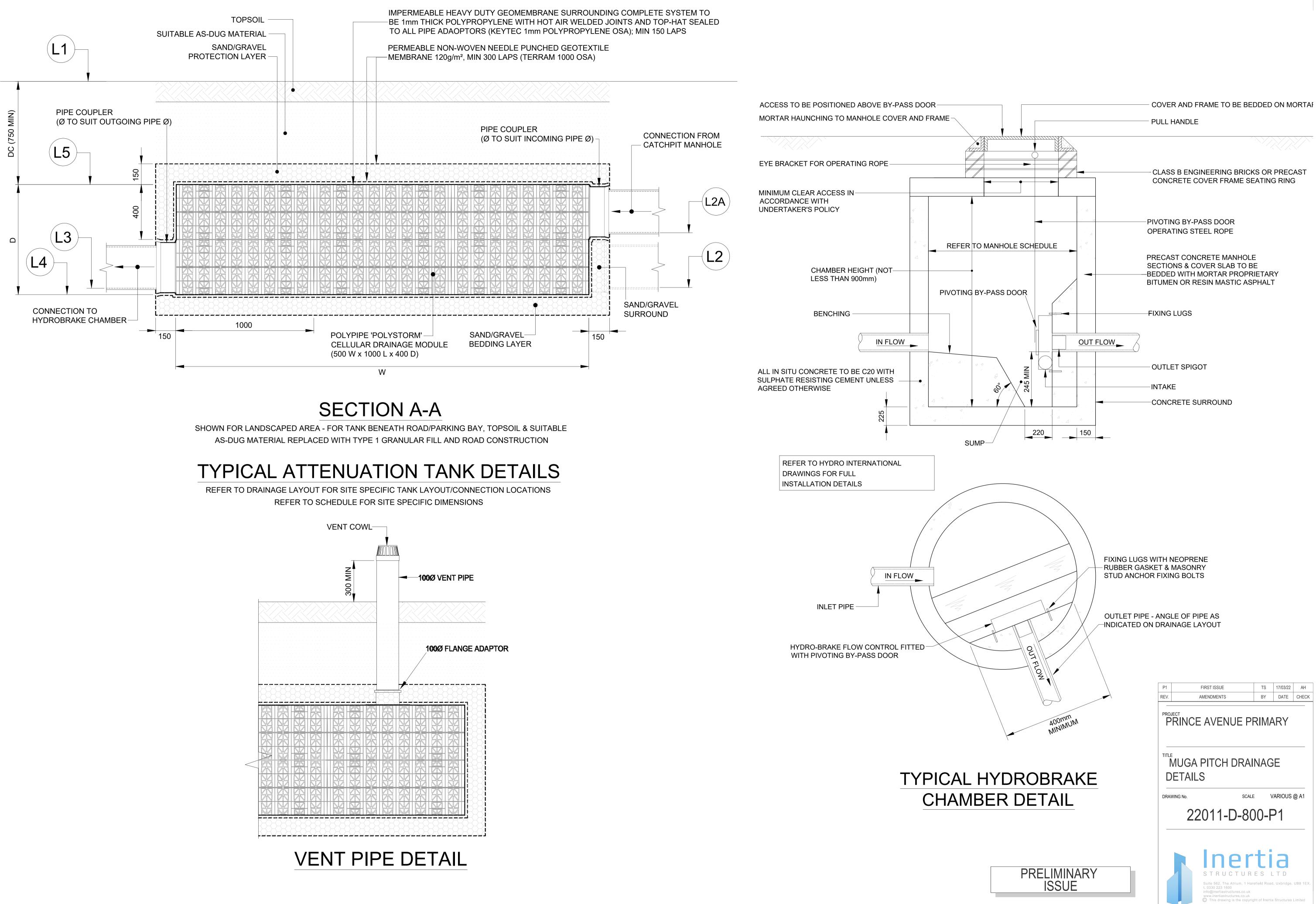
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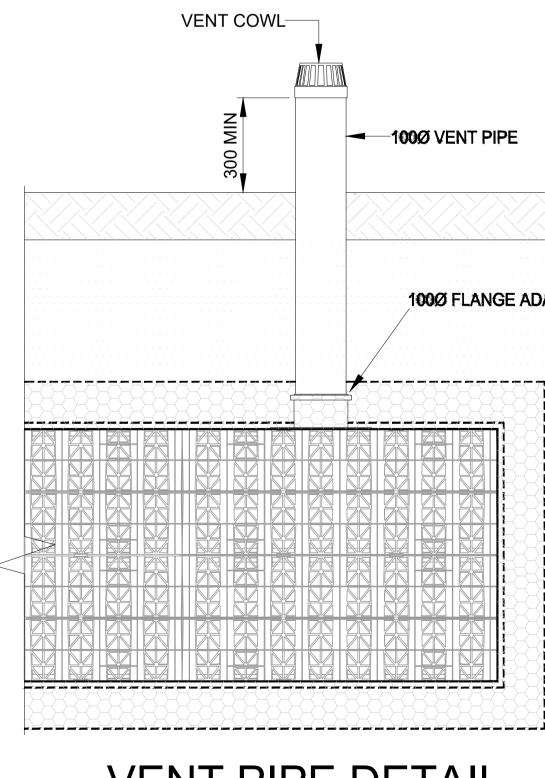


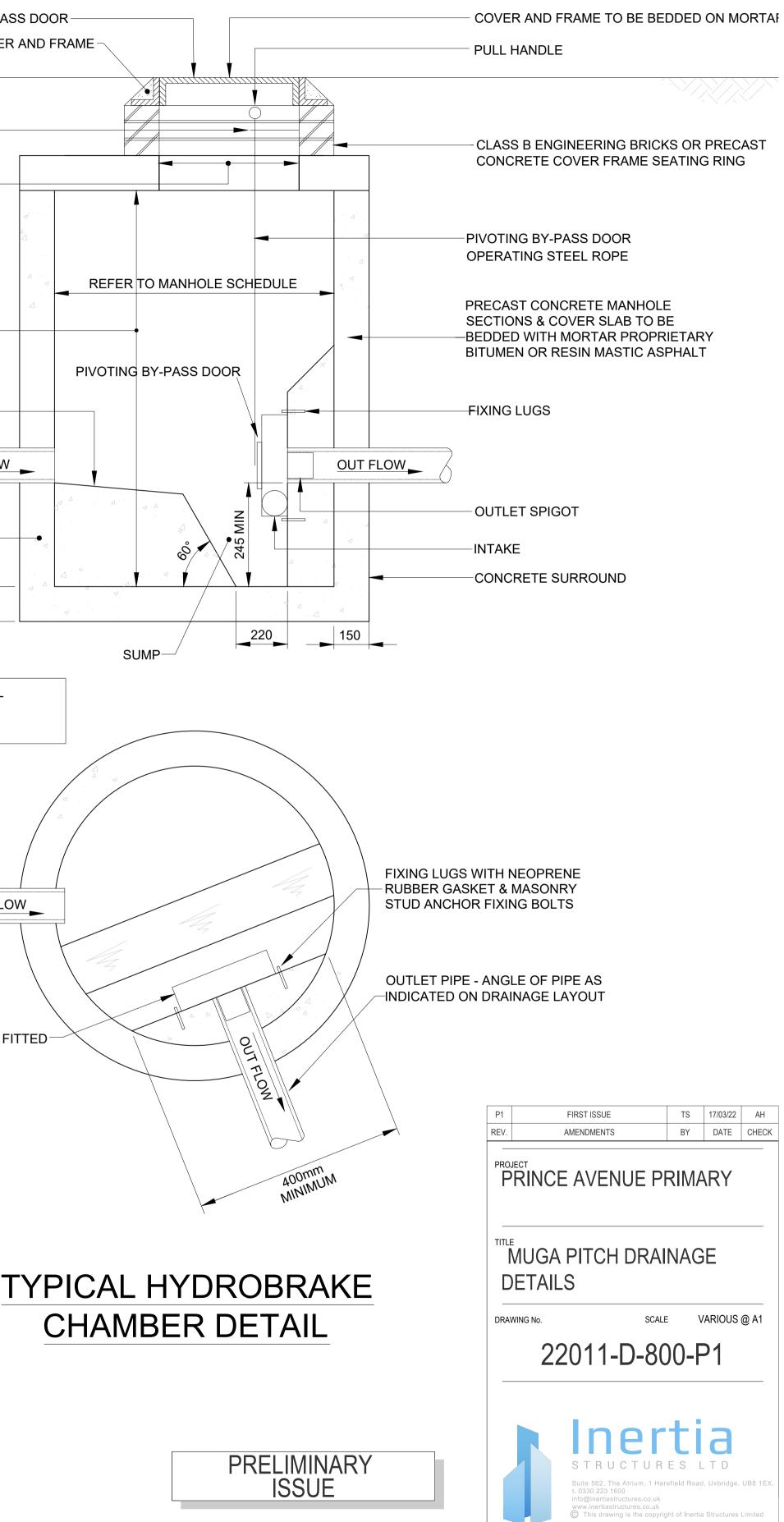
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From Site Looking South to A127



From Site Looking North to School and Playground

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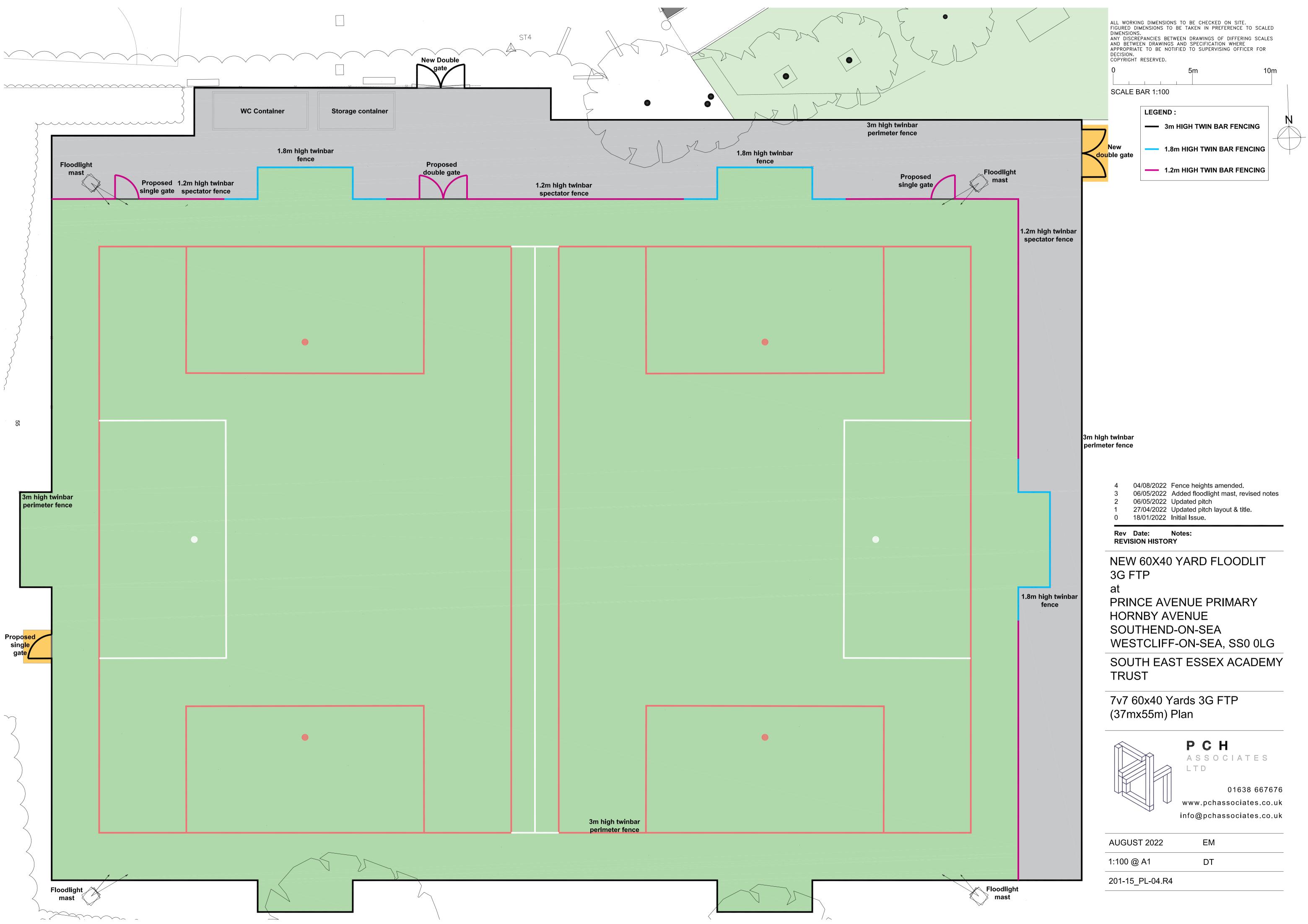


