

# Public Document Pack

## SOUTHEND-ON-SEA BOROUGH COUNCIL

### Meeting of Development Control Committee

**Date: Wednesday, 10th May, 2017**

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

**Present:** Councillor F Waterworth (Chair)  
Councillors D Garston (Vice-Chair), B Arscott, B Ayling, M Borton,  
S Buckley\*, M Butler, N Folkard, J Garston, R Hadley, A Jones,  
C Mulrone, D Norman MBE, P Van Looy and C Walker  
\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** Councillor M Stafford  
J K Williams, K Waters, C Galforg, J Rowley, I Harrison,  
A Tastsoglou, M Warren and T Row

**Start/End Time:** 2.00 pm - 3.10 pm

#### **1018 Apologies for Absence**

Apologies for absence were received from Councillors Evans (substitute: Councillor Buckley) and Callaghan.

#### **1019 Declarations of Interest**

The following interests were declared at the meeting:

(a) Councillor Arscott – Agenda Item No. 7: 17/00248/BC4M – Theobalds Wharf, Alley Dock, Leigh on Sea – Non-pecuniary interest: Applicant is known to him and friends own a property nearby;

(b) Councillor Ayling – Agenda Item No. 13: 16/02195/FUL – Nova Car Sales, 840 - 846 London Road, Leigh on Sea – Non-pecuniary interest: Applicant is known to him;

(c) Councillor Buckley – Agenda Item No. 17: 17/00444/FUL - 79 Orchard Grove, Eastwood, Leigh on Sea – Disqualifying non-pecuniary interest: Aware of the objections prior to substituting on the Committee (withdrew);

(d) Councillor Folkard – Agenda Item No 9: 17/00446/FULM - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Customer at Asda;

(e) Councillor Folkard – Agenda Item No 10: 17/00368/ADV - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Customer at Asda;

(f) Councillor D Garston – Agenda Item No 9: 17/00446/FULM - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Owns a property nearby;

- (g) Councillor D Garston – Agenda Item No 10: 17/00368/ADV - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Owns a property nearby;
- (h) Councillor J Garston – Agenda Item No 9: 17/00446/FULM - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Customer at Asda;
- (i) Councillor J Garston – Agenda Item No 10: 17/00368/ADV - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Customer at Asda;
- (j) Councillor Hadley– Agenda Item No 9: 17/00446/FULM - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Lives nearby;
- (k) Councillor Hadley – Agenda Item No 10: 17/00368/ADV - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Lives nearby;
- (l) Councillor Mulroney – Agenda Item No. 7: 17/00248/BC4M – Theobalds Wharf, Alley Dock, Leigh on Sea – Non-pecuniary interest: Applicant is known to her, Member of Leigh Town Council (non-participant in planning), the Town Council are lessees of Strand Wharf and Trustee of the Heritage Centre which is close to the site;
- (m) Councillor Mulroney – Agenda Item No. 17: 17/00444/FUL - 79 Orchard Grove, Eastwood, Leigh on Sea – Non-pecuniary interest: Objector is the Chaplain to Leigh Town Council;
- (n) Councillor Van Looy – Agenda Item No. 7: 17/00248/BC4M – Theobalds Wharf, Alley Dock, Leigh on Sea – Non-pecuniary interest: Applicant is known to him;
- (o) Councillor Van Looy – Agenda Item No 10: 17/00368/ADV - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Applicant is known to him;
- (p) Councillor Walker – Agenda Item No. 8: 16/02282/FUL - Eastwood United Reform Church, Rayleigh Road, Eastwood, Leigh on Sea – Non-pecuniary interest: Resident of Saffory Close is known to him (friend of his wife);

Note: All Members present declared a non-pecuniary interest in Agenda Item No. 12: 17/00104/BC4 - SBC Shelter and Public Conveniences at Junction of Thorpe Hall Avenue And Thorpe Esplanade, Southend on Sea on the basis that the Chairman for the Applicants was a fellow Councillor.

## **1020 Minutes of the meeting held on Wednesday 1st March 2017**

Resolved:

That the Minutes of the meeting held on Wednesday 1<sup>st</sup> March 2017 be received confirmed as a correct record and signed.

**1021 Minutes of the Meeting held on Wednesday 5th April 2017**

Resolved:

That the Minutes of the meeting held on Wednesday 5<sup>th</sup> April 2017 be received confirmed as a correct record and signed.

**1022 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.

**1023 17/00297/OUT - Shoeburyness Sorting Office, George Street, Shoeburyness (Shoeburyness Ward)  
Proposal: Demolish existing building and erect block of 9 self-contained flats (Outline)  
Applicant: Telereal Trillium  
Agent: Liam Russell Architects Limited**

OUTLINE planning permission GRANTED subject to the following conditions:

01. Details of the appearance, layout, scale, landscaping, access (hereinafter called the "Reserved Matters") of the development shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than 3 (three) years from the date of this permission. The development hereby permitted shall begin not later than 2 (two) years from the date of approval of the last of the reserved matter to be approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended) and because the application is for outline planning permission only and the particulars submitted are insufficient for consideration of details mentioned.

