

# Public Document Pack

## SOUTHEND-ON-SEA BOROUGH COUNCIL

### Meeting of Development Control Committee

**Date: Wednesday, 14th June, 2017**

**Place: Committee Room 1 - Civic Suite**

Present: Councillor F Waterworth (Chair)  
Councillors B Arscott, B Ayling, M Borton, S Buckley, M Butler\*,  
T Callaghan, N Folkard, J Garston, R Hadley, H McDonald,  
D McGlone\*, C Mulroney, D Norman MBE, P Van Looy, C Walker and  
N Ward

\*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillor C Nevin  
J K Williams, K Waters, C Galforg, J Rowley, M Warren, I Harrison and  
F Abbott

Start/End Time: 2.00 - 3.30 pm

#### **34 Apologies for Absence**

Apologies were received from Cllr D Garston (substitute Cllr M Butler) and Cllr H Boyd (substitute Cllr D McGlone).

#### **35 Declarations of Interest**

The following interests were declared at the meeting:-

- (a) Councillor Mulroney – agenda item relating to – 17/00234/FUL – Haydon House, 10 Underwood Square SS9 3PB - non-pecuniary interest: Member of Leigh Town Council (non-participant in planning); some of background information provided was from Leigh Society (historical);
- (b) Councillor Ward – agenda item relating to – 17/00234/FUL – Haydon House, 10 Underwood Square SS9 3PB - worked for applicant and knows owner – withdrew;
- (c) Councillor Walker - agenda item relating to – 17/00234/FUL – Haydon House, 10 Underwood Square SS9 3PB – non-pecuniary interest - friend living in Underwood Square and Lime Avenue;
- (d) Councillor Arscott - agenda item relating to – 17/00234/FUL – Haydon House, 10 Underwood Square SS9 3PB – non-pecuniary interest – knows applicant and objectors;
- (e) Councillor Butler - agenda item relating to – 17/00234/FUL – Haydon House, 10 Underwood Square SS9 3PB – non-pecuniary interest – friend;
- (f) Councillor J Garston – agenda item relating to – 16/00001/UNAU\_B – Flat 1, 14 Park Road, Westcliff-on-Sea SS0 7RE – non pecuniary interest – lives in a Conservation area;
- (g) Councillor Buckley – agenda item relating to – 17/00213/FULM – RBS Card transactions Centre, Thanet Grange, SS0 0EN – non-pecuniary interest – known to objector on different matter;

- (h) Councillor Ayling – agenda item relating to – 17/00769/AMDT – 40 Westbury Road, Southend SS2 4DP – non-pecuniary interest – contacted Planning Inspectorate on application;
- (i) Councillor Buckley - agenda item relating to – 17/00444/FUL – 79 Orchard Grove, Eastwood, Leigh-on-Sea SS9 5TP – withdrew;
- (j) Councillor Mulronev - agenda item relating to – 17/00444/FUL – 79 Orchard Grove, Eastwood, Leigh-on-Sea SS9 5TP – non-pecuniary interest – knows objector.

### **36 Supplementary Report**

The Committee received a supplementary report by the Deputy Chief Executive (Place) that provided additional information on items referred to elsewhere on the Agenda.

### **37 17/00234/FUL - Haydon House, 10 Underwood Square (West Leigh Ward) Proposal – Demolish existing dwelling house and erect 4no tow storey dwelling houses, form vehicular accesses on to Underwood Square Applicant: Intex Properties Limited Agent: SKArchitects**

(Cllr N Ward withdrew from the meeting during consideration of this item).

Mr Burry, a local resident, spoke as an objector to the application. Mr Bowhill responded on behalf of the applicant.

Planning permission REFUSED for the following reasons:

01 The proposed development would, by reason of its design, bulk, mass, size and siting, result in an overbearing relationship with and an increased sense of visual enclosure and a loss of light and outlook at 11 Underwood Square and 51 Lime Avenue, to the detriment of the residential amenities of the occupiers of these properties. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007); Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015); and the advice contained within the Southend-on-Sea Design and Townscape guide (2009).

02 The proposal would, by reason of its design, size, bulk, mass, siting and layout, represent a cramped form of development and an overdevelopment of the land, which is out of keeping with and detrimental to the character and appearance of the application site and the area more widely. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007); Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015); and advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

- 38 **16/00001/UNAU\_B - Flat 1, 14 Park Road, Westcliff on Sea (Milton Ward)**  
**Breach of Planning Control: Without planning permission, the replacement of the existing window frames at ground floor level in the front elevation with windows having Upvc frames**

Resolved: That no further action be taken.