Path Between Site and Dolphins





Car Park at Dolphins (Site to RHS/East)



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Reference:	22/01877/FUL			
Application Type:	Full Application	—		
Ward:	Chalkwell	5		
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			
Address:	11 Imperial Avenue, Westcliff-on-Sea, Essex			
Applicant:	Castelnau			
Agent:	Mr Ian Coward of Collins & Coward			
Consultation Expiry:	10.11.2022			
Expiry Date:	06.01.2023			
Case Officer:	Oliver Hart			
Plan Nos:	200 Rev02; 201 Rev01; 202 Rev03			
Supporting information:	Cover Letter			
Recommendation:	GRANT PLANNING PERMISSION subject to conditions			



1 Site and Surroundings

- 1.1 The application site is on the northern side of Imperial Avenue and is presently occupied by a large, two-storey building with a two-storey rear outrigger, used as 6 flats. To the rear of the site is a deep rear garden which is segregated into sections to enable private use by the existing residents. It is noted a central area of the garden is within the applicant's control and is shown as communal. The front garden area is partially landscaped with areas of soft and hard landscaping. 2no. car parking spaces are formally laid out to the site's frontage.
- 1.2 The building on this site is one of a number of larger buildings on this side of the road. The building at 13-15 Imperial Avenue is a large, flatted block which comprised the old St Hilda's School site. No.9 Imperial Avenue is a large, detached, two-storey building in use as a care home.
- 1.3 The site is not within Flood Zones 2 or 3 and is not subject to any site-specific planning policy designations.

2 The Proposal

- 2.1 Planning permission is sought to erect a series of roof extensions and alterations to the existing roof scape to facilitate the provision of 2no. additional flats within the enlarged roof space. Specifically, the roof extensions relate to:
 - Erection of flat roofed 'box' dormers to the front and rear elevations measuring 3.3m deep, 3.5m wide and 2.9m high and 3.2m deep, 9m wide and 2.5m high respectively;
 - Enlargement of the existing front gable projection with incorporation of glazing and a Juliette balcony;
 - Extension of the existing main gabled roof to the east flank elevation;
 - Gabling of the existing hip roof to the north-east flank elevation of the outrigger;
 - Gabling of the existing hip roof to the rear elevation of the outrigger;
 - Incorporation of roof lights to the east flank and rear roof slopes
- 2.2 The proposed internal floorspaces of the flats are set out below:
 - Unit 07- 2bed/3-person 63.2sqm in gross internal floor area
 - Unit 08- 2bed/3-person 63sqm in gross internal floor area
- 2.3 The accompanying cover letter states the existing communal use of the section of rear garden will be retained. The proposal also involves enlargement of the existing parking area. Whilst submitted plans indicate an increase in the formal number of parking spaces from 2no. to 5no. spaces, information in the form of title deeds has been received from a third party to demonstrate that there are 4no. spaces at present at the site. Therefore, the net gain will be 1no. space and assessment of the application has been made on this basis.
- 2.4 A cycle store is also proposed to the communal section of the rear garden area although specific details of its external appearance have not been provided. Waste storage is also shown to the east flank elevation of the building. Specific details of its external appearance have also not been provided. It is noted the cycle and waste stores would

serve the existing and proposed flats.

3 Relevant Planning History

Flat 2, 11 Imperial Avenue

3.1 21/01118/FUL- Erect single storey side extension- Granted

4 Representation Summary

Call-in request

4.1 The application has been called in to Development Control Committee by Councillor Folkard.

Public Consultation

- 4.2 Eighty-Four (84) neighbouring properties were consulted and a site notice was displayed. Thirteen (13) representations from ten addresses have been received.
- 4.3 The objecting comments are summarised as follows:
 - Loss of chimneys will be damaging to the character of the building
 - Loss of planting to the front garden area is harmful
 - Character of the area is changing
 - Overdevelopment of the site
 - Impact on utilities housed in the attic
 - Amenity impacts on residents from construction activities
 - Asbestos concerns
 - Development purely for financial gain
 - Fire safety concerns
 - Issue with details provided in the cover letter in relation to parking (4 spaces not 2) and the rear garden, which is divided into 6 and is not communal
 - Parking concerns and increased traffic movements
 - Overlooking concerns
 - Lease issues- access to the rear gardens to be removed as well as with construction activities
- 4.4 The comments have been taken into consideration and the relevant planning matters raised are discussed in subsequent sections of the report. The points of objection raised by the representations have been taken into account in the assessment of the proposal but are not found to represent justifiable reasons for recommending refusal of the planning application in the circumstances of this case. Asbestos, impact on utilities and Fire Safety concerns are matters for other regulatory regimes including Building Control. Issues surrounding the lease and access arrangements are civil matters that fall outside the remit of planning control.

Building Control

4.5 Building Regulations cover electrical works and heating systems etc. Extensive alterations to existing electrical wiring and replacement heating systems are 'notifiable work' under the building regulations and they would be covered under competent person schemes.

Environmental Health

4.6 No objections subject to conditions regarding construction management and refuse and recycling.

Highways

4.7 No objections – Off street parking has been provided and is acceptable. Secure cycle parking has also been provided therefore no highway objections are raised.

5 Planning Policy Summary

- 5.1 The National Planning Policy Framework (NPPF) (2021)
- 5.2 Planning Practice Guidance (PPG) National Design Guide (NDG) (2021)
- 5.3 Technical Housing Standards Nationally Described Space Standards (2015)
- 5.4 Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment and Urban Renaissance), CP8 (Dwelling Provision).
- 5.5 Development Management Document (2015): Policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM7 (Dwelling Mix, Size and Type), DM8 (Residential Standards), DM15 (Sustainable Transport Management).
- 5.6 Southend-on-Sea Design and Townscape Guide (2009)
- 5.7 Technical Housing Standards and Policy Transition Statement (2015)
- 5.8 Waste Storage, Collection and Management Guide for New Developments (2019)
- 5.9 Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) (2020)
- 5.10 Community Infrastructure Levy (CIL) Charging Schedule (2015)
- 5.11 Electric Vehicle Charging Infrastructure for new development (2021)

6 Planning Considerations

6.1 The main considerations in relation to this application are the principle of the development, the design and impact on the character of the site, the streetscene and wider area, the standard of accommodation for future occupiers, the impact on residential amenity of neighbouring occupiers, any traffic and transportation issues, refuse and recycling storage, energy and water sustainability, water drainage, compliance with the Essex Coast RAMS SPD and CIL liability.

7 Appraisal

Principle of Development

- 7.1 Paragraph 119 of the NPPF states: "Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions." Furthermore, the NPPF requires development to boost the supply of housing by delivering a wide choice of high-quality homes. Paragraph 86 (f) of the NPPF states that planning should "recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites". Paragraph 120 (e) states that planning decisions should "support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards) and can maintain safe access and egress for occupiers."
- 7.2 The results of the Housing Delivery Test (HDT) published by the Government show that there is underperformance of housing delivery in the city. Similarly, the Council's Five-Year Housing Land Supply (5YHLS) figure shows that there is a deficit in housing land supply in the city. The South Essex Strategic Housing Market Assessment (SESHMA) identifies that Southend has a higher proportion of flats/maisonettes and a housing stock comprised of a greater proportion of one-bed units and smaller properties a consequence of which is that there is a lower percentage of accommodation of a suitable size for families.
- 7.3 The HDT and 5YHLS weigh in favour of the principle of the development, particularly in light of the tilted balance in favour of sustainable residential development as required by paragraph 11 of the NPPF. The proposal would create an increase of two dwellings of small capacity which is a limited contribution to the housing supply of the city.
- 7.4 Situated within the built-up area, extensions and alterations to the building are also acceptable in principle. Overall, the principle of development is acceptable subject to the details of the proposal considered below.

Design and Impact on the Character of the Area

- 7.5 Local and national planning policies and guidance seek to ensure that new development is well designed. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.6 Local development plan policies seek to ensure that new development is designed so that it adds to the overall quality of the area and respects the character of the site, its local context and surroundings, provides appropriate detailing that contributes to and enhances the distinctiveness of place; and contribute positively to the space between buildings and their relationship to the public realm. Policy DM1 and the Council's Design and Townscape Guide provide further details on how this can be achieved.

- 7.7 The character and scale of development along Imperial Avenue is typified by large, detached and semi-detached two and three-storey buildings of consistent height and with an assortment of roof extensions to their respective front and rear elevations (as typified by the series of front and rear gabled projections and flat roofed box dormers of significant scale to 13-15 Imperial Avenue). To this end, the proposal seeks to replicate the arrangement seen at the adjoining neighbour such that together, they would appear as a consistent frontage in the streetscene.
- 7.8 Whilst the proposal would materially increase the scale and bulk of the application building, on the basis of the details outlined above and noting the set-back of the application building from the public highway and the prevalence of similar forms of development in the streetscene, the roof extensions proposed are not considered to appear materially out of keeping with the scale and form of development along Imperial Avenue or be significantly harmful to the character of the application building or wider surrounding area.
- 7.9 Having specific regard to the large L-shaped dormer to rear, the scale is significant and the design functional however, in the specific circumstances of this case, it is considered to be reflective of neighbouring rear dormer development at the attached site and due regard has been had to its position contained within a tight well such that it would not be materially evident from the site's public vistas. The exterior materials have been altered during the course of the application from timber cladding to a render to be more inkeeping with the traditional nature of the application and no objections are raised on this basis.
- 7.10 The application proposes the removal of 3no. chimney stacks which are original features. Whilst regrettable, the building is not statutorily or locally listed, nor is it within a conservation area. Hence, protection of such features cannot be given increased weight in the overall balance and, in this instance, the impact on the character and appearance of the property is not considered to be significantly harmful.
- 7.11 The proposal would result in enlargement of the existing parking area, with 5no. parking spaces to the provided to the west of the site. This would result in the loss of an area of grass forward of the front elevation. This is a less positive aspect of the development however; regard is had to the retention of existing trees to the frontage of the site and the retention of other boundary hedging to the western boundary such that the visual amenity of the site would be retained to an acceptable level. There are limited opportunities for additional landscaping on this site, but conditions can require details of additional soft landscaping measures so sufficiently addressing that issue.
- 7.12 Overall, the proposed development is considered to be of an acceptable design which acceptably references the development adjoining the application property, providing continuation of the architectural features that characterise the wider block to which it is attached, including gabled projections and flat roofed 'box' dormers. The layout would remain largely unchanged. The proposed scale would respect that of other development in the area.
- 7.13 The proposal is therefore considered not to be significantly harmful to the character and appearance of the site, streetscene or wider surrounding area in which case it would be acceptable and policy compliant in the above regards.