02. Details of the provision of not less than nine parking spaces to serve the development shall be submitted to the Local Planning Authority concurrently with the Reserved Matters application. The development shall be implemented in accordance with the approved details before it is occupied and the parking spaces retained for occupiers of the development in perpetuity thereafter.

Reason: To ensure that satisfactory off-street parking is provided in accordance with Development Plan Document 1 Southend on Sea Core Strategy 2007 policies KP2, CP3 and CP4; Development Plan Document: Southend on Sea Development Management DPD policies DM1, DM3 and DM15, and SPD1 (Design and Townscape Guide).

03. Details of the external materials to be used in the construction of the development hereby approved shall be submitted to the Local Planning Authority concurrently with the Reserved Matters application. The development shall only be implemented in accordance with the approved materials unless otherwise agreed in writing by the Local Planning Authority.

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), Development Plan Document 1 Southend on Sea Core Strategy 2007 policy KP2 and CP4; Development Plan Document 2 Southend on Sea Development Management 2015 policy DM1, and SPD1 (Design and Townscape Guide) 2009.

04. Details of waste and cycle storage to be provided at the site shall be submitted to the Local Planning Authority concurrently with the Reserved Matters application. The waste and cycle storage shall be implemented in accordance with the approved details before the development is occupied and shall be retained in perpetuity thereafter.

Reason: To ensure that satisfactory secure off-street bicycle parking is provided to promote sustainable transport and to protect the environment and provide suitable storage for waste and materials for recycling in accordance with Development Plan Document: Southend on Sea Core Strategy 2007 policies KP2, CP3 and CP4; Southend on Sea Development Plan Document 2 Development Management 2015 policies DM1 and DM15, and Supplementary Planning Document 1 (Design and Townscape Guide) 2009.

05. A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources shall be submitted concurrently with the Reserved Matters application and be implemented in full in accordance with the approved details prior to the first occupation of the flats. This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development in accordance with Development Plan Document 1 Southend on Sea Core Strategy 2007 Policy KP2; Development Plan Document 2 Southend on Sea Development Management Document Policy DM2 (2015).

06. 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 (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, shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the development hereby approved. The approved details shall be implemented in full prior to the first occupation of the development. This provision shall be made for the lifetime of the development.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, Development Plan Document 1: Southend on Sea Core Strategy policy KP2, Development Plan Document 2: Southend on Sea Development Management Document policy DM2 (2015) and SPD1 (Design and Townscape Guide) 2009.

07. The development hereby approved shall be carried out in a manner to ensure the flatted development complies with building regulation part M4 (2) 'accessible and adaptable dwellings'.

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).

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 outline 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. Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)

Please note that the details of the proposals indicatively shown on the submitted plans are unlikely to be found acceptable in the following regards:

2. Please also note that the permission hereby granted should not be taken as any form of support for the layout, scale or appearance of the proposed development, the access to the site or the landscaping of the site.

3. Please note there are a number of matters that require further attention when an application for reserved matters is submitted including the provision of replacement landscaping at the frontage of the site with particular reference to the north and west of the site along George Street and Dane Street, the provision of suitable boundary enclosures and the design of the proposed building itself, and to ensure the development does not appear unduly prominent the inclusion of balconies and porches will need to be carefully considered as this could lead to undue prominence in the streetscene.

**1024 17/00248/BC4M - Theobalds Wharf, Alley Dock, Leigh on Sea (Leigh Ward)**

**Proposal: Relocate existing storage containers, erect marine workshop and extend timber fence (Retrospective)**

**Applicant: Mr Sedgewick**

**Agent: SK Architects**

Planning permission GRANTED subject to the following conditions:

01 The development hereby permitted shall be carried out in accordance with the approved plans 89-03-11 P01-Site and block plans Revision B; 89-03-11 P02 Previous General Arrangement plan and elevations; 89-03-11 P03 Existing plans and elevations; 89-03-11 P04-Photos of previous and existing arrangement; 89-03-11 P05-Relocated container Revision B; 890311 P06 Revision B New workshop.

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

02 Within one month of the date of this permission details of materials to be used on the external elevations of the marine workshop and fence shall have been submitted to and approved in writing by the local planning authority. The works must then be carried out only in accordance with the approved materials unless otherwise agreed in writing by the local planning authority.

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 Old Leigh Conservation Area. This is as set out in the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management Document) policy DM1, and SPD1 (Design and Townscape Guide).

03 Within one month of the date of this permission hereby permitted a 'Flood Evacuation and Warning Plan' shall be submitted to and agreed in writing by the local planning authority. The site shall be managed and occupied in full accordance with the approved plan thereafter.

Reason: To ensure that the Flood Warning and Evacuation Plan meets with the requirements of the Environment Agency's Flood Warning Service.