- 39 **17/00213/FULM - RBS Card Transactions Centre, Thanet Grange (St Laurence Ward)**  
**Proposal: Install six 8m floodlights to multi-use games area**  
**Applicant: RBS**  
**Agent: Oswick Ltd**

Planning permission GRANTED subject to the following conditions:

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

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

02 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans: 17-061-AS-01, 17-061-AS-02, 17-061-AS-03 and 17-061-AS-04

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

03 Condition: Notwithstanding the details shown on the plans submitted and otherwise hereby approved The maximum height of each of the floodlights erected under this consent shall not exceed the following:

FL1 (51.563781N 0.684070E - 27m AOD  
FL2 (51.563673N 0.684246E - 29m AOD  
FL3 (51.563553N 0.6844191E - 32m AOD  
FL4 (51.563446N 0.684183E - 32m AOD  
FL5 (51.563553N 0.684022E – 29.5m AOD  
FL6 (51.563659N 0.683873E – 27.5m AOD

Reason: In the interests of public safety due to the proximity of London Southend Airport.

04 Condition: The lighting shall only be installed in full compliance with the content of the Airport Operators Association document titled "Safeguarding of Aerodromes – Advice Note 2 – Lighting Near Aerodromes (August 2016)." The lighting shall be installed to be 'full cut off' and mounted horizontally so that light is not emitted above the horizontal.

Reason: In the interests of public safety due to the proximity of London Southend Airport.

05 Condition: Illumination from the floodlighting hereby approved shall only occur between the hours of 08.00 to 22.00 Monday to Friday and 10.00 to 22.00 on Saturdays and Sundays.

Reason: To protect the amenities of neighbouring residents in accordance with the National Planning Policy Framework and policy DM1 of DPD2 (Development Management)

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.

Informative

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

**40 17/00409/BC3 - Business Enterprise Skills And Training Centre, Southend Adult Community College (Kursaal Ward)**  
**Proposal: Install external staircase to South elevation**  
**Applicant: Leo Lord Southend Adult Community College**  
**Agent: Neil Pointer (Southend on Sea Borough Council)**

Planning permission GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 14994-A-101 A, 14994-A-102 A, 14994-A-103 A, 14994-A-104 A, 14994-A-105 A (Existing Elevations), 14994-A-105 A (Proposed Elevations) and 14994-A-107 A.

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

03 Prior to the first use of the door and staircase hereby approved, a scheme of details to ensure that the staircase and door are only used at times of need for emergency egress from the building shall be submitted to and agreed in writing by the Local Planning Authority. Subsequently the doors and stairs shall be installed in accordance with the approved details before the stairs and door are first used and be retained and maintained in the approved condition thereafter. The door and staircase shall only be used for emergency egress from the building.

Reason: To ensure that the development does not cause overlooking and a loss of privacy within neighbouring residential properties in accordance with policies DM1 and DM3 of the Southend-on-Sea Development Management Document 2015.

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

Informative

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

- 41 17/00614/LBC - The Pier, Western Esplanade, Southend on Sea (Milton Ward)**  
**Proposal: Replacement of pier pile caps to pier structure (Listed Building Consent)(Part Retrospective)**  
**Applicant: Southend-on Sea Borough Council**  
**Agent: Mr Neil Chaston, Hemsley Orrell Partnership**

LISTED BUILDING CONSENT GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the approved plans LBCA01, LBCA02, LBCA03, LBCA04, LBCA06, LBCA07

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

Informative

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 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. Detailed analysis is set out in a report prepared by officers.

- 42 **17/00893/DOV5 - 32 - 36 Valkyrie Road, Westcliff on Sea (Milton Ward)**  
**Proposal: Modification of planning obligation (Section 106 agreement) associated with planning application 14/00914/FULM dated 3rd July 2015 to provide a financial contribution in lieu of onsite provision of affordable housing**  
**Applicant: Mr Dan Nyman of In Construction Services Ltd**  
**Agent: N/A**

DEFERRED.

- 43 **17/00715/FUL - 70 Burdett Avenue, Westcliff on Sea (Milton Ward)**  
**Proposal: Convert existing dwellinghouse (Class C3) to house in multiple occupation**  
**Applicant: Mr and Mrs Dean**  
**Agent: Design Associates**

DEFERRED for pre meeting site visit.