Standard of Accommodation and Living Conditions for Future Occupiers

- 7.14 Delivering high quality homes is a key objective of the NPPF and is reflected in policy DM8 of the Development Management Document. Policy DM3 of the Development Management Document states that proposals should be resisted where they create a detrimental impact upon the living conditions and amenity of existing and future residents. Policy DM1 requires developments to provide an internal and external layout that takes account of all potential users. Policy DM8 requires new dwellings to comply with the residential space standards, to be flexible to meet the changing needs of residents and ensure the provision of outdoor amenity space.
- 7.15 All new homes are required to meet the Nationally Described Space Standards (NDSS) in terms of floorspace, bedroom size and storage sizes. The required overall sizes for residential units and the minimum standards for bedrooms are shown on the following table. The relevant dimensions of the proposed scheme are also shown on the table below:

	Area (m²)	Bedroom 1	Bedroom 2	Storage area (m²)
Standard for (one storey) 2-bed / 3 person	61	11.5m ² Wmin=2.75m	7.5m ² Wmin=2.15m	2
Proposed (one storey) 2-bed / 3 person; Unit 07	63	14.4m ² Wmin=2.75m	7.5m ² Wmin=2.5m	2.2
Proposed (one storey) 2-bed / 3 person; Unit 08	63.2	13.2m ² Wmin=3.1m	8.5m ² Wmin=2.5m	2.4

Table 1: Space Standards and proposed unit sizes

- 7.16 As noted in table 2, both of the proposed units would meet or exceed the NDSS. With regards to light and outlook, the position of the window serving the second bedroom serving proposed flat 08 is such that it has potential for overlooking of the adjacent development and therefore, a condition is recommended to require obscure glazing to this window. Noting the provision of a roof light above and the secondary nature of the bedroom, on balance and taking the development as a whole, it is not considered this arrangement would be significantly harmful. It is considered that all other habitable rooms would benefit from satisfactory levels of outlook and daylight.
- 7.17 In relation to the provision of amenity space Policy DM8 states that all new dwellings should: "Make provision for usable private outdoor amenity space for the enjoyment of intended occupiers; for flatted schemes this could take the form of a balcony or easily accessible semi-private communal amenity space. Residential schemes with no amenity space will only be considered acceptable in exceptional circumstances, the reasons for which will need to be fully justified and clearly demonstrated."

- 7.18 Neither of the proposed units would be served by their own private amenity area. An area of some 200sqm is proposed to be retained for communal use. This would serve as the provision for two of the existing residential units as well as the two proposed units. Owing to the low-occupancy design of the existing and proposed flats, coupled with their location reasonably close to a range of amenities including Chalkwell Park and the Seafront, this proposed provision is considered to be sufficient to reasonably meet the amenity needs of the future occupiers and as part of an overall balanced assessment.
- 7.19 As the proposal would not result in new-built development (i.e. it is an extension to an existing building), compliance with building regulation M4(2) is not a policy requirement.
- 7.20 With regards to waste storage and collection, revised plans have been submitted to show waste storage (of a capacity to serve the whole development) to the east flank elevation of the development. Subject to a condition to finalise the location and for its external appearance to be agreed, no objections are raised on this basis.
- 7.21 Overall, taken in the round, and subject to the described conditions, it is considered that the proposal would not result in substandard accommodation for future occupiers and would not be detrimental to their living conditions. The proposal is acceptable and policy compliant in the above regards.

Impact on Residential Amenity

- 7.22 Local and national planning policies and guidance seek to secure high quality development which protects amenity. Policy DM1 of the Development Management Document specifically identifies that development should protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight. Further advice on how to achieve this is set out in the Council's Design and Townscape Guide.
- 7.23 The nearest residential units in the vicinity are those directly beneath the proposed roof extensions, those within the attached building (to the west) at 13-15 Imperial Avenue and the care home building to the east (at Elkington House).
- 7.24 The proposed roof extensions would not project forward of neighbouring habitable rooms' front and rear windows such that there would be no significantly harmful amenity impacts on these openings in any relevant regard. In addition, the majority of the roof extensions would be situated to the western flank elevation. Therefore, only the 'L-shaped' rear dormer would have any material impact on the amenity of neighbouring ground and first floor flank windows at the attached flatted block (13-15 Imperial Avenue).
- 7.25 Regard is had in this instance to the retention of the dormer within the existing roof slope, with significant set up from the respective eaves line which would sufficiently mitigate any harmful impacts resulting from the increased scale and bulk of this feature with regards to loss of light, outlook or an overbearing impact to neighbouring residents.

- 7.26 An existing side bedroom window within the neighbouring first-floor flat (No 105) within the attached flatted block is noted, along with one other window serving an en-suite. These windows however were conditioned (condition 13 of planning permission 17/00530/AMDT) to be obscure glazed in the interests of the protection of the privacy of the existing first floor flats withing the application building. On this basis, it is not considered that the proposed, side bedroom window within the dormer to the rear would give rise to an intrusive degree of over-looking between the neighbouring units.
- 7.27 With regards to Elkington House, a series of flank windows are noted at ground and first floors. These are all as obscure glazed, such that on this basis, it is not considered the proposed increase in the scale and bulk of the building would give rise to a loss of light or outlook that would be significantly harmful to the residential amenity of neighbouring residents. In addition, noting the retention of a separation in excess of 4m between the properties, it is not considered the proposal would give rise to a harmfully increased sense of enclosure or overbearing impact.
- 7.28 Whilst the proposed gabling of the rear two storey projection may give rise to increased views of neighbouring rear gardens, the presence of two and three storey high buildings with clear glazed and openable rear windows that surround the site, is such that there is a degree of inter-overlooking of rear garden areas that exists at present and which, when considered objectively in planning terms, informs the levels of amenity generally enjoyed here. No objections are therefore raised on this basis.
- 7.29 Conditions to control the hours of construction and method of construction are recommended in order to avoid significant harm to the residential amenity of neighbours during the construction period. The Council's Environmental Health service has raised no objections on this basis. Concerns of sound insulation are also a matter for building control.
- 7.30 Overall, subject to the described conditions it is considered that the proposal is acceptable and policy compliant in the above regards.

Traffic and Transportation Issues

- 7.31 The NPPF states (para 111) that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or, the residual cumulative impacts on the road network would be severe."
- 7.32 Policy DM15 of the Development Management Document states: "Development will be allowed where there is, or it can be demonstrated that there will be, physical and environmental capacity to accommodate the type and amount of traffic generated in a safe and sustainable manner". The policy also requires that adequate parking should be provided for all development in accordance with the adopted vehicle parking standards. Residential vehicle parking standards may be applied flexibly where the development is proposed in a sustainable location with frequent and extensive links to public transport. The EVCI SPD stipulates that car parking spaces are fitted with charging infrastructure.

- 7.33 Assessed against parking standards, the minimum car parking requirements for flats is one space per unit and one cycle parking space per unit. The proposal would provide 5no. off-street car parking spaces in total, representing a net gain of 1no. over the existing situation, and cycle storage within the rear curtilage of the site to serve all flats (existing and proposed). 4no. of the existing car parking spaces would serve the 4no. existing units which are already served by the on-site provision, and the fifth would serve one of the 2no. new units.
- 7.34 Whilst the parking provision falls below the minimum policy requirement, the site benefits from being in a sustainable location with regard to public transport with good links in close proximity. On this basis and having regard to NPPF paragraph 111 quoted at paragraph 7.30 above and the low occupancy of the flats, it is not considered that this proposal will have a detrimental impact on parking conditions, highway safety or the local highway network. Highways officers have not objected to the scheme on this basis.
- 7.35 In line with the council's recently adopted EV charging schedule for new dwellings, a condition will also be attached requiring all resident parking spaces be fitted with EV charging points.
- 7.36 Overall, it is considered that there would be no significant harm caused to the parking conditions, traffic or highway safety of the area. The proposal is acceptable and policy compliant in the above regards.

Energy and Water Sustainability

- 7.37 Policy KP2 of the Core Strategy requires that: "at least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources)". Policy DM2 of the Development Management Document states that: "to ensure the delivery of sustainable development, all development proposals should contribute to minimising energy demand and carbon dioxide emissions". The same policy requires all new development to provide "water efficient design measures that limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption). Such measures will include the use of water efficient fittings, appliance and water recycling systems such as grey water and rainwater harvesting".
- 7.38 No information has been provided regarding proposed renewable energy to demonstrate how the proposal meets the 10% policy requirement or how it would achieve the required maximum water usage. However, it is considered that the requirement for renewable energy and restrictions on water usage can be controlled with conditions provided any such externally mounted technologies respect the character and appearance of the building and wider area.
- 7.39 This aspect of the proposal is, therefore, considered to be acceptable and policy compliant in these regards, subject to conditions.

Flooding and surface water drainage

- 7.40 National policy requires that any development is safe from flooding and does not increase the risk of flooding elsewhere. The proposal would see an area of laid to lawn to the front hard surfaced. Subject to a condition requiring permeable hardstanding be incorporated to the proposed parking area, it would not significantly increase the runoff of surface water. It is expected that the development would be connected to the sewer system.
- 7.41 The development would be acceptable and policy compliant in these regards.

Ecology - Essex Coast RAMS

- 7.42 The site falls within the Zone of Influence for one or more European designated sites scoped into the Essex Coast RAMS. It is the Council's duty as a competent authority to undertake a Habitats Regulations Assessment (HRA) to secure any necessary mitigation and record this decision within the planning documentation. Any new residential development has the potential to cause disturbance to European designated sites and therefore the development must provide appropriate mitigation. This is necessary to meet the requirements of the Conservation of Habitats and Species Regulations 2017. The Essex Coast RAMS SPD, which was adopted by the Council on 29 October 2020, requires that a tariff of £137.71 (index linked) is paid per dwelling unit. This will be transferred to the RAMS accountable body in accordance with the RAMS Partnership Agreement.
- 7.43 The applicant has paid the relevant tariff. The development would offer suitable mitigation of the in-combination effect of the net increase of two dwellings on habitats and species. The development is acceptable and in line with policies in this regard.

Community Infrastructure Levy (CIL)

7.44 This application is CIL liable and there will be a CIL charge payable. In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is being reported as a material 'local finance consideration' for the purpose of planning decisions. The proposed development includes a net gain internal floor area of 126.3sqm, which may equate to a CIL charge of approximately £3225.5.

Equality and Diversity

7.45 The Equality Act 2010 (as amended) imposes important duties on public authorities in the exercise of their functions and specifically introduced a Public Sector Equality Duty. Under this duty, public organisations are required to have due regard for the need to eliminate unlawful discrimination, harassment and victimisation, and must advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. Officers have in considering this application and preparing this report had careful regard to the requirements of the Equalities Act 2010 (as amended). They have concluded that the decision recommended will not conflict with the Council's statutory duties under this legislation.

8 Conclusion

- 8.1 Having taken all material planning considerations into account, it is concluded that subject to compliance with the suggested conditions, the proposed development would be acceptable and compliant with the objectives of the relevant local and national policies and guidance. The proposal is acceptable in principle and it is considered that it would have an acceptable impact on the living conditions of future occupiers, the amenity of neighbouring occupiers, the character and appearance of the area, and highway safety, traffic and parking conditions in the area. Conditions can deal with energy and water sustainability and waste storage. The development offers suitable mitigation for its in-combination effects to protected ecology sites.
- 8.2 This proposal creates new housing. Therefore, if any harm is identified, including in those areas for judgement identified within this report's analysis of the proposal, it would be necessary to demonstrate that in reaching the decision an appropriate balancing exercise has been undertaken considering the benefits of the proposal and any such harm. The Council has a deficit in housing land supply so the tilted balance in favour of sustainable development should be applied when determining the application as relevant. The test set out by the NPPF is whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when considered against the policies of the NPPF taken as a whole. The proposal would make a contribution to the housing needs of the city which must be given increased weight in the planning balance, albeit the weight to be attached to this would not be so significant in this instance in view of the level of occupancy and number of units involved. This application is recommended for approval subject to conditions.

9 Recommendation

- 9.1 MEMBERS ARE RECOMMENDED TO GRANT PLANNING PERMISSION subject to the following conditions:
- 01 The development hereby permitted shall begin 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 Southendon-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). The additional parking space 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).