04 Within one month of the date of this permission, details of surface water run-off shall be submitted to and agreed in writing by the local planning authority. The works must then be carried out only in accordance with the approved surface water strategy unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the nature conservation interests of the area are protected and minimise pollution risk considering the site's location in relation to Benfleet and Southend Marshes SSSI, RAMSAR and SPA site and to minimise the risk of disturbance to wintering birds whilst feeding on the SSSI, or of disorientation of birds whilst in flight pursuant to Policy KP2 of the Southend on Sea DPD1 Core Strategy 2007 and Development Management DPD2 2015 policies DM1 and DM6.

05 No development can be carried out on the site between September to the end March period (i.e. from May 2017 – end 31 August 2017, or April 2018 – end 31 August 2018), unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the nature conservation interests of the area are protected and minimise impact considering the site's location in relation to Benfleet and Southend Marshes SSSI, RAMSAR and SPA site and to minimise the risk of disturbance to wintering birds whilst feeding on the SSSI, or of disorientation of birds whilst in flight pursuant to Policy KP2 of the Southend on Sea Core Strategy 2007 and Development Management 2015 policies DM1 and DM6.

Informative

01 You are advised that as the proposed alterations to your property do not result in new floorspace and 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.

02 It should be ensured that storage containers/sheds are securely anchored to the ground to ensure that they will remain in position throughout any flood event to ensure compliance with the Environment Agency.

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.

**1025 16/02282/FUL - Eastwood United Reform Church, Rayleigh Road, Eastwood, Leigh on Sea (Eastwood Park Ward)**  
**Proposal: Demolish existing church hall, erect of 6no two storey dwelling houses, layout 12 parking spaces and form vehicular access on to Rayleigh Road**  
**Applicant: Mr P Lehman**  
**Agent: Third Dimension Arch. Design Ltd**

Mr J Carver spoke as an objector to the application. Mr Coxall responded on behalf of the applicant's agents.

Planning permission GRANTED subject to the following conditions:

01 The development hereby permitted shall be begun 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 shall be carried out in accordance with the approved plans: 202c House Type A; 203c House Type A; 204 House Type B; 205b Block Plan; 207b Streetscene Elevation, 208a sections, site location plan 001

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

03 No development shall take place until samples of the materials to be used on all the external elevations, including walls, roof, dormers, porch canopy, paving, and on any screen/boundary walls and fences, driveway, forecourt or parking area have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

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

04 No development approved by this permission shall be commenced until the Local Planning Authority has approved in writing a full scheme of highways works (including detailed designs and contract details) and the relevant highways approvals are in place, in relation to the resiting of the traffic island and works to street trees. The works shall thereafter be undertaken in accordance with the approved details and completed prior to first occupation of the development hereby approved unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highways management and safety in accordance with (Core Strategy) DPD1 policy KP2, CP3, CP4; (Development Management) DPD2 policies DM13 and the Design and Townscape Guide SPD1.

The development shall not be occupied until 12 car parking spaces have been provided at the site in accordance with drawing 205b Block Plan, together with properly constructed vehicular accesses to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently retained thereafter for the parking of occupiers of and visitors to the development.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policies DM15 of the Council's Development Management DPD and CP3 of the Core Strategy DPD1.

06 No development shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority. The details submitted shall include, but not limited to:-

- i proposed finished site levels or contours;
- ii. means of enclosure, of the site including any gates or boundary fencing;
- iii. car parking layouts;
- iv. other vehicle and pedestrian access and circulation areas;
- v. hard surfacing materials;
- vi. minor artefacts and structures (e.g. street furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting, etc.);
- vii. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
- ix. details of measures to enhance biodiversity within the site;

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

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are



implemented pursuant to Policy DM1 of the Development Management DPD and Policy CP4 of the Core Strategy DPD1

07 No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction - Recommendations has been agreed in writing by the local planning authority. These measures shall be carried out as described and approved.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of landscaping, pursuant to DPD1 (Core Strategy) policies KP2 and CP4, DPD2 (Development Management) policies DM1, DM3 and the advice contained in the Design and Townscape Guide.

08 A scheme detailing how at least 10% of the total energy needs of the dwellinghouses 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 dwellinghouse. 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).

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

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

10 The development hereby approved shall be carried out in a manner to ensure the houses comply with building regulation M4 (2) 'accessible and adaptable dwellings'.

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).

11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, no development shall be carried

out at the development hereby approved within Schedule 2, Part 1, Classes A, B, C, D, E and F to those Orders.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework, DPD1 (Core Strategy) Policies KP2 and CP4, DPD2 (Development Management Document) Policy DM1 and SPD1 (Design and Townscape Guide).

12 Prior to their occupation the proposed ground, first and second floor windows in the flank elevations of the houses hereby approved shall be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut and unopenable, except for any top hung light which shall be a minimum of 1.7 metres above internal floor level. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4. The windows shall be retained as such in perpetuity thereafter.

