

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 13th January, 2016

Place: Committee Room 4a - Civic Suite

Present: Councillor Crystall (Chair)
Councillors Assenheim (Vice-Chair), Arscott*, Ayling, Borton, Butler, Byford, Evans, Folkard, D Garston, McGlone, McMahon, Robinson, Van Looy, Walker and Ward

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors Aylen, Betson, J Garston, Mulronee and Woodley
J K Williams, P Geraghty, D Hermitage, C Galforg, P McIntosh, M Warren, T Row, I Harrison and A Tastsoglou

Start/End Time: 2.00 - 5.35 pm

544 Apologies for Absence

Apologies for absence were received from Councillors R E Hadley (substitute: Councillor Arscott) and Callaghan.

545 Declarations of Interest

The following interests were declared at the meeting:

- (a) Councillor Assenheim – 15/01877/FUL – Non-pecuniary interest: Applicant is his registered GP;
- (b) Councillor Assenheim – 15/ 01046/ADV – Non-pecuniary interest: Lives near to the roundabout;
- (c) Councillor Ayling – 15/01884/FUL – Non-pecuniary interest: Lives in the vicinity of the application site;
- (d) Councillor Borton – 15/01052/ADV – Non-pecuniary interest: Lives in the vicinity of the roundabout;
- (e) Councillor Crystall – 15/01493/FUL – Non-pecuniary interest: Adjacent to the dental surgery where he is registered;
- (f) Councillor D Garston – 15/01340/FULH – Non-pecuniary interest: Agent is well-known to him;
- (g) Councillor D Garston – 15/01785/FULM – Non-pecuniary interest: Applicant's spokesperson is a neighbour of his son and is known to him;
- (h) Councillor McGlone – 15/01917/FUL – Non-pecuniary interest: Members of staff at the premises are known to him;

- (i) Councillor McMahon – 15/01763/FUL – Non-pecuniary interest: Business has contacted previously in her capacity as Councillor (withdrew);
- (j) Councillor McMahon – 15/01877/FUL – Non-pecuniary interest: Comments on the application have been made by the Chairman of a Kursaal Ward Residents' Association;
- (k) Councillor Van Looy – 15/01785/FULM – Non-pecuniary interest: Applicant known to him in the seafront trade (withdrew);
- (l) Councillor Van Looy – 15/01884/FUL – Non-pecuniary interest: Ward Councillor;
- (m) Councillor Van Looy – 15/01763/FUL – Non-pecuniary interest: Applicant known to him;
- (n) Councillor Van Looy – 15/01741/FUL – Non-pecuniary interest: Applicant known to him;
- (o) Councillor Walker – 15/01340/FULH – Non-pecuniary interest: Knows a resident who lives close to the application site.

546 Minutes of the Meeting held on Wednesday, 11th November 2015

Resolved:-

That the Minutes of the Meeting held on Wednesday, 11th November 2015 be received, confirmed as a correct record and signed.

547 Supplementary Report

The Committee received a supplementary report by the Corporate Director for Place that provided additional information on items referred to elsewhere on the Agenda.

548 Reports on Planning Applications

(a) Leigh Ward
15/01340/FULH

Demolish part of dwellinghouse and erect part single/part two storey front extension to western side of dwelling, erect three storey front extension to eastern side of dwelling, erect a three storey rear extension, replace roof and erect dormer to rear and form new vehicular access to Leigh park road (Amended Proposal)(Part Retrospective)

11 Leigh Park Road, Leigh-on-Sea, Essex, SS9 2DU

Mr S. Ezra

Mr G. Littler

Planning permission REFUSED for the following reason:

01 The proposed development, by virtue of the scale, form and architectural features of the resultant dwelling, would cause harm to the appearance of the

dwelling at the application site and be a discordant and incongruous addition to the street-scene, thereby not maintaining or enhancing the character or appearance of the Leigh Conservation Area. The proposal is therefore contrary to the National Planning Policy Framework, policies KP2 and CP4 of DPD1 (Core Strategy), policies DM1 and DM5 of DPD2 (Development Management) and the advice contained within SPD1 (Design and Townscape Guidance).

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.