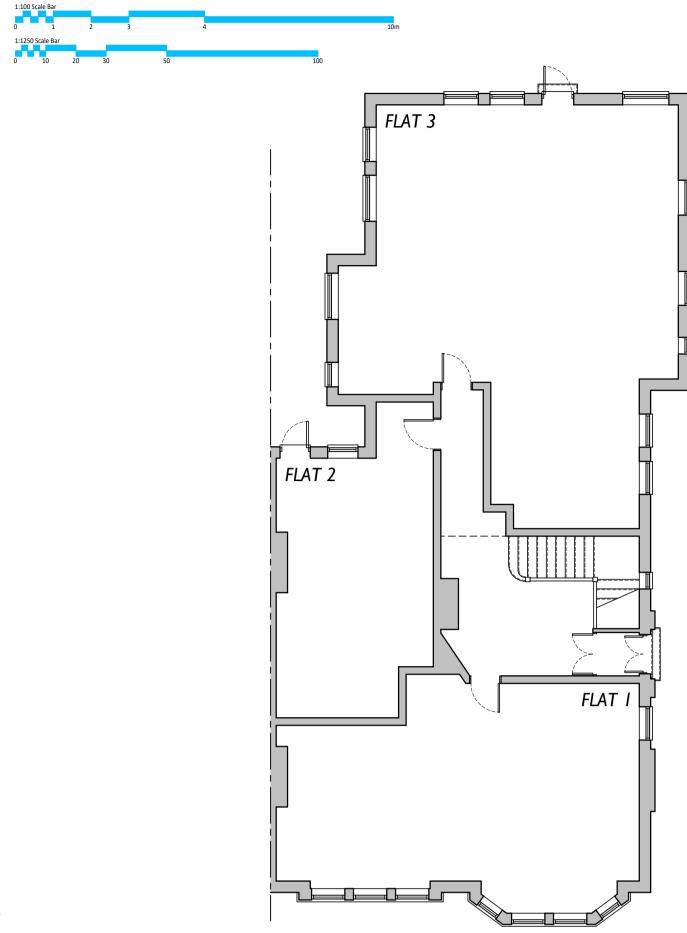
Positive and proactive statement:

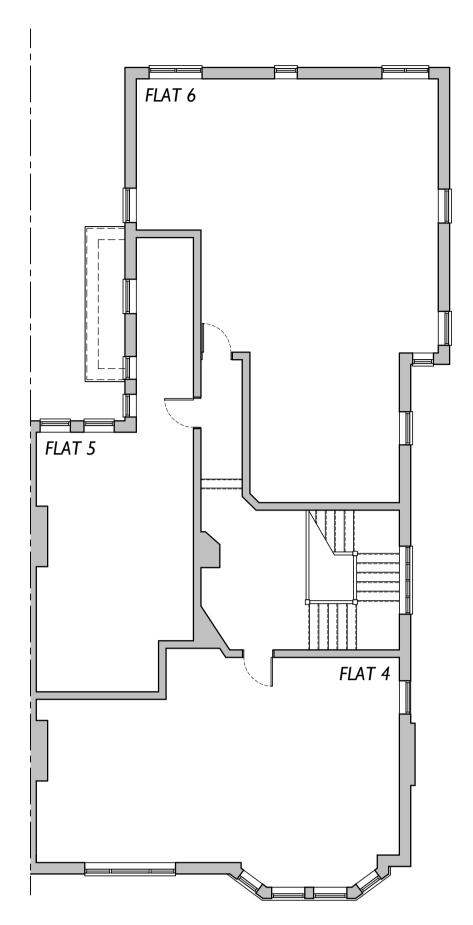
The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local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

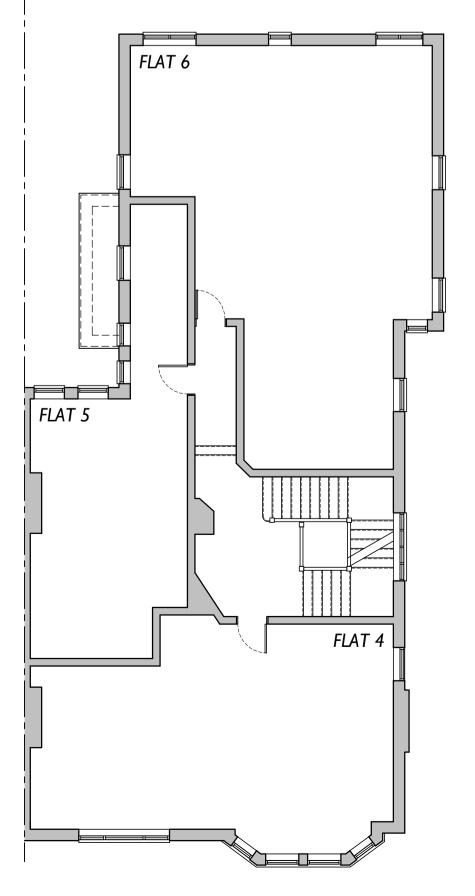
- 1 Please note that the development which is the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. 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 found the Planning can be on Portal (www.planningportal.co.uk/info/200136/policy and legislation/70/community inf rastructure 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.