Reason: To avoid overlooking and the resultant loss of privacy of the adjoining residential properties, in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policies KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1 and advice contained within the Design and Townscape Guide SPD1.

13 Prior to installation of any external lighting, details of the proposed lighting, including design, siting, luminance, hours of illumination and an assessment using the Institution of Lighting Engineers Guidance Note for the Reduction of Obtrusive Light shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed only in accordance with the approved scheme.

Reason: To protect the amenities of neighbouring properties and the general environmental quality in accordance with, National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1.

#### 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, 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).

02 Consent is given to this development on the condition that a new metered water supply is provided for each new dwelling for revenue purposes.

03 Water supplies-additional water supplies for fire fighting maybe necessary for this development including sprinkler systems.

04 The applicant is requested to retain for safekeeping the stain glass windows, oak doors and memorial stones.

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.

- 1026 17/00446/FULM - Asda, North Shoebury Road, Shoeburyness (Shoeburyness Ward)**  
**Proposal: Car park alterations, relocation of lighting columns and associated works**  
**Applicant: Asda Superstores Limited**  
**Agent: Gleneagles Project Services Limited**

Planning permission REFUSED for the following reason:

01 The proposed development would, by reason of its design, layout and the resultant reduction in the spaces available for parking cars at the application site, be likely to cause additional vehicles to park within the surrounding public highway and create conditions detrimental to the free flow of traffic and highway and pedestrian safety. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Policy CP3 of the Southend-on-Sea Core Strategy (2007); and Policies DM3 and DM15 of the Southend-on-Sea Development Management Document (2015).

- 1027 17/00368/ADV - Asda, North Shoebury Road, Shoeburyness (Shoeburyness Ward)**  
**Proposal: Install three non-illuminated panel signs**  
**Applicant: ASDA**  
**Agent: Whittam Cox Architects**

Advertisement consent GRANTED subject to the following conditions:

01 This consent is granted for a period of 5 years beginning from the date of this consent.

Reason: To comply with Regulation 14(7) of the Town and Country

Planning (Control of Advertisements) Regulations 2007.

02 The advertisements shall be displayed in accordance with the approved plans: Site location plan 160428 PL\_02; 24919pl01 Proposed location plan; 22919pl101 Signage.

Reason: To ensure that the advertisements are displayed in accordance with the policies outlined in the Development Plan.

3(a) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.

(b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

(c) Where any advertisement is required under the Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.

(d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

(e) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including coastal waters) or aerodrome (civil or military).

Reason: Required to be imposed to comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

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.

**1028 17/00471/BC4 - Cumberlege Intermediate Care Centre, Pantile Avenue, Southend on Sea (St Lukes Ward)**  
**Proposal: Use temporary building as a health clinic (Class D1) and layout parking**  
**Applicant: NHS Property Services Ltd**  
**Agent: LSI Architects**

Planning permission GRANTED subject to the following conditions:

01 The building shall be removed on or before 18 months from the date of this permission and the area affected by the works reinstated to its original condition to the satisfaction of the Local Planning Authority.

Reason: The building in this location would be unacceptable on a permanent basis.

02 Parking shall be permanently retained for staff and visitors to the clinic in accordance with drawing 17036-1702 1700 Site Parking Plan C unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that satisfactory off-street car parking and highway efficiency, in accordance with the National Planning Policy Framework, policy CP3 of the Southend on Sea Core Strategy (2007), policy DM15 of the Southend on Sea Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).

03. The health clinic shall not be used outside the following hours: - 07:30 hours to 20:00 hours Monday to Sunday including Bank Holidays and Public Holidays.

Reason: To protect the amenities of the adjacent residential occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 Southend Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Southend Development Management DPD2 (2015) and advice contained within the Southend SPD1 (Design and Townscape Guide) (2009).

Informative

01 You are advised that as the proposed works will not result in the creation of internal floorspace in accordance with 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.

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.

**1029 17/00104/BC4 - SBC Shelter And Public Conveniences at Junction of Thorpe Hall Avenue And Thorpe Esplanade, Southend on Sea (Thorpe Ward)**

**Proposal: Erect single storey building to be used as a non-residential institution (Class D1) and install ramp to front**

**Applicant: Tram Stop Shelter Committee**

**Agent: T C Matthew Chartered Architect**

Planning permission GRANTED subject to the following conditions:

01 The development hereby permitted shall be begun 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 12020-STP-001 Revision 1 Site Plan; 12020\_P\_P010 Revision 4; 12020\_P\_E010 Revision 5 Proposed Elevations and Section.

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

03. The use hereby permitted shall be carried out only by Tram Stop Shelter Committee for use by community groups in accordance with the details and particulars submitted with the application and by no other individual or organisation or for any other purpose including any other purpose falling within use Class D1.

Reason: To protect residential amenity and general environmental quality in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4, and DPD2 (Development Management Document) policies DM1, DM3 and the advice contained within the Design and Townscape Guide SPD1.