Informative

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

Resolved: That ENFORCEMENT ACTION be AUTHORISED to require the removal and reconfiguration of the roof of the dwelling and the alteration of the front elevation of the dwelling to accord with the development approved under the terms of application 96/0365 on the grounds that the development that has occurred, but is yet to be completed, is of a scale, form and architectural style that causes harm to the appearance of the dwelling at the application site and is a discordant and incongruous addition to the street-scene, thereby not maintaining or enhancing the character or appearance of the Conservation Area. The development is therefore contrary to the National Planning Policy Framework, policies KP2 and CP4 of DPD1 (Core Strategy), policies DM1 and DM5 of DPD2 (Development Management) and the advice contained within SPD1 (Design and Townscape Guidance).

The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 173 of the Town and Country Planning Act 1990 and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of said Notice

When serving Enforcement Notice the Local Planning Authority must ensure a reasonable for compliance. It is considered that a six month compliance period for the modification of the dwelling is reasonable in these circumstances.

(b) Westborough Ward
15/01743/FULM

Demolish existing building and erect four storey building comprising of 18 flats with ground floor retail unit (Class A1) and parking, layout cycle store, bin store and form vehicle access onto Fleetwood Avenue.

Les & Gary, 659 - 665 London Road, Westcliff-on-Sea, Essex, SS0 9PD
Mr J. Simon

Planning permission REFUSED for the following reasons:

01 The proposed units, by reason of their limited internal space, would fail to meet the requirements of the National Technical Housing Standards and policies DM1 and DM8 of DPD (Development Management). In addition, it has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed residential units would accord with the standards of Part M of the Building Regulations and the proposed development would result in a poor standard of accommodation for future occupiers, contrary to the NPPF, the National Housing Technical Standards and policies DM1 and DM8 of DPD2 (Development Management).

02 The proposal, by reason of the dwelling mix, would result in development that fails to contribute towards a mixed and balanced community. This is contrary to the NPPF, policy KP2 of the Core Strategy and policy DM7 of the Development Management DPD.

03 In the absence of a signed legal agreement, insufficient mechanisms are in place to secure the provision of four affordable housing units at the site. The proposal is therefore contrary to the National Planning Policy Framework and policies KP3 and CP8 of DPD1 (Core Strategy)

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 pre-application advice service.

Informative

Please note that this application would be liable for a payment under the Community Infrastructure Levy Regulations 2010 (as amended) if planning permission had been granted. Therefore if an appeal is lodged and subsequently allowed, the CIL liability will be applied. Any revised application might also be CIL liable.

(c) Blenheim Park Ward
15/01785/FULM

Application to vary condition 11 of planning permission 10/00129/OUTM dated 29 April 2010 & 13/00061/EXTM dated 19 March 2013 (the development hereby approved is not to exceed four storey or 11.4m in height), excluding 1.8m high privacy screen to the roof garden and condition 14 (drawing numbers) to increase height of the building to 12.4m (13m high including lift shaft) plus a 1.8m high privacy screen to the roof garden

845 - 849 London Road, Westcliff-on-Sea, Essex
Venture Capital Associates Ltd
Phase 2 Planning and Development

Mr Strickland, a local resident, spoke as an objector to the application. Mr Mitchell, the Applicant's Agent responded.

(a) DELEGATED to the Corporate Director for Place, Head of Planning & Transport or Group Manager of Planning & Building Control or to GRANT PLANNING PERMISSION subject to the completion of a S106 legal agreement seeking:

- (i) a commuted sum payment for affordable housing of £134,673 in lieu of on-site provision (subject to the conditions set out in paragraph 4.12 of the report);
- (ii) £37, 458.58 education contribution; and
- (iii) a S106 monitoring fee ;

(b) The Corporate Director for Place, Head of Planning and Transport or the Group Manager (Development Control & Building Control) be authorised to determine the application upon completion of the above obligation, so long as planning permission when granted and the obligation when executed, accords with the details set out in the report submitted and the conditions listed below:

01 The development hereby permitted shall be carried out in accordance with plans 356.207.00; 356.206.02; 356.207.00; 356.208.00.