11 IMPERIAL AVENUE, WESTCLIFF.



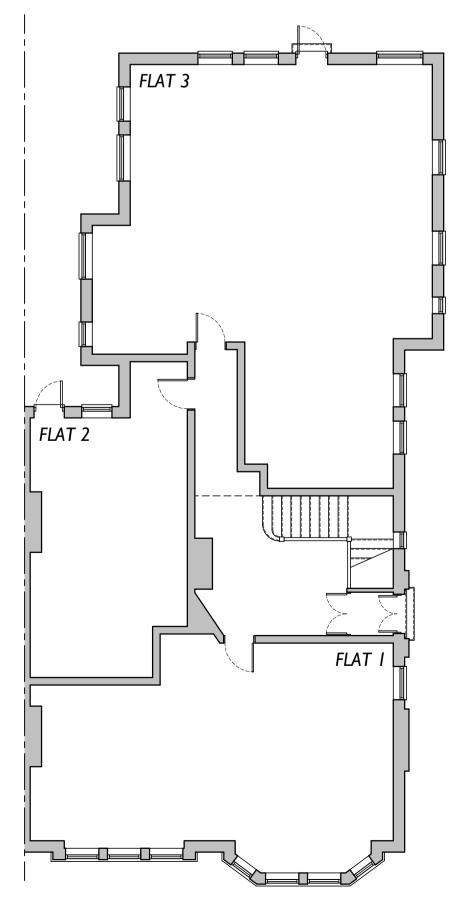


EXTG FIRST FLOOR SCALE 1:100

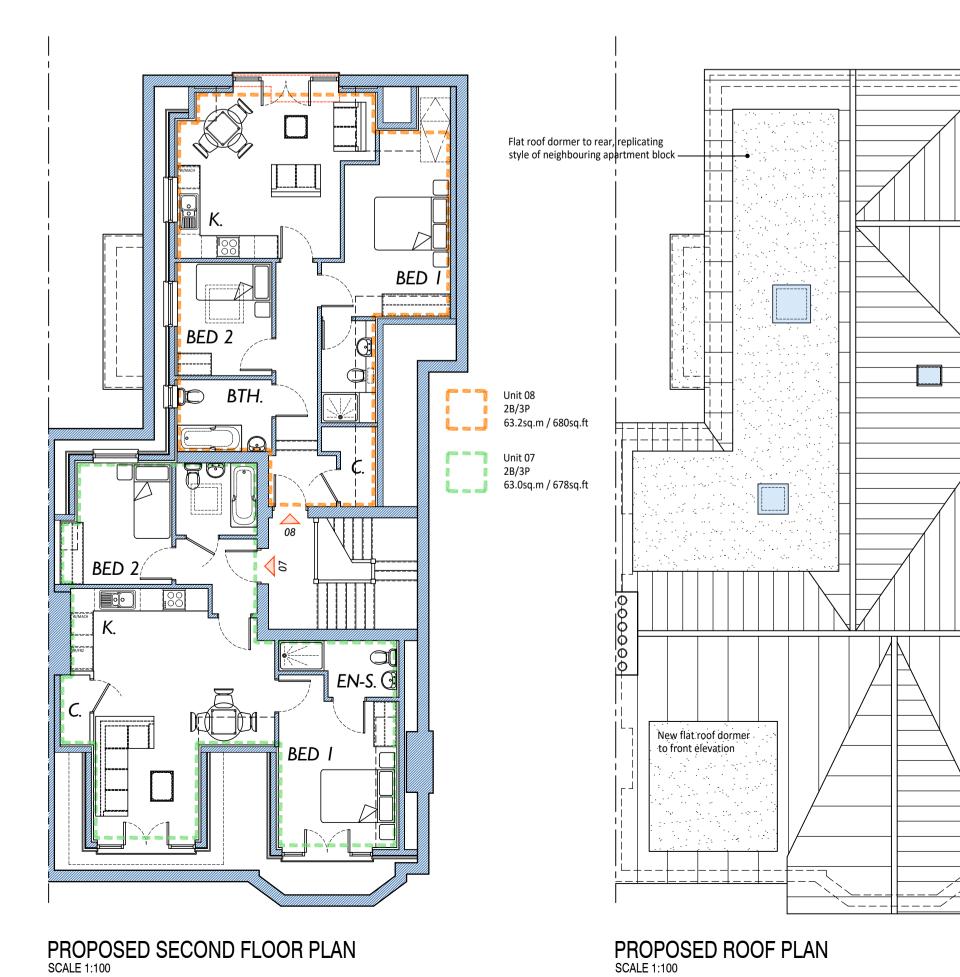


PROPOSED FIRST FLOOR LAYOUT SCALE 1:100



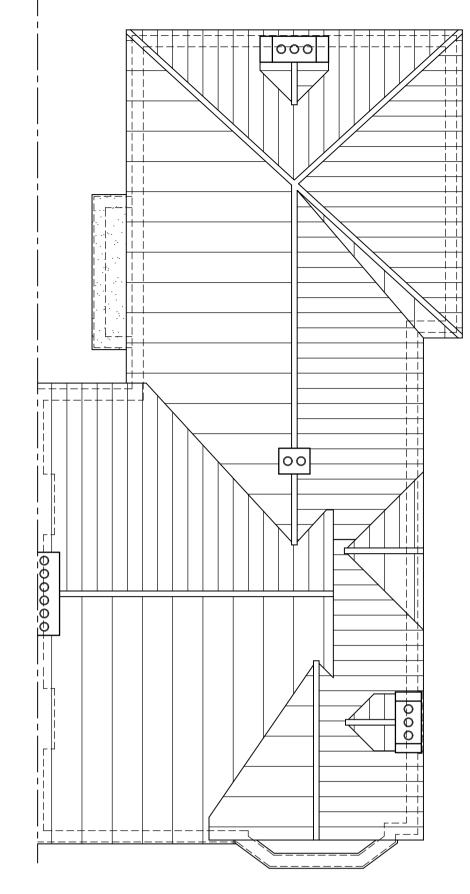


PROPOSED GROUND FLOOR LAYOUT SCALE 1:100



SCALE 1:100

EXTG ROOF PLAN SCALE 1:100



SITE LOCATION PLAN SCALE 1:500



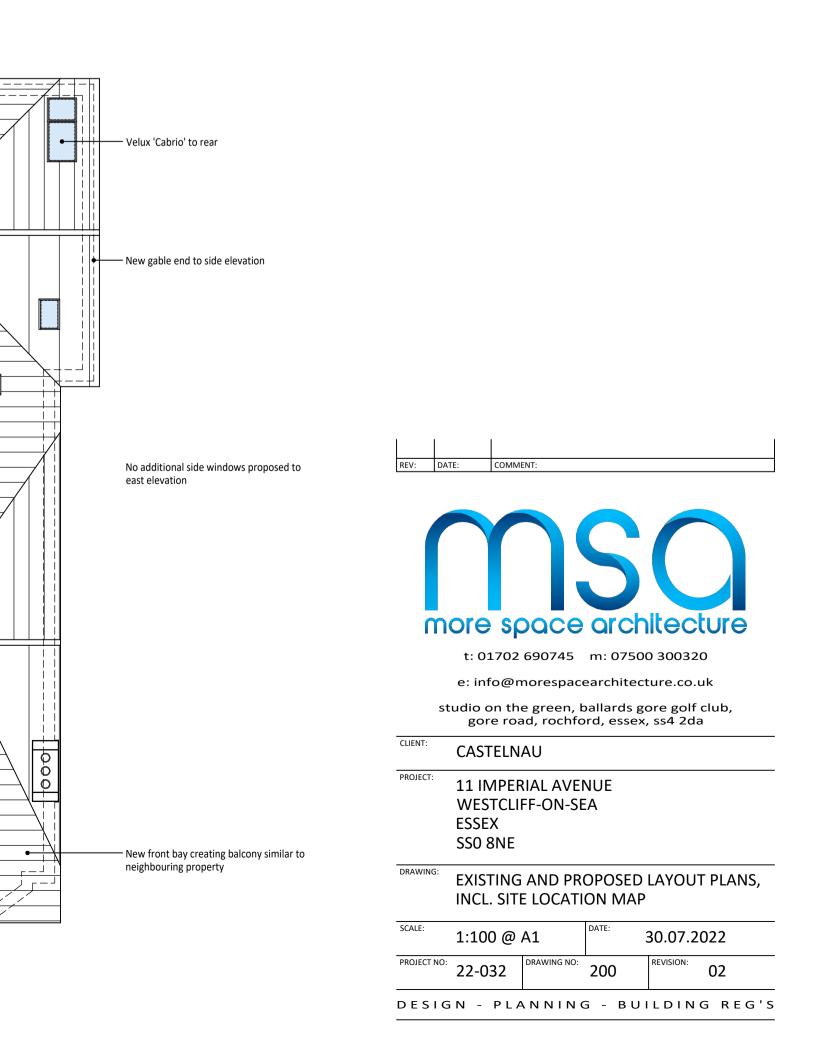
General:

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The drawing is to be read in conjunction with all other drawings, schedules and specifications, and all other relevant consultants and/or specialists' information relating to the project. All dimensions are in millimetres unless otherwise stated. Do not scale from this drawing, use figure dimensions only. All levels and dimensions to be checked on site prior to commencemer

of works. All discrepancies to be relayed back to More Space Architecture Ltd as soon as possible The contractor is to comply in all respects with the current Building Regulations whether or not specifically stated on these drawings.

IMPORTANT NOTE: Works to be fully compliant with the CDM 2015 Regulations.



11 IMPERIAL AVENUE, WESTCLIFF.





EXTG FRONT ELEVATION SCALE 1:100

1:100 Scale Bar 0 1 2 3 4

EXTG SIDE ELEVATION SCALE 1:100



PROPOSED FRONT ELEVATION SCALE 1:100

PROPOSED SIDE ELEVATION SCALE 1:100



EXTG REAR ELEVATION SCALE 1:100



EXTG NEIGHBOURING ELEVATION SCALE 1:100







PROPOSED NEIGHBOURING ELEVATION SCALE 1:100

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11 IMPERIAL AVENUE, WESTCLIFF.



EXISTING BLOCK PLAN SCALE 1:500

77



PROPOSED BLOCK PLAN SCALE 1:500

General:

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REV: DATE:

COMMENT:



Relationship with 9 Imperial Avenue









Existing front garden







Flank elevation of 9 Imperial Avenue





Reference:	22/01954/FULH					
Application Type:	Full Application - Householder					
Ward:	Belfairs					
Proposal:	Erect two storey side and rear extensions incorpor integral garage to side, dormers to front and rear with ba to rear and alter elevations (Amended Proposal)					
Address:	8A Woodberry Close, Leigh-on-Sea, Essex, SS9 4QT					
Applicant:	Mr B. Carter					
Agent:	Mr Paul Gardner of DSB Property Designs Ltd					
Consultation Expiry:	16th November 2022					
Expiry Date:	5 th January 2023					
Case Officer:	Hayley Thompson					
Plan Nos:	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					
Supporting Document:	Planning Statement					
Recommendation:	GRANT PLANNING PERMISSION subject to conditions					



1 Site and Surroundings

- 1.1 The application site contains a detached, two-storey chalet dwelling to the west side of Woodberry Close at the head of a cul-de-sac. The area is residential in character consisting mainly of bungalows with hipped roofs and gabled projections to front elevations. There is one other dwelling within the close of a similar design with full depth dormers to both flank elevations and one two storey house. The application site widens towards the rear.
- 1.2 The site is not within a conservation area or subject to any site-specific planning policies.

2 The Proposal

- 2.1 The application seeks planning permission to erect two-storey gable roofed extensions to each side elevation, each with a front and rear facing dormer and a two-storey gable ended rear extension with a balcony enclosed within the extended roofspace. The extension on the southern side elevation would incorporate a full depth garage. An existing garage to the front of the dwelling would be converted to habitable accommodation with existing garage doors replaced by a window. An existing front bow window would be altered and enlarged to form a rectangular bay window.
- 2.2 The proposed two-storey side extensions would be set below the main house roof ridge by 1.15m and be a maximum height of 6.3m. The side extensions would be 2.8m wide and 7.6m deep. The two-storey rear extension would be to the same height as the existing roof ridge at 7.45m and would be 7m wide and 3.8m deep. The proposed balcony to the rear would not extend beyond the proposed external wall and would contain a full width balustrade. The balcony would have a maximum width of 6.65m and be situated 2.9m above ground level. It is proposed to install bifold doors and a window at ground floor level and full-length windows at first floor level to the rear, a ground floor window and door in the northern flank elevation at ground floor level and two high level windows at ground floor level in the southern flank elevation.
- 2.3 The proposed pitched roof dormers would be 2.45m in height, 2.4m in depth, and 1.8m wide.
- 2.4 The proposed development would be finished in brick and timber cladding with tiled roofs.
- 2.5 This is an amended proposal following the refusal of application reference for the following reason:

The proposed development, by reason of its size, siting and detailed design would appear cramped in its plot, contrived and out of keeping with the existing dwelling, and reducing the sense of openness at first floor level within the rear garden scene and the wider streetscene to the detriment of visual amenity and the character thereof. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2021); Policy 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 National Design Guide (2021) and the Southendon-Sea Design and Townscape guide (2009).

2.6 The proposal has been altered and reduced in scope to address the above reason for refusal. The proposed two-storey side extensions have been reduced in height by 1.15m and the extension on the southern side has been reduced in width by 1.5m. The proposed two-storey rear extension has been reduced in depth by 0.8m. The roof of the side extensions proposed has been altered from a half-hipped design to a gabled roof

on each end.

3 Relevant Planning History

3.1 The most relevant planning history for the determination of this application is shown on Table 1 below:

Table 1: Relevant Planning History of the Application Site

Reference	Description	Outcome
22/00830/FULH	Erect two storey side and rear extensions incorporating integral garage to side, dormers to front and side, balcony to rear and alter elevations	Refused
00/01134/FUL	Erect two storey side extension, erect porch to side, erect pitched roof over garage and erect rear conservatory (amended proposal)	Granted
99/00762/FUL	Erect two storey side extensions, pitched roof over garage and erect rear conservatory	Granted
95/0582	Demolish dwelling and erect two storey detached house with integral garage and rear conservatory	Granted
95/0182	Demolish dwelling and erect two storey detached house with integral garage	Granted

4 Representation Summary

Call-in

4.1 The application has been called in to Development Control Committee by Councillor Walker.

Public Consultation

4.2 Nineteen (19no.) neighbouring properties were notified of the application by letter and no letters of representation have been received.

5 Planning Policy Summary

- 5.1 The National Planning Policy Framework (NPPF) (2021)
- 5.2 Planning Practice Guidance (PPG) National Design Guide (NDG) (2021)
- 5.3 Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment and Urban Renaissance)
- 5.4 Development Management Document (2015): Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land), DM15 (Sustainable Transport Management)
- 5.5 Southend-on-Sea Design and Townscape Guide (2009)
- 5.6 Community Infrastructure Levy (CIL) Charging Schedule (2015)

Planning Considerations 6

The main considerations in relation to this application are the principle of the 6.1 development, the design and impact on the character and appearance of the area and residential amenity and CIL liability. No material parking or highway impacts have been identified and this was not a reason for refusal of the previous application.

7 Appraisal

Principle of Development

7.1 The principle of altering and extending an existing dwelling, which was not a reason for refusal of the previous application, is considered acceptable and policy compliant, subject to the proposal appropriately addressing the relevant detailed planning considerations.

Design and Impact on the Character of the Area

- 7.2 Local and national planning policies and guidance seek to ensure that new development is well designed. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- Paragraph 126 of the National Planning Policy Framework (NPPF) states that, "The 7.3 creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."
- 7.4 Policy DM1 of the Development Management Document states that all development should; "add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features".
- Policy DM3 (5) also advises that; 'Alterations and additions to a building will be expected 7.5 to make a positive contribution to the character of the original building and the surrounding area through:

(i) The use of materials and detailing that draws reference from, and where appropriate enhances, the original building, and ensures successful integration with it; and

(ii) Adopting a scale that is respectful and subservient to that of the original building and surrounding area; and

(iii) Where alternative materials and detailing to those of the prevailing character of the area are proposed, the Council will look favourably upon proposals that demonstrate high levels of innovative and sustainable design that positively enhances the character of the original building or surrounding area.'

- 7.6 According to Policy KP2 of Core Strategy new development should; "respect the character and scale of the existing neighbourhood where appropriate". Policy CP4 of the Core Strategy requires that development proposals should; "maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development"
- 7.7 Paragraph 366 of the Design and Townscape guide states that proposals for roof enlargements "must respect the style, scale and form of the existing roof design and the character of the wider townscape.

Dormer windows, where appropriate, should appear incidental in the roof slope (i.e. set in from both side walls, set well below the ridgeline and well above the eaves). The position of the new opening should correspond with the rhythm and align with existing fenestration on lower floors".

- 7.8 Woodberry Close primarily contains single storev bungalows. some with accommodation within the roofspace and which almost exclusively have strongly defined hipped roofs which create a distinctive and regular pattern of built form in the streetscene, as well as a sense of openness and space between the roofs of the dwellings. There are two isolated dwellings in the street that are of a varied design with one other example of a two-storey "A-frame" style dwelling similar to the application dwelling and a two-storey detached house with a traditional pitched roof design. The application property is at the head of the cul de sac and is visible in longer views along the close.
- 7.9 The previous application was refused partly because it was found that the proposed twostorey side extensions would add significant bulk to the dwelling and would be significantly out of keeping in this setting, creating an enlarged dwelling which would appear cramped on its plot by filling nearly the full width at first floor level. This was found to be at odds with surrounding more open development. Further, the roof form of the side extensions, which when considered cumulatively with the proposed dormers, were found to appear contrived and incongruous and in particular the proposed halfhipped roof design of the side extensions was found to be at odds with the existing strong gabled design of the host dwelling. The proposed dormers were found not to suitably integrate with the dwelling by the failure to demonstrate any clear vertical alignment and appropriate hierarchy of openings with existing fenestration at lower levels.
- 7.10 The form of the proposed two-storey side extensions now proposed represents a design that is more in keeping with the existing strongly gabled design of the host dwelling, therefore overcoming this component of the character-based refusal reason. The overall size of the proposal has been reduced, including the height of the two-storey side extensions, the width of the southern side extension and depth of the rear extension. As a result the southern side extension would now be set 1.5m further away from the flank boundary than in the refused application. The combination of the proposed two-storey extensions and four dormers would be still represent significant additions to the dwelling. but the resultant development is considered to sit satisfactorily in the plot with sufficient space retained to neighbouring built form, particularly at first floor level. The amended development as proposed is not considered to represent dominant or visually obtrusive features in the streetscene or wider surroundings given its improved design, and varying roof forms, noting that these is some mix of dwelling sizes in the surrounding area. While the dimensions of the proposed dormers has remained unaltered from the refused application, their position in the reduced roofspace demonstrates improved vertical alignment with fenestration at ground floor so that they are acceptable on their merits.
- 7.11 Overall, it is considered that the design, size, siting and scale of the development proposed are such that it would not significantly harm the character and appearance of the site, the streetscene and the area more widely such that the proposal is acceptable and policy compliant in the above regards. The previous reason for reason has been overcome.