04 No development shall take place until details, and samples of the facing materials to be used on the development including the window details, shutters, glazing, doors, shutter housing to the entrance door, louvre doors, panels and access ramp details have been submitted to and approved in writing by the local planning authority. The works must then be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority before the building is brought into use or occupied.

Reason: To safeguard character and appearance of surrounding area in accordance with the National Planning Policy Framework Policies KP2 and CP4 of the Core Strategy 2007 and policies DM1 and DM3 of the Development Management DPD 2015 and the advice contained within the Design and Townscape Guide 2009.

05. No development approved by this permission shall be commenced until the Local Planning Authority has approved in writing a full scheme of highways works (including detailed designs and contract details) and the relevant highways approvals are in place including any relevant stopping up orders, in relation to the pedestrian ramp. The works shall thereafter be undertaken only in accordance with the approved details and completed prior to occupation of the building hereby approved unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highways management and safety in accordance with (Core Strategy) DPD1 policy KP2 and CP3; and policy DM15 of the Development Management Document DPD2.

06 Prior to occupation of the development hereby approved details of refuse storage and collection shall be submitted to and agreed in writing by the local planning authority and then occupy in accordance with the approved details.

Reason: To protect the environment and provide suitable storage for waste and materials for recycling in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4.

07 Notwithstanding the provisions of the advertisement regulations (2007) as amended or any amendment, revocation or alteration of these regulations advertisements of any sort shall not be displayed at the site other than in accordance with details that have previously been submitted to and approved in writing by the local planning authority.

Reason: To safeguard character and appearance of surrounding area in accordance with the National Planning Policy Framework Policies KP2 and CP4 of the Core Strategy 2007 and policies DM1 and DM3 of the Development Management DPD 2015 and the advice contained within the Design and Townscape Guide 2009.

08 Live or recorded music which is audible outside the site boundary must not be played on the premises at any time.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character the area in accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy DPD1 (2007) and Policies DM1 and DM3 of the Development Management DPD (2015).

09 The building hereby approved shall not be open for use outside the hours of 08:00 – 22:00 hours Monday to Sunday including Bank Holidays.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character the area in accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy DPD1 (2007) and Policies DM1 and DM3 of the Development Management DPD (2015).

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

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (2007), Development Management Document (2015) Policy DM2 and the advice contained within the Design and Townscape Guide (2009).

11 Construction hours shall be restricted to between 7.30am – 6pm Monday to Friday, 8am – 1pm on Saturdays and not at all on Sundays or Bank Holidays.

Reason: To protect residential amenity and general environmental quality in accordance with National Planning Policy Framework, DPD1 (Core Strategy) 2007 policies KP2 and CP4, and DPD2 (Development Management) 2015 policies DM1, DM3 and the advice contained within the Design and Townscape Guide.

12 No construction works involving heavy plant or machinery are to be undertaken during the period from 1 October to 31 March inclusive and at no time unless agreed in writing by the Local Planning Authority.

Reason: To ensure the nature conservation interests of the area are protected considering the sites location in relation to Benfleet and Southend Marshes Site Scientific Special Interest, RAMSAR, Special Protection Areas pursuant to Policy KP2 of the Southend on Sea Core Strategy 2007.

13 No materials or waste are to be deposited within the Benfleet and Southend Marshes SSSI, SPA and Ramsar site, outside the boundary of the area that the planning application refers to.

Reason: To ensure the nature conservation interests of the area are protected considering the sites location in relation to Benfleet and Southend Marshes SSSI, RAMSAR and SPA site, pursuant to Policy KP2 of the Southend on Sea Core Strategy 2007.

14 Prior to installation of any external lighting, details of the proposed lighting, including design, siting, luminance, hours of illumination and an assessment using the Institution of Lighting Engineers Guidance Note for the Reduction of Obtrusive Light shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed only in accordance with the approved scheme and shall be maintained as such in perpetuity.

Reason: To protect the amenities of neighbouring properties and the general environmental quality in accordance with, National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1.

15. Not less than 3 months prior to the first occupation of the development hereby permitted a Traffic Management Plan, prepared in accordance with all relevant technical and good practice guidance, and which includes a comprehensive survey of all users, targets to reduce car journeys to the community facility, identifying sustainable transport modes including cycling and modes of public transport and that identifies opportunities for off street staff parking and minimising road safety risks, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied and managed in accordance with the approved Traffic Management Plan from first occupation of the development.

Reason: In the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance with the NPPF, DPD1 (Core Strategy) 2007 policy KP2, CP3 and CP4, DPD2 (Development Management Document) policy DM15, and SPD1 (Design and Townscape Guide).

Informative

01 You are advised that as the proposed new building 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.



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.