- 44 **17/00769/AMDT - 40 Westbury Road, Southend on Sea (St Lukes Ward)**  
**Proposal: Retain conservatory to rear (Retrospective) (Minor amendment to planning application 14/00198/FUL)**  
**Applicant: Dr Saqib Mahmud**  
**Agent: Mr Graham Miles**

Planning permission GRANTED subject to the following conditions:

01. The development hereby permitted shall be carried out in accordance with the following approved plans: 1472/OS, 1472/01-A, 1472/02, 1472/03, 1472/04-A and 1472/05

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

Informative

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

2. Please note that the Local Planning Authority would wish to see the alteration of the conservatory to match the plans hereby approved within six months of the permission hereby granted. If the conservatory is not adapted within this timescale, the conservatory may be the subject of enforcement action.

- 45 **17/00444/FUL - 79 Orchard Grove, Eastwood, Leigh on Sea (St Laurence Ward)**  
**Proposal: Erect detached dwellinghouse on land rear of 79 Orchard Grove layout amenity space and parking and form vehicular access onto Orchard Grove**  
**Applicant: Mrs P Young**  
**Agent: N/A**

(Cllr S Buckley withdrew from the meeting during consideration of this item).

Mr Dixon, a local resident, spoke as an objector to the application. Mrs Young, the applicant, responded.

Planning permission GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 79A/002/2017, Site Location Plan and Block/Site Plan

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

03 The development shall be implemented only using the materials listed within the Materials Palette submitted with the application unless otherwise agreed in writing by the Local Planning Authority, before it is occupied.

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 (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management) policy DM1, and SPD1 (Design and Townscape Guide).

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

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (DPD1).

05 Prior to the first occupation of the dwelling hereby approved the car parking area shown on the plans hereby approved shall be provided and made available for use by the occupants of the proposed dwelling and be retained as such in perpetuity. Reason: To ensure the provision of adequate car parking in accordance with policies DM8 and DM15 of DPD2 (Development Management)

06 Prior to occupation of the dwelling hereby approved details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting to be included in the scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be undertaken in accordance with the approved details before it is occupied and retained in perpetuity.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

07 Prior to the first occupation of the dwelling approved, details shall be submitted of the provision of cycle parking and refuse storage at the site. The approved cycle parking and refuse storage shall be provided in full and made available for use by the occupants of the proposed dwelling prior to the first occupation of the dwelling hereby approved and be retained as such in perpetuity.

Reason: To ensure the provision of adequate cycle parking and refuse storage in accordance with policies DM8 and DM15 of DPD2 (Development Management)

08 The development hereby approved shall be carried out in a manner to ensure the dwelling complies fully with Building Regulation M4 (2) 'accessible and adaptable dwellings' before it is occupied.

Reason: To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

09 Notwithstanding the provisions of Classes A, B, C, D and E of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order 2015 (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force), no extensions or outbuildings shall be erected at the site unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the amenity of neighbours and the character and appearance of the surrounding area in accordance with policies DM1 of the Development Management DPD and policies KP2 and CP4 of the Core Strategy

10 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the vehicle crossover installed at the site shall not measure more than 4.8 metres wide.

Reason: In the interests of highway safety in accordance with Policy CP3 of the Core Strategy, Policies DM1, DM3 and DM15 of the Development Management Document and the Design and Townscape Guide, 2009.



11 Prior to the first occupation of the dwelling approved, details shall be submitted of the means of enclosing the application site/boundary treatments. The approved means of enclosure/boundary treatments shall be installed in accordance with the approved details prior to the first occupation of the dwelling hereby approved and be retained as such in perpetuity.

Reason: To ensure the provision of appropriate means of enclosure at the site in accordance with policies DM1 and DM3 of DPD2 (Development Management)

12 Prior to the commencement of the development hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority of the means of protecting the retained trees at neighbouring sites. This shall include the details of the means of undertaking and foundation/piling works at the site and measures to ensure the protection of the trees when undertaking such works. The agreed tree protection measures shall be fully implemented prior to the commencement of the development and the development shall be implemented in full accordance with the details approved under this condition throughout the construction process.

Reason: To ensure the appropriate protection of trees at the site, in accordance with National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy CP4, policy DM1 of Development Management Document DPD2 and SPD1 (Design and Townscape Guide).