Amenity Impacts

- 7.12 Local and national planning policies and guidance seek to secure high quality development which protects amenity. Policy DM1 of the Development Management Document specifically identifies that development should protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight. Further advice on how to achieve this is set out in the Council's Design and Townscape Guide.
- 7.13 Given its detached nature, orientation at the head of a cul-de-sac and position further back in its plot than surrounding neighbouring dwellings, it was found that the previously refused proposal would not result in any significant loss of amenity to any neighbouring occupiers in any relevant regards so was policy compliant in terms of its amenity impacts. The proposed amended development would have no side openings at first floor level or above and the siting of the dormers is such that the development would not result in any significant harm to the amenities of any neighbouring occupiers from dominant impacts or any perceived or actual loss of privacy. This is assisted by the way in which dwellings splay slightly away from each other due to plot shapes. The proposed balcony would be enclosed within the extended roofspace and so would not project beyond the external walls of the dwelling. Due to the separation distances to the rear and enclosed nature, the balcony is not considered to cause any harmful degree of actual or perceived overlooking or loss of privacy for any neighbours.
- 7.14 It is considered that the design, size, siting and scale of the amended development proposed are such that it would not significantly harm the amenities of the site, neighbouring occupiers or wider area in any regard. The proposal is therefore considered to be acceptable and policy compliant in terms of its amenity impacts.

Community Infrastructure Levy

7.15 This application is CIL liable and there will be a CIL charge payable. In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is being reported as a material 'local finance consideration' for the purpose of planning decisions. The proposed development includes a gross internal area of 256sqm, which may equate to a CIL charge of approximately £6537.85 (subject to confirmation). Any existing floor area that is being retained/demolished that satisfies the 'in-use building' tests, as set out in the CIL Regulations 2010 (as amended), may be deducted from the chargeable area thus resulting in a reduction in the chargeable amount.

Equality and Diversity Issues

7.16 The Equality Act 2010 (as amended) imposes important duties on public authorities in the exercise of their functions and specifically introduced a Public Sector Equality Duty. Under this duty, public organisations are required to have due regard for the need to eliminate unlawful discrimination, harassment and victimisation, and must advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. Officers have in considering this application and preparing this report had careful regard to the requirements of the Equalities Act 2010 (as amended) and the purpose of the access and hardstanding to improve the access requirements of a disabled person. They have concluded that the decision recommended will not conflict with the Council's statutory duties under this legislation.

Conclusion

7.17 For the reasons outlined above and subject to conditions, the proposal is found to be acceptable and compliant with the relevant planning policies and guidance. As there are no other material planning considerations which would justify reaching a different conclusion it is recommended that planning permission is granted subject to conditions. It is therefore considered that the reason for refusal of the previous application has been overcome.

8 Recommendation

Members are recommended to GRANT PLANNING PERMISSION subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out 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).

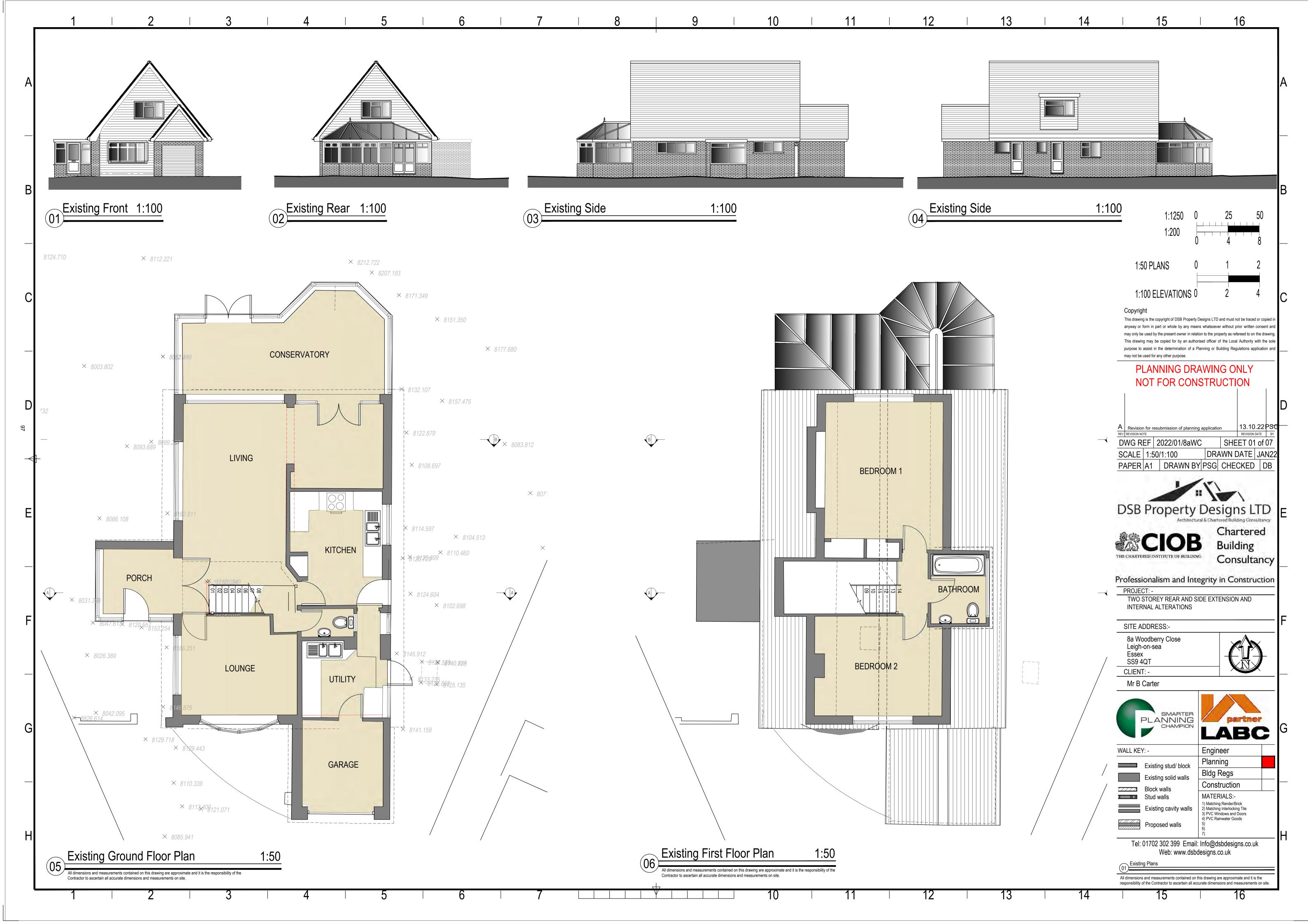
03 Before the development hereby approved is occupied the materials used on the external surfaces of the development must match those used on the external surfaces of the existing property. This applies unless differences are shown on the drawings hereby approved or are required by other conditions on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

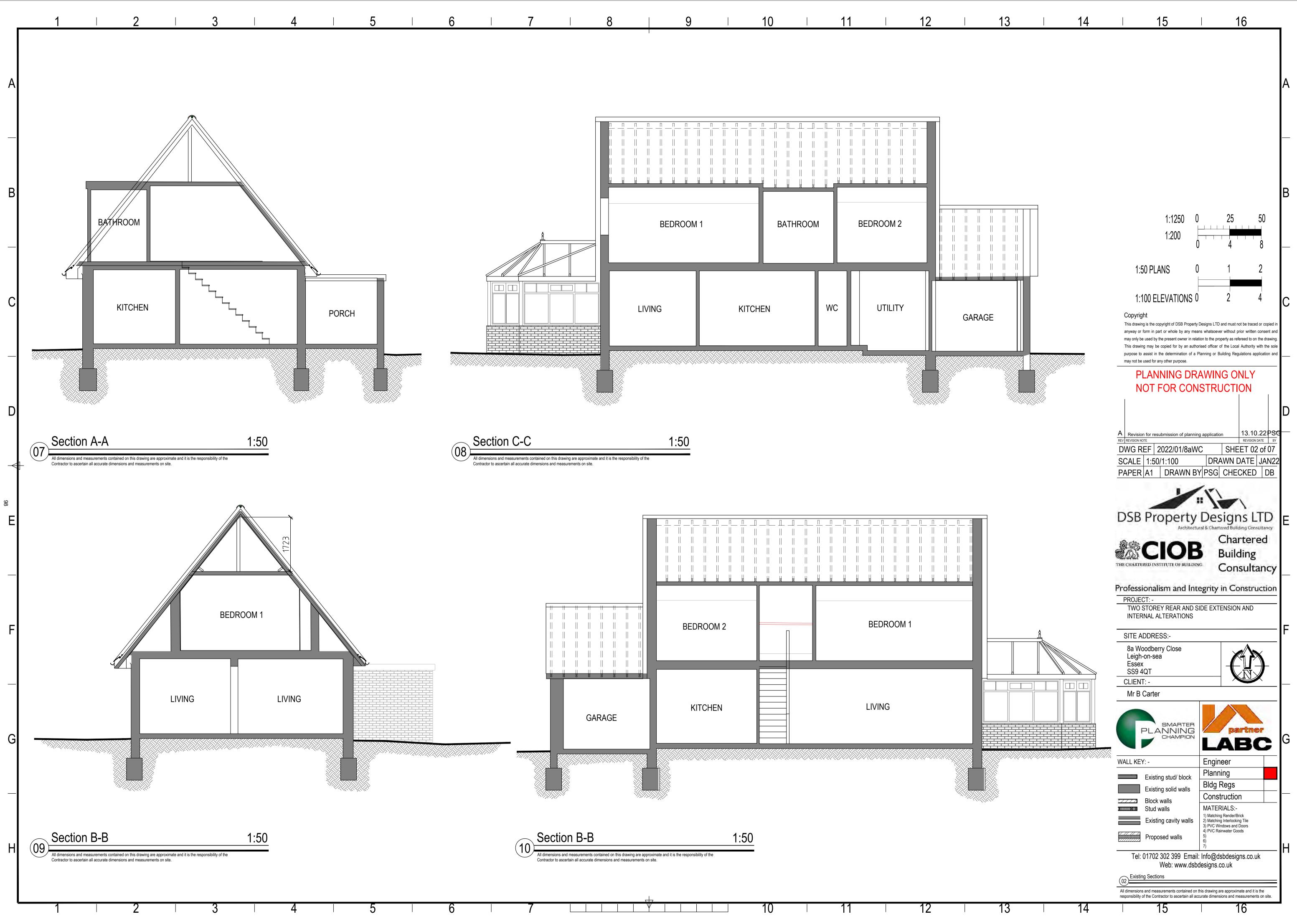
Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the Development Management Document (2015).

Positive and Proactive Statement:

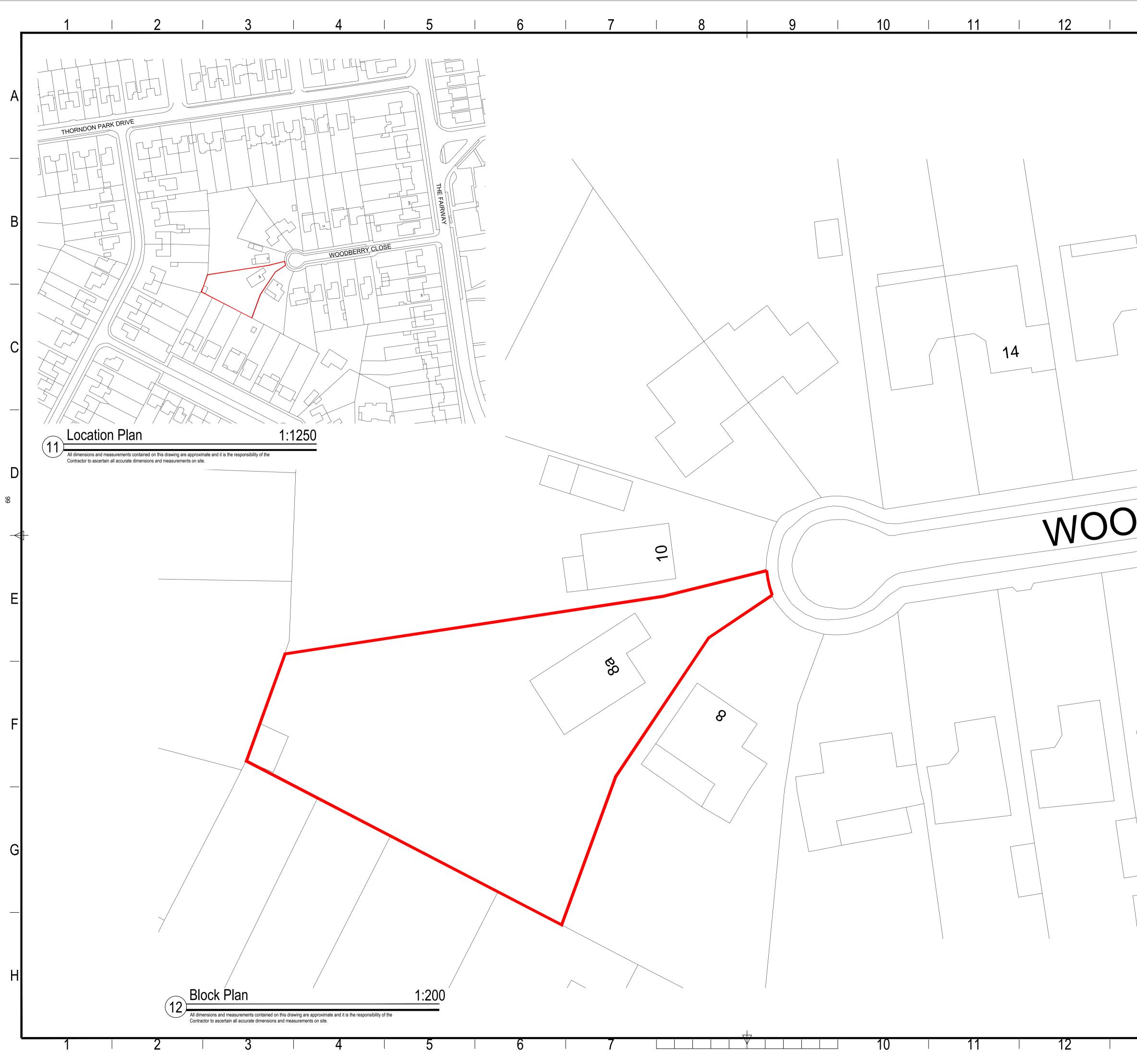
The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in 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 be found on the Planning Portal can (www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_inf rastructure 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.

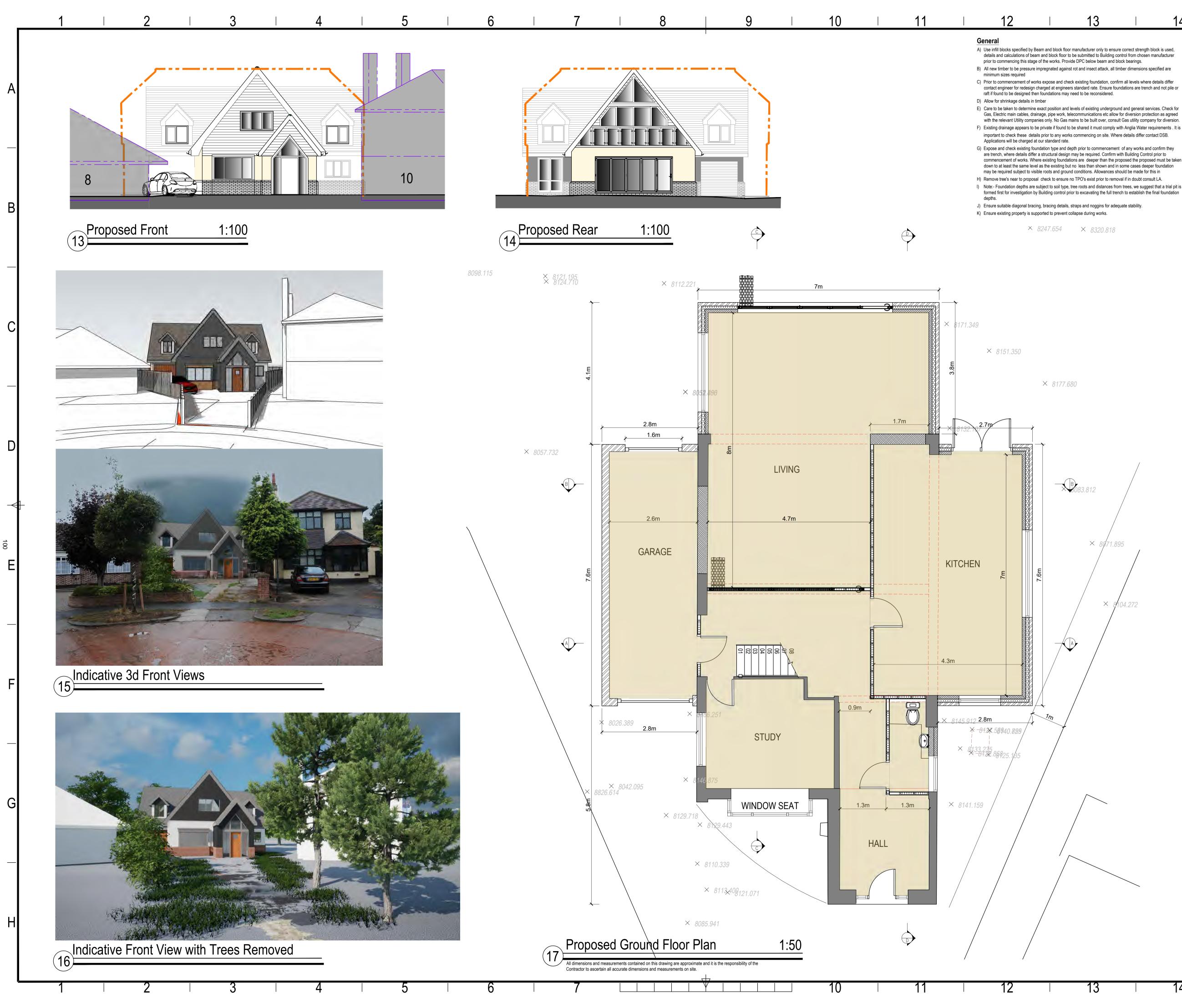




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Construction (Design & Management) Regulations 2015

The client should make themselves aware of their duties and responsibilities under the Construction (Design & Management) Regulations 2015 including making suitable arrangements to ensure that,

throughout the planning, design and construction of a project, adequate consideration is given to the

health, safety and welfare of all those affected and involved in the construction work. The client should

and contractor (including the principal contractor) who is bidding for work on the project or has already

been appointed. DSB Property Designs Ltd will be appointed 'designer' for the pre-construction phase

of the project to prepare drawings, design details and specifications for the submission of town

ensure that all relevant pre-construction information is provided as soon as practicable to the designer

Health and Safety Legislation.

A) Use infill blocks specified by Beam and block floor manufacturer only to ensure correct strength block is used, details and calculations of beam and block floor to be submitted to Building control from chosen manufacturer

C) Prior to commencement of works expose and check existing foundation, confirm all levels where details differ contact engineer for redesign charged at engineers standard rate. Ensure foundations are trench and not pile or

E) Care to be taken to determine exact position and levels of existing underground and general services. Check for Gas, Electric main cables, drainage, pipe work, telecommunications etc allow for diversion protection as agreed with the relevant Utility companies only. No Gas mains to be built over, consult Gas utility company for diversion. F) Existing drainage appears to be private if found to be shared it must comply with Anglia Water requirements . It is important to check these details prior to any works commencing on site. Where details differ contact DSB.

G) Expose and check existing foundation type and depth prior to commencement of any works and confirm they are trench, where details differ a structural design may be required. Confirm with Building Control prior to commencement of works. Where existing foundations are deeper than the proposed the proposed must be taken down to at least the same level as the existing but no less than shown and in some cases deeper foundation may be required subject to visible roots and ground conditions. Allowances should be made for this in I) Note:- Foundation depths are subject to soil type, tree roots and distances from trees, we suggest that a trial pit is

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planning and/or building regulation applications only. Domestic client duties will automatically pass to the contractor or principal contractor during the construction phase of the works, and these are genera uties to manage health and safety of the site and works which a contractor already has a duty to discharge. These drawings form our part of the health and Safety file under CDM 2015, we are not involved with the construction phase of the project therefore Our involvement as Principle designer has now ended and the client must pass these documents to the Principle Contractor and appoint then in writing to carry out their duties under CDM 2015. Note that A project is notifiable to the HSE if the struction work on a construction site is scheduled to last longer than 30 working days and have more than 20 workers working simultaneously at any point in the project or it exceeds 500 person days. These drawings are compiled on the sole basis that the works will be undertaken by a competent Contractor experienced in the nature of the works shown hereon. ALL required temporary works to undertake the proposals shown hereon are the responsibility of the Contractor. These drawings are not a step by step instruction guide and in some cases changes may be required. Any deviations from the drawings must first be agreed with Building control. Where our involvement is required this must be instructed in writing and will be charged at our standard rate. We suggest an Asbestos survey is carried out and where any Asbestos is found seek the appropriate advise. Any asbestos must be dealt with by an approved licensed contractor only. 50 1:1250 25 1:200 1:50 PLANS 1:100 ELEVATIONS C Copyright This drawing is the copyright of DSB Property Designs LTD and must not be traced or copied in anyway or form in part or whole by any means whatsoever without prior written consent and may only be used by the present owner in relation to the property as refereed to on the drawing. This drawing may be copied for by an authorised officer of the Local Authority with the sole purpose to assist in the determination of a Planning or Building Regulations application and may not be used for any other purpose. PLANNING DRAWING ONLY NOT FOR CONSTRUCTION 13.10.22 PSG REVISION DATE BY A Revision for resubmission of planning application REV REVISION NOTE SHEET 04 of 07 DWG REF | 2022/01/8aWC SCALE 1:50/1:100 DRAWN DATE JAN22 PAPER A1 | DRAWN BY PSG CHECKED | DB 17. DSB Property Designs LTD Architectural & Chartered Building Consultancy Chartered Building THE CHARTERED INSTITUTE OF BUILDING. Consultancy Professionalism and Integrity in Construction PROJECT: -TWO STOREY REAR AND SIDE EXTENSION AND INTERNAL ALTERATIONS SITE ADDRESS:-8a Woodberry Close Leigh-on-sea Essex SS9 4QT CLIENT: -Mr B Carter PLANNING CHAMPION LABC Engineer WALL KEY: -Planning Existing stud/ block Bldg Regs Existing solid walls Construction MATERIALS:-

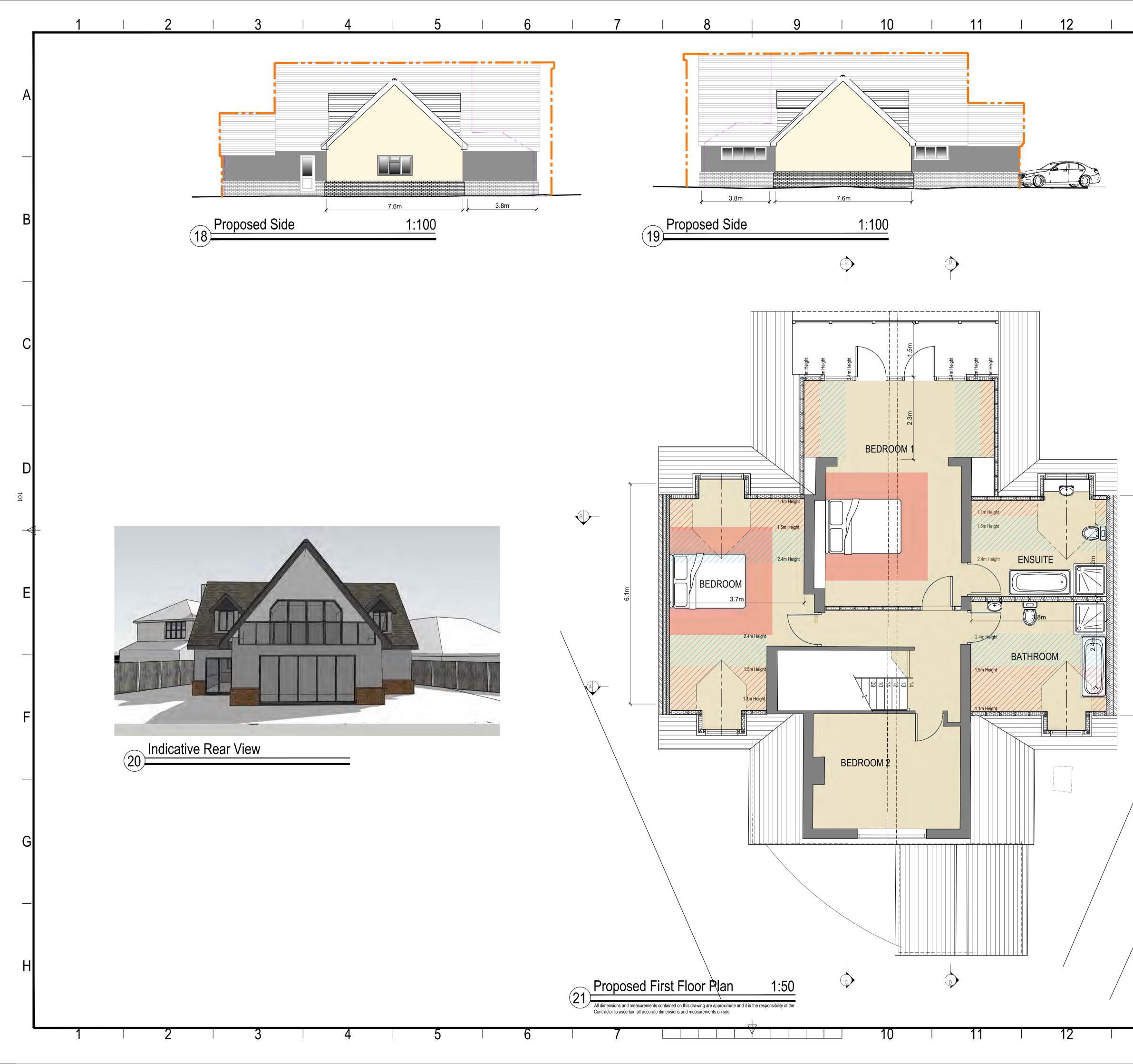
Block walls Stud walls 1) Matching Render/Brick 2) Matching Interlocking Tile 3) PVC Windows and Doors Existing cavity walls 4) PVC Rainwater Goods Proposed walls Tel: 01702 302 399 Email: Info@dsbdesigns.co.uk Web: www.dsbdesigns.co.uk

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Proposed Ground Floor Plan and Elevations All dimensions and measurements contained on this drawing are approximate and it is the dimensions and measurements on site.

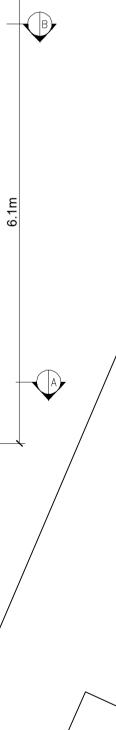
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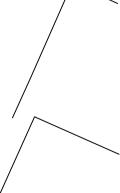
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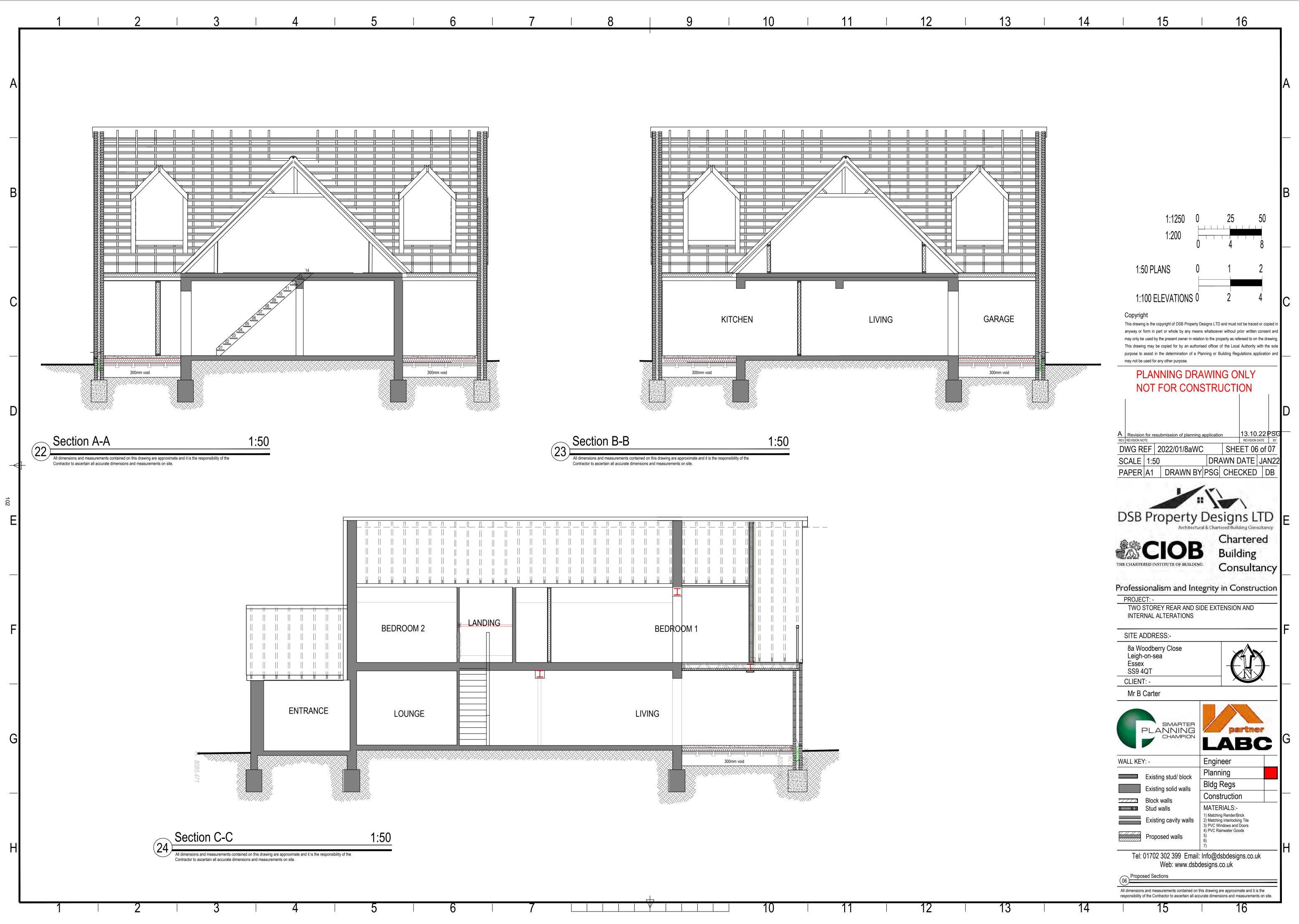


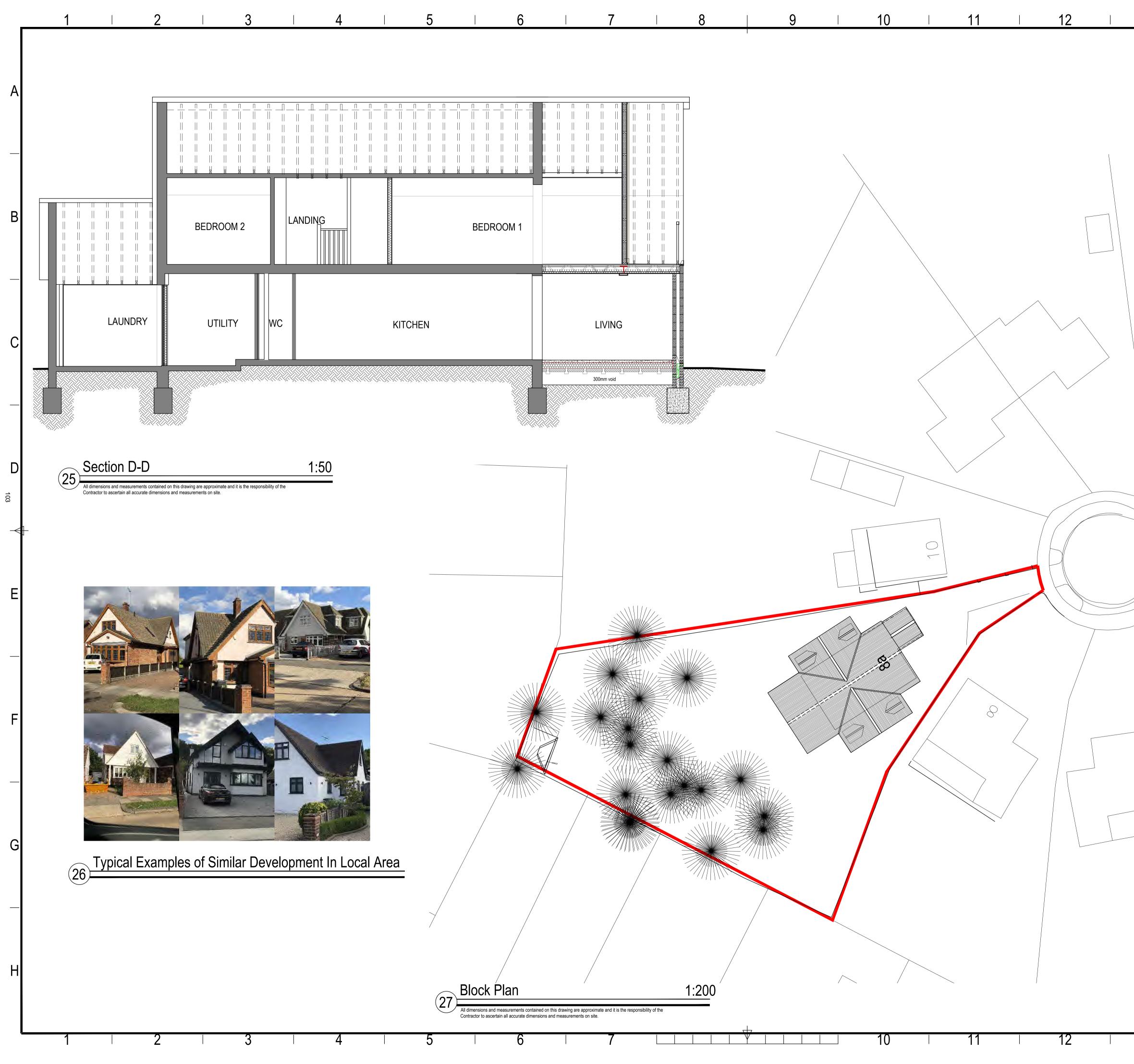












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