**1030 16/02195/FUL - Nova Car Sales, 840 - 846 London Road, Leigh on Sea (Leigh Ward)**

**Proposal: Demolish existing buildings, erect three-storey block of five dwellings, form 8 car parking spaces, amenity area, bin and cycle stores, extend vehicular access onto Dundonald Drive.**

**Applicant: Mr A McNamara**

**Agent: SKArchitects**

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: P01 B, P02 B, P03 B, P04 B, P05 B (Streetscene Drawings), P05 B (Existing and Proposed Site Plans), P07 B, P08 B, P09 B (Part M 2nd Floor Plan) and P09 B (Construction Details)

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

03 The bricks used in the construction of the development hereby approved shall only be in accordance with the details shown in plan P09 B (Construction Details) hereby approved and arranged/used in accordance with plan P09B (Construction Details) unless otherwise agreed in writing by the Local Planning Authority. Details of all other materials to be used on the external elevations of the building hereby approved, including the window frames and Juliet balconies, shall be submitted to and approved in writing by the Local Planning Authority prior to their use at the application site. The development shall then be implemented in accordance with the approved details before it is occupied.

Reason: To ensure that the development contributes positively to the character and appearance of the site and the surrounding area and relates to the host buildings at the application site. In accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2012), policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Council's Design and Townscape Guidance (SPD1)

04 The 8 parking spaces shown on the plans hereby approved shall be provided in accordance with the approved plans prior to the first occupation of the building

hereby approved. Subsequently, the parking spaces shall be retained at all times and only used by the occupants of dwellings hereby approved and their visitors.

Reason: To ensure that adequate parking is provided at the site. In accordance with the National Planning Policy Framework, policies KP2, CP3 and CP4 of the Southend-on-Sea Core Strategy (2012), policies DM1, DM3 and DM15 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Council's Design and Townscape Guidance (SPD1)

05 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).

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 dwellings hereby 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 dwellings 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'.

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, 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

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

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).

**1031 17/00077/FUL - Rear of 206 London Road, Southend on Sea (Milton Ward)**  
**Proposal: Change of use from B1 (Light industrial) to C3 (residential) to form four self-contained flats, alter elevations, layout associated parking, demolish existing garage to form amenity space with cycle store and erect bins store adjacent parking spaces for 204 London Road (Amended Proposal)**  
**Applicant: Roger Essex**

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: Location Plan, Site Plan, BAK-GF-PLAN-PROP-203 Rev 001, BAK-GF-PLAN-PROP-204 Rev 001, BAK-GF-PLAN-PROP-205 Rev 001, BAK-GF-PLAN-PROP-206 Rev 001, BAK-GF-PLAN-PROP-207 Rev 001, BAK-GF-PLAN-PROP-208 Rev 001, BAK-GF-PLAN-PROP-209 Rev 001, BAK-FF-PLAN-PROP-320 Rev 001, BAK-FF-PLAN-PROP-321 Rev 001, BAK-FF-PLAN-PROP-322 Rev 001, BAK-FF-PLAN-PROP-323 Rev 001, BAK-FF-PLAN-PROP-324 Rev 001, BAK-FF-PLAN-PROP-325 Rev 001, BAK-FF-PLAN-PROP-326 Rev 001, BAK-FF-PLAN-PROP-327 Rev 001, BAK-CONST-GF-PLAN-808 Rev 001, BAK-CONST-FF-PLAN-809 Rev 001, BAK-STANNAH-810 Rev 001, BAK-CONST-E-ELEV-803 Rev 001, BAK-CONST-S-ELEV-804 Rev 001, BAK-CONST-E-ELEV-807 Rev 001, BAK-P1-SEC-ORIG-500 Rev 000, BAK-P1-SEC-PROP-500 Rev 001, BAK-P2-SEC-ORIG-501 Rev 000, BAK-P2-SEC-PROP-501 Rev 001, BAK-P3-SEC-ORIG-502 Rev 000, BAK-P3-SEC-502 Rev 001, BAK-SS-SEC-ORIG-503 Rev 000, BAK-SS-SEC-PROP-503 Rev 001, BAK-3DSE-ORIG-600 Rev 000, BAK-3DNE-ORIG-601 Rev 000, BAK-3DNW-ORIG-602 Rev 000, BAK-3DSW-ORIG-603 Rev 000, BAK-TSLPLAN-S Rev 1 (Site Plan), BAK-TSLPLAN-S Rev 1 (3D Drawing), BAK-TSLPLAN-NW Rev 1, BAK-TSLPLAN-E Rev 1, BAK-204-PLAN-WASTE-250 Rev 1, BAK-204-PLAN-WASTE-251 Rev 1, BAK-TSLPLAN-AMENITY-252 Rev 1, BAK-204-PLAN-RCARPARK-253 Rev 1, BAK-204-PLAN-FIRE-254 Rev 1, BAK-204-PLAN-RCP-255 Rev 1, BAK-204-W-ELEV-WASTE-257 Rev 1, BAK-204-E-ELEV-WASTE-258 Rev 1, BAK-204-S-ELEV-WASTE-259 Rev 1, BAK-204-N-ELEV-WASTE-260 Rev 1, BAK-204-3D-ELEV-WASTE-261 Rev 1, BAK-GF-PLAN-ORIG-200, BAK-GF-PLAN-PROP-200 Rev 001, BAK-GF-PLAN-ORIG-201, BAK-GF-PLAN-PROP-201 Rev 001, BAK-GF-PLAN-ORIG-202, BAK-GF-PLAN-PROP-202 Rev 001, BAK-F.F-PLAN-ORIG-300, BAK-F.F-PLAN-ORIG-301, BAK-FF-PLAN-ORIG-302, BAK-RF-PLAN-ORIG-400, BAK-RF-PLAN-PROP-400 Rev 001, BAK-E-ELEV-ORIG-100 Rev 000, BAK-E-ELEV-PROP-100 Rev 001, BAK-W-ELEV-ORIG-101 Rev 000, BAK-W-ELEV-PROP-101 Rev 001, BAK-N-ELEV-ORIG-102 Rev 000, BAK-N-ELEV-PROP-102 Rev 001, BAK-S-ELEV-ORIG-103 Rev 000, BAK-S-ELEV-PROP-103 Rev 001, BAK-GATES Rev 1, Proposed Colours Rev 001.