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

02 No development shall take place until samples of the facing material to be used, including elevations, brickwork, render glazing, doors, shopfront, window, balustrades, cladding, canopy, roof, boundary treatments and paving 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 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), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management Document) policy DM1, and SPD1 (Design and Townscape Guide).

03 No flat shall be occupied until 23 car parking spaces have been provided, together with a properly constructed vehicular access to the adjoining highway, all in accordance with the approved plans, unless otherwise agreed in writing by the Local Planning Authority. The car parking hereby approved shall be retained for the use of occupiers or visitors to the residential units in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that satisfactory off-street car parking is provided in the interests of residential amenity and highways efficiency and safety, in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007

policy KP2, DPD2 (Development Management Document) policy DM15 and SPD1 (Design and Townscape Guide).

04 All planting in the approved landscaping as shown on drawing PR024-01B landscape plan, submitted as part of the Reserved Matters (15/00305/RESM), scheme shall be carried out within the first planting season of first occupation of the development. 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 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 Document) policy DM1, and SPD1 (Design and Townscape Guide).

05 The details of renewable energy shall be implemented in accordance with the Sustainability and Energy Report by David Plant Architecture submitted under application 15/00305/RESM including and drawing 356.201.02, shall be implemented prior to occupation of the flats to provide at least 10% onsite renewable energy, unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

06 The acoustic fence shall be installed to the northern boundary as shown on drawing 356.205.00 and the supporting information from David Plant Architecture submitted on the 26.03.2015 shall be installed prior to the occupation of the flats hereby approved unless otherwise agreed in writing by the local planning authority.

Reason: In order to protect the amenities of surrounding residents in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Development Management DPD 2015 policy DM1.

07 No flats hereby approved shall be occupied until cycle parking spaces has been provided in accordance with the approved plan 356.207.00, and cycle parking shall be retained in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

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

08 No flat roofed areas of the proposed development, with the exception of the roof terrace specified on plan 356.208.00, are to be used for sitting out or as any type of amenity space unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to the protect the amenities of surrounding residents in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Development Management DPD 2015 policy DM1.

09 The privacy screens as agreed under application 15/01465/AD shall be implemented out in accordance with drawings 356.306.03 and 356.304.03, and shall be installed prior to the first occupation of the residential flats hereby approved, unless otherwise agreed in writing by the local planning authority. The screens shall be permanently retained, thereafter.

Reason: In order to the protect the amenities of surrounding residents in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Development Management DPD 2015 policy DM1.

10 Prior to first occupation of the development the gate to the undercroft shall be installed in accordance with the detail approved on drawing 356.204.01 under application 15/01804/AD on the 10.11.2015 and shall be permanently retained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to ensure the protection of residential amenities of surrounding residents in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Development Management DPD 2015 policy DM1.. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management Document) policy DM1, and SPD1 (Design and Townscape Guide).

11 The waste management details submitted on the 27.10.2015 and drawing dapa_356_207.00 agreed under application 15/01804/AD on the 10.11.2015 shall be implemented prior to the first occupation of the development unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity and waste management 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) and the Waste Management Guide.

12 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 the local planning authority for approval the development shall be carried out in accordance with the approved details.

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).

13 Details of the access, appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the

local planning authority before any development begins and the development shall be carried out in accordance with the approved Reserved Matters.

Application for approval of the reserved matters shall be made to the local planning authority not later than 19th March 2016.

The development hereby permitted shall begin not later than 19th March 2018 or within 2 years of the date of approval of the last of the reserved matters to be approved whichever is sooner.

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 the details mentioned.

Informatives

01 You are advised that as the proposed external alterations does not result in the creation of new floorspace under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.

02 You are advised that the development hereby approved is likely to require approval under Building Regulations. Our Building Control Service can be contacted on 01702 215004 or alternatively visit our website http://www.southend.gov.uk/info/200011/building_control for further information.

3. It should be noted the materials previously agreed under application 15/01804/AD remain acceptable.

4. It should be noted the landscaping previously agreed under application 15/00305/RESM remain acceptable.

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.