13 Prior to the commencement of the development hereby approved, details shall be submitted of the existing and proposed ground levels at the application site and the finished floor level of the proposed dwelling. The development shall subsequently be undertaken only in accordance with the approved details.

Reason: To ensure the protection of the amenities of neighbouring residents in accordance with policies DM1 and DM3 of the Southend-on-Sea Development Management Document 2015.

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.

#### Informative

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

You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of

this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil).

Please be aware that in the submission of details to address condition 13 of the permission hereby granted, it will be the expectation of the Local Planning Authority that the ridge height of the dwelling hereby approved will not exceed the height of the bungalows to the south of the dwelling.

- 46 17/00364/FULH - 236 Highlands Boulevard, Leigh on Sea (West Leigh Ward)**  
**Proposal: Demolish existing conservatory to rear and erect single storey rear extension**  
**Applicant: Mrs Sara Procter**  
**Agent: N/A**

Planning permission GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 1036/2 & Location Plan.

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

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

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (2012), Southend Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and Design and Townscape Guide (2009).

04 The flat roof of the rear extension hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless otherwise agreed in writing by the local planning authority. The roof can however be used for the purposes of maintenance or to escape in an emergency.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework

(2012), Southend Core Strategy (2007) policy CP4, Development Management Document (2015) Policy DM1, and Design and Townscape Guide (2009).

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

Informative

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

**47 17/00435/FULH - 44 The Drive, Westcliff on Sea (Chalkwell Ward)**  
**Proposal: Erect single storey side extension**  
**Applicant: Meryl Harry and Nicholas Harry Corrigan**  
**Agent: Mr Mark Hipsey**

Planning permission GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 28620 06.

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

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

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (2012), Southend Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and Design and Townscape Guide (2009).

04 The flat roof of the side extension hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless

otherwise agreed in writing by the local planning authority. The roof can however be used for the purposes of maintenance or to escape in an emergency.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2012), Southend Core Strategy (2007) policy CP4, Development Management Document (2015) Policy DM1, and Design and Townscape Guide (2009).

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

Informative

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

- 48      **17/00607/FULH - 96 Woodside, Leigh on Sea (Belfairs)**  
**Proposal: Erect extensions to roof to form gable ends to both sides and a first floor rear extension to form habitable accommodation in roof with dormers to front, rear and side. Erect two storey side extension and ground floor side and rear extensions, install recessed balcony to rear and alter elevations (Amended Proposal)**  
**Applicant: Mr Willer**  
**Agent: DK Building Designs Limited**

Planning permission GRANTED subject to the following conditions:

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

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

02 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans: 3112-01 Sheet 1 of 2 (Revision B) and 3112-01 Sheet 2 of 2 (Revision A)

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

03 Condition: Unless otherwise agreed in writing with the local planning authority the development hereby permitted shall be constructed entirely of materials that match the materials used in the construction of the existing building.

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, Southend-on-Sea Core Strategy 2007 policies KP2 and CP4, Development Management Document policies DM1 and DM3 and the advice contained within the Council's Design and Townscape Guide.

04 The flat roof of the extensions hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless otherwise agreed in writing by the local planning authority. The roof can however be used for the purposes of maintenance or to escape in an emergency.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework, Southend-on-Sea Core Strategy 2007 policies KP2 and CP4, Development Management Document policies DM1 and DM3

05 The proposed first floor windows on the side (east and west) elevations of the extended roof hereby approved shall be fitted with obscured glazing (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and shall be fixed shut or provided with a fanlight opening (with the fanlight opening being set not less than 1.7 metres above the adjacent internal finished floor level) prior to the first use of the extensions hereby approved. The window shall be permanently retained as such thereafter.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework, Southend-on-Sea Core Strategy 2007 policies KP2 and CP4, Development Management Document policies DM1 and DM3

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The detailed analysis is set out in a report prepared by officers. In the circumstances the proposal is not considered to be sustainable development. The Local Planning Authority is willing to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development, should the applicant wish to exercise this option in accordance with the Council's preapplication advice service.

#### Informative

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a Community Infrastructure Levy (CIL) Liability Notice for the attention of the applicant and any person who has an interest in the land. This contains details including the chargeable amount and when this is payable. As this chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will shortly be issued. Charges and surcharges may apply if you fail to meet

statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil).

**49 Council Procedure Rule 46**

Resolved: That the report be noted.