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

03 The materials used in the development hereby approved shall be as shown on the approved plans unless otherwise agreed in writing by the Local Planning Authority.

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 Prior to the first occupation of the flats hereby approved, the amenity space, car parking, cycle parking and refuse storage areas shown on the plans hereby

approved shall be provided and made available for use by the occupants of the proposed flats and be retained in perpetuity thereafter.

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

05 Prior to occupation of the dwellings 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).

06 Prior to the occupation of the development hereby approved details of the glazing, acoustic insulation and ventilation details for the development shall be submitted to, and approved by, the Local Planning Authority. The glazing and ventilation should be selected with relevant acoustic properties as outlined in section 5.4 and 5.5 of the Noise Assessment dated 24th March 2017 unless otherwise agreed in writing by the Local Planning Authority. No dwelling shall be occupied until such time that all of the approved details to serve that dwelling have been fully installed. The approved glazing, acoustic insulation and ventilation shall be maintained in the approved condition thereafter in perpetuity.

Reason: To ensure the provision of adequate internal living conditions in accordance with policies DM1 and DM8 of DPD2 (Development Management)

07 Prior to the occupation of the development hereby approved details of acoustic fencing to the amenity area shall be submitted to, and approved by, the Local Planning Authority. No dwelling shall be occupied until such time that the acoustic fencing has been fully installed. The approved acoustic fencing shall be retained and maintained in the approved condition thereafter in perpetuity.

Reason: To ensure the provision of adequate internal living conditions in accordance with policies DM1 and DM8 of DPD2 (Development Management)

08 No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the

approved measures before development begins. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

Reason: To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution in accordance with the national Planning Policy Framework and Southend-on-Sea Core Strategy (2007) policy KP2.

09 All first floor windows in the west elevation of the building (as shown on the approved plans) 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 fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level unless otherwise agreed in writing by the local planning authority before the dwellings are occupied and be permanently 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.

Reason: To protect the privacy and environment of people in the proposed and neighbouring residential properties, in accordance with the NPPF, DPD1 (Core Strategy) 2007 policy CP4, Development Management DPD Policy DM1 and SPD1 (Design and Townscape Guide).

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).

#### Informative

Please note that the proposed development 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 CIL Liability Notice for the applicant's attention and any other person who has an interest in the land. This contains details of the chargeable amount and how to claim exemption or relief if

appropriate. There are further details on this process on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil).

- 1032 17/00181/FUL - 188 Leigh Road, Leigh on Sea (Leigh Ward)**  
**Proposal: Change of use of from shop (Use Class A1) to restaurant (Use Class A3), erect single storey rear extension, alterations to front and side elevations, creation of external staircase, installation of flue and air conditioning unit and formation of refuse enclosure**  
**Applicant: Mr Rocco Dileone**  
**Agent: Mr C. Stone (Stone Me Ltd)**

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: 1665 01, 1665 02 and 1665 3E

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

03 The rating level of noise for all plant installed at this site in associated with the approved development (including but not exclusively the ventilation, refrigeration and air conditioning equipment) determined by the procedures in BS:4142:2014, shall be at least 5dB(A) below the background noise with no tonal elements. The LA90 shall be determined according to the guidance in BS:4142 at 3.5m from ground floor facades and 1m from all facades above ground floor level to residential premises. The assessment shall be carried out by a suitably qualified and experienced acoustic consultant who would normally be a member of the Institute of Acoustics. Details of this assessment and confirmation of all plant equipment that shall be installed at the site shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved. All approved plant equipment shall be installed prior to the first use of the premises as a restaurant and the equipment shall be maintained in good working order thereafter. The plant installed must not have distinctive tonal or impulsive characteristics.

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

04 Activities at the site hereby approved shall not give rise to structure borne noise to any noise sensitive premises including those integral to the building.