(c) In the event that the planning obligation referred to in part (a) above has not been completed by 22.02.2016 the Head of planning and Transport or Group Manager (Planning & Building Control) be authorised to refuse planning permission for the application on the grounds that the development fails to:- 1) provide for education facilities to serve the development, 2) provide affordable housing to meet the needs of the Borough. As such would result in increased pressure on public services and infrastructure to the detriment of the general amenities of the area, contrary to Policies KP2, KP3, CP3, CP4, CP6 and CP8 of the Core Strategy, Policies DM1, DM3, DM7, DM15 and the Design and Townscape Guide (2009).

(d) St. Lukes Ward
15/01884/AMDT

Application to vary condition 02 (Amended Drawing Numbers) to enable the total demolition of an existing workshop building, the erection of 4 metre tall bunding, acoustic fences measuring 3 and 4 metres tall and the repositioning of the Waste Transfer Station building 6 metres to the East; and condition 12 (Contaminated Land) to amend the deadline for the discharge of condition 12. (Minor Material Amendment to Planning Permission 15/01129/AMDT)

Cory Environmental Cleansing Depot, Eastern Avenue, Southend-on-Sea, Essex, SS2 4BU

Veolia ES (UK) Ltd

Mr O. Diamond (Veolia)

Planning permission GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not later than three years from the date of the original decision (30 April 2013).

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990. (R01A)

02 Unless otherwise agreed in writing with the Local Planning Authority, the development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan numbers:
37272/A/CVD/001/A, 37272/A/CVD/002/B, 37272/A/CVD/003/B,
37272/A/CVD/012/A, 37272/A/CVD/013/A, 37272/A/CVD/014/A,
37272/A/CVD/026/G, 37272/A/CVD/027/A, 37272/A/CVD/029/A,
37272/A/CVD/030/A, 37272/A/CVD/031/A, 21507/101 A, A034/01/012,
A034/01/012, 3602530 (7 Plans), 1508-C02 F and 1508-C05 A.

Reason: In the interests of residential amenity and general environmental quality, in the interests of sustainability, amenity and highways efficiency and safety, in the interests of visual amenity in accordance with DPD1 (Core Strategy) policies KP1, KP2, CP1, CP3, CP4, CP6, DPD2 (Development Management) policies DM1, DM2, DM14 and DM15 and SPD1 (Design and Townscape Guide).

03 Thirty Six (36) car parking space(s) shall be provided in accordance with plan 37272/A/CVD/003/B prior to first use of the building(s) hereby approved and shall thereafter be permanently retained for the parking of vehicles of people working in the building or calling there for business purposes unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that satisfactory off-street car parking and turning provision is provided for people using the development in the interests of amenity and highways efficiency and safety, in accordance with DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management) policy DM15 and SPD1 (Design and Townscape Guide).

04 All hard and soft landscape works shall be carried out in accordance with the approved details submitted in accordance with 37272/A/CVD/012/A. The works shall be completed within the first planting season following practical completion of the development or in accordance with a programme submitted to and approved by the Local Planning Authority.

If any trees are removed or found to be dying, severely damaged or diseased within 3 years; of planting them, they must be replaced with trees of a similar size and species.

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the Local environment and biodiversity in accordance with DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management) policy DM1 and SPD1 (Design and Townscape Guide)

05 No part of the development shall be occupied until 20 secure, covered bicycle parking spaces have been provided in accordance with plans 37272/A/CVD/003/B and 37272/A/CVD/031/A and the spaces shall be permanently maintained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that satisfactory secure off-street bicycle parking is provided in the interests of sustainability, amenity and highways efficiency and safety, in accordance with DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management) policy DM15 and SPD1 (Design and Townscape Guide).

06 Demolition or construction works shall not take place outside 07.30 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays and at no time on Sundays or Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect residential amenity and general environmental quality in accordance with, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and DPD2 (Development Management) policy DM1.

07 The hardstanding shown on the approved plans shall be installed prior to first occupation of the development and shall be permanently maintained thereafter. The condition of the hardstanding should be reviewed on a 6 monthly basis and any hardstanding which is in a poor state of repair should be replaced unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that any contamination is 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 to Controlled Waters in accordance with DPD1 (Core Strategy) 2007 policy KP2.

08 No burning of construction or demolition waste is to take