

SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 1st November, 2023

Place: Committee Room 1 - Civic Suite

Present: Councillor N Ward (Chair)
Councillors F Evans (Vice-Chair), B Beggs, M Berry, M Borton,
S Buckley, A Dear, M Dent, N Folkard, J Harland, A Jones,
R Longstaff, C Mulroney, M Sadza and R Woodley

In Attendance: K Waters, A Brown, P Keyes, C Galforg, S Mouratidis, K Elliott,
M Warren and T Row

Start/End Time: 2.00 pm - 2.50 pm

57 Apologies for Absence

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

58 Declarations of Interest

No interests were declared at the meeting.

59 Supplementary Report

There was no supplementary report for this meeting.

- 60 23/01544/DEM - Cricket Pavilion, Southchurch Park (Thorpe Ward)**
Proposal: Demolish cricket pavilion (Application for Prior Approval for Demolition)
Applicant: Mr Stephen Harris
Agent: Mr Liam Stubbings of Davies Burton Sweetlove Ltd

Resolved:-

That PRIOR APPROVAL is REQUIRED and PRIOR APPROVAL be GRANTED, subject to the following conditions:

01 The development hereby approved must be carried out within a period of 5 years from the date of this approval.

Reason: In accordance with Part B.2 (ix) (aa) of Class B, Part 11 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

02 The development shall only be undertaken in accordance with the following approved details: DBS 230168-01, DBS 230168-02, Proposed Method of Demolition, Demolition Notice, Photographs of Demolition Notice dated 1st August 2023.

Reason: Required to be imposed pursuant to paragraph B.2 (viii) (aa) of Class B, Part 11, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

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 construction noise provisions within the Control of Pollution Act 1974. Applicants should contact the Council's Environmental Health Officer for more advice on 01702 215005 or at Regulatory Services, P.O. Box 5558, Southend-on-Sea City Council, Civic Centre, Victoria Avenue, Southend-on-Sea, SS2 6ZQ.

2. The applicant must ensure the control of nuisances during construction works to preserve the amenity of the area and avoid nuisances to neighbours:

(a.) Hours of works: works should be undertaken between:-

(i.) 0800 hours and 1800 hours on weekdays

(ii.) 0800 hours and 1300 hours on Saturdays and

(iii.) Not at any time on Sundays and Public and Bank Holidays

(b.) No waste materials are to be burnt on the site, instead shall be removed by licensed waste contractors.

(c.) The applicant shall ensure that there are no emissions of dust and fumes beyond the boundary of the site and measures to control dust are in accordance with the Demolition of Concrete Silos and Conveyor System document by Havering Demolition and Recycling Ltd submitted with the application.

(d.) Consideration must be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site.

If it is predicted that the construction works are likely to cause a nuisance the applicant should apply for a prior consent application under section 61 of the Control of Pollution Act 1974. A consent enables the applicant to conduct the works without the worry of enforcement provided they comply with it. The applicant will have to submit details of any noisy works including type of plant and machinery to be used, proposed daily start and finish times, consultation with nearby residents and businesses and duration and time scales of the works. The applicant should contact the Regulatory Services Team at Southend-on-Sea City Council for details.

3. The applicant should also consider control measures detailed in Best Practice Guidance "The control of dust and emissions from construction and demolition" <http://www.london.gov.uk/priorities/planning/supplementary-planning-guidance>

4. Asbestos (Demolition):

Prior to the demolition of the existing building and structures, an appropriate Asbestos survey of the building should be undertaken and a scheme implemented to remove and safely dispose of any asbestos-containing materials in accordance with the Control of Asbestos Regulations 2012 and the applicant's/developer's Waste duty of care.

It is recommended that the Council's Building Control department is notified of the demolition in order that requirements can be made under section 81 of the Building Act 1984.

5. A demolition notice under Section 80 of the Building Act is required.

6. The applicant is reminded that they are required to adhere to the Conservation (Natural Habitats) (Amendment) Regulations 2007 and the Wildlife and Countryside Act (1981) in relation to development works close to protected species including badgers and bats. A Protected Species Licence may be required.

7. The applicant is reminded that tree protection measures may be required to prevent and damage during the works, in line with British Standards BS 5837. All tree works should be carried out in accordance with best practice, and outside of the bird nesting season, unless an ecological survey has determined there are no nesting birds present.

61 23/01330/FUL - 70 Westcliff Park Drive, Westcliff-on-Sea (Westborough Ward)

Proposal: Change of use from 6-bedroom HMO (class C4) to 10 bedroom HMO (Sui Generis), demolish existing garage to side, install dormer to rear to form habitable accommodation in the loftspace, erect single storey side extension, install bin and cycle stores to rear, form 1no. additional parking space to front, form canopy over front entrance and alter elevations

Applicant: Mr Bradley Watkins

Agent: N/A

Resolved:-

That planning permission be GRANTED subject to the following conditions:

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

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

02 The development hereby approved shall be carried out in accordance with the approved plans: Location Plan, 1009-01, 1009-02, 1009-03, 1009-04, 1009-05, 1009-006.

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

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 building. This applies unless differences are shown on the drawings hereby approved or are required by other conditions on this permission.

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

04 Notwithstanding the provisions of the Town and Country Planning Act 1990 (as amended) the development and use of the building as a House in Multiple Occupation subject of this permission shall not at any time be adapted to enable formation of more than ten (10) bedrooms and the property shall not be occupied by more than ten (10) residents at any one time.

Reason: To ensure the use hereby approved would offer acceptable living conditions for its occupiers in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, and Development Management Document (2015) Policies DM1, DM3 and DM8.

05 Prior to the first use of the building for the purposes hereby approved, secure and covered cycle storage facilities for no fewer than 10 bicycles, shall be installed and made available to its occupiers in accordance with approved plan 1009-04 or in accordance with any other details which have been previously submitted to and approved in writing by the Local Planning Authority under the scope of this planning condition. The approved facilities shall be provided and made available for use prior to first occupation of the development hereby approved and shall be thereafter retained for the lifetime of the development.

Reason: To ensure the provision of adequate cycle parking and 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) and the Southend-on-Sea Design and Townscape Guide (2009).

06 Notwithstanding the details shown on the approved plans, prior to the first use of the building for the purposes hereby approved a scheme for the means of appropriately sized and covered refuse and recyclable storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented and made available for use prior to the first occupation of the development and retained for such purposes at all times thereafter.

Reason: To ensure the provision of adequate waste, recycling and food waste storage and in the interest of visual amenity in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policies DM1, DM3, DM8 and DM15, and the advice contained within the National Design Guide (2021), the Southend-on-Sea Design and Townscape Guide (2009) and the Southend-on Sea Waste Storage, Collection and Management Guide for New Developments (2019).

07 Prior to the first use of the building for the purposes 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 energy efficiency and other sustainability measures shall be maintained for the lifetime of the development.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) 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).

08 Prior to the first use of the building for the purposes hereby approved, the development hereby approved shall incorporate water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lppd) (110 lppd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting. The water efficient design measures shall be implemented for the lifetime of the development.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) 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).

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

Reason: In the interests of residential amenity and to ensure that the development complies with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and advice in the Southend-on-Sea Design and Townscape Guide (2009).

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

- (i.) means of enclosure of the site including any gates or boundary means of enclosure;
- (ii.) hard surfacing materials;
- (iii.) details of the number, size and location of the trees, shrubs and plants to be planted together with a planting specification;

Within a period of five years from the completion of the development hereby approved, or from the date of the planting of any tree or any tree planted in its

replacement, if any tree existing or planted as part of the approved landscaping scheme is removed, uprooted, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that of the original tree shall be planted in the same place or in accordance with alternative tree replacement details approved under the scope of this planning condition.

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

11 Prior to the first occupation of the development hereby approved, no less than two (2) car parking spaces shall be provided and made available for use on site as shown on drawing no. 1009-04. One of the parking spaces shall be fitted with an active electric vehicle charging point prior to first occupation of the development. The car parking spaces shall be retained solely for use by occupiers of the HMO and their visitors in perpetuity thereafter.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policy CP3 of the Core Strategy (2007), Policy DM15 of the Development Management Document (2015) and the Electric Vehicle Charging Infrastructure (EVCI) for New Development Supplementary Planning Document (SPD) (2021).

12 The development hereby approved shall be carried out in strict accordance with the recommendations and mitigation measures and recommendations outlined at Section 14 of the approved MKA Ecology Badger Survey Ref 144323 dated August 2023.

Reason: To ensure the development provides biodiversity and ecology benefits in accordance with the National Planning Policy Framework (2021) and Core Strategy (2007) Policies KP1, KP2 and CP4.

Positive and Proactive Statement

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

Informatives

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

structure_levy) or the Council's website (www.southend.gov.uk/cil) for further details about CIL.

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

3. The applicant is reminded that the refuse and recycling storage as proposed is unacceptable as it is located too close to the opening for bedroom 3 and a revised siting must be approved under the terms of condition 6 of this planning permission.

4. The applicant is reminded that the landscaping at the front of the site (complete hardstanding) as proposed is unacceptable and a landscaped buffer and front wall is required, details of which must be submitted and agreed in accordance with condition 10 of this planning permission.

5. The applicant is reminded of the discussions with Essex Police Designing Out Crime Team regarding security measures and review any proposed changes to the built environment and physical design of the building. Contact: designingoutcrime@essex.pnn.police.uk

6. You are advised that future occupiers of the development will not be eligible for parking permits.

62 23/01325/FULH - 49 Dulverton Avenue, Westcliff-on-Sea (Prittlewell Ward)

Proposal: Demolish garage at rear, erect single storey and first floor side extensions, part single storey and part two storey rear extension, and alter elevations (amended proposal)

Applicant: Mr Craig Wingrove

Agent: BGA Architects

Resolved:-

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

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

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

02 The development shall only be undertaken in accordance with the following approved plans: TPA-0-001, TPA-0-002, TPA-0-300 (Rev A), TPA-1-001, TPA-1-300 (Rev B).

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

03 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. With the exception of roof materials, this applies unless differences are shown on the drawings hereby approved or are required by other conditions on this permission and in respect of roof materials, details that have previously been submitted to and approved in writing by the Local Planning Authority under the scope of this permission.

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

04 The proposed windows on the first floor northern side elevation of the development hereby approved shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal finished floor level prior to the first use or occupation of the development hereby permitted and retained as such thereafter. In the case of multiple or double-glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4 on the Pilkington scale.

Reason: To ensure the development has an acceptable design and protects the amenities of neighbouring occupiers in accordance with Policy DM1 of the Development Management Document (2015).

05 The roofs of the development hereby approved shall not be used as a balcony, roof garden or terrace or for any other purpose at any time without planning permission being granted by the Local Planning Authority. The roofs can however be used for the purposes of maintenance or to escape in the event of an emergency.

Reason: To ensure the development has an acceptable design and protects the amenities of neighbouring occupiers in accordance with Policy DM1 of the Development Management Document (2015).

Informatives

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

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.

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.

Chair: _____