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

05 The rating level of noise for all activities hereby approved at the site (including amplified and unamplified music and human voices) shall be at least 10dB(A) below the background noise (with no tonal elements) to ensure inaudibility in noise sensitive premises. If noise modelling software is used to calculate the likely levels or impact of the noise then any actual measurement taken such as LA90 must be taken in accordance with BS7445. The assessment should be carried out by a suitably qualified and experienced acoustic consultant who would normally be a member of the Institute of Acoustics.

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

06 All deliveries and collections to the use hereby permitted shall be between 07:00 and 19:00 hours Monday to Friday and 08:00 and 13:00 hours on Saturday; with no deliveries taking place on Sundays or Bank Holidays.

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

07 The use hereby permitted shall not be open to the public between the hours of 23:00 and 09:00 the following day, on any day.

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

08 Prior to the commencement of the development hereby approved, details of the materials used in the construction of the vent and the 'filter housing' shall be submitted to and approved in writing by the Local Planning Authority. Subsequently the development shall be undertaken in full accordance with the approved details prior to the commencement of the use hereby approved.

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

09 Other than within the demarked walkway shown on the plans hereby approved, the roof of the 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 (NPPF), DPD1 (Core Strategy) 2007 policy CP4 and SPD1 (Design and Townscape Guide).

The bi-folding doors hereby approved at the Carlton Drive frontage of the building shall be kept shut at all times between the hours of 21:00 and 09:00 the following day, on any day.



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

11 Any seating/tables provided within the application site, to the west flank elevation of the building at the site (fronting Carlton Drive), shall be vacated between 21:00 and 09:00 hours.

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

12 Except for ingress and egress, the external door to the ground floor flank elevation that serves the kitchen and the fire exit door on the same elevation shown on plan 1665 3E shall remain closed at all times and, except in cases of emergency, shall not be available for use by customers.

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

13 Prior to the use of the building for the purposes hereby approved, details shall be submitted of the provision of fully enclosed and secure refuse storage at the site. The approved refuse storage shall be provided in full and made available for use prior to the first occupation of the use hereby approved and be retained as such in perpetuity.

Reason: To ensure the provision of adequate refuse storage in accordance with policies DM8 and DM15 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 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.

- 1033 17/00398/FUL - British Home Stores, 36 - 44 High Street, Southend on Sea (Milton Ward)**  
**Proposal: Demolish existing servicing enclosure to rear, form new servicing enclosure and layout loading layby on to Chichester Road**  
**Applicant: Glanville Consultants**  
**Agent: Glanville Consultants**

The application was WITHDRAWN by the applicant.

- 1034 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**

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

The matter was DEFERRED.

- 1035 17/00589/FUL - 54 Ashburnham Road, Southend on Sea (Milton Ward)**  
**Proposal: Convert existing five bedroom HMO (Class C4) to a seven bedroom HMO (Sui Generis) and install cycle racks**  
**Applicant: Mr Martin Saunders**

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: 001, Location Plan and Site Plan/Block Plan.

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

03. Before the occupation of the development hereby approved, details of the provision of cycle storage at this site shall be submitted to and approved by the local planning authority. The cycle parking shall subsequently be provided in accordance with the approved details prior to the first occupation of the development and be retained in perpetuity thereafter.

Reason: To ensure that satisfactory secure off-street bicycle parking is provided in accordance with DPD1 (Core Strategy) 2007 policies KP2 and CP4, Development Management DPD policy DM1, and SPD1 (Design and Townscape Guide).

04. Before the occupation of the development hereby approved, details of the provision of refuse storage facilities at the site (including day-to-day refuse

storage areas and day of collection storage areas as necessary) shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse storage facilities shall be provided prior to the occupation of the development and be retained in perpetuity thereafter.

Reason: To safeguard the amenities of the future occupants of the proposed HMO and adjoining properties in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy CP4, Development Management DPD policy DM1, and SPD1 (Design and Townscape Guide).

05. The building shall not be adapted to enable the formation of more than 7 bedrooms and shall not be occupied by more than 8 people at any one time.

Reason: To clarify the terms of the permission and enable the suitable consideration of any intensification of the use of the site.

#### Informatives

1. You are advised that as the proposed alterations to your property do not result in new floorspace and 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 refer to [www.southend.gov.uk/hmollicence](http://www.southend.gov.uk/hmollicence) for further guidance with respect to the license requirements for a HMO.

**1036 16/00001/UNAU\_B - Flat 1, 14 Park Road, Westcliff on-Sea (Milton Ward)**  
**Breach of Control: Without planning permission, the replacement of the existing window frames at ground floor level in the front elevation with windows having Upvc frames.**

This matter was DEFERRED.

#### **1037 Vote of Thanks**

The Committee thanked the Chairman for the efficient and amicable way in which he had chaired the meetings of the Committee in his first year in this role.

The Chairman thanked the Members of the Committee for their able way in which they had conducted the business at the meeting and Officers of the Council for their hard work and support.

**Chairman:** \_\_\_\_\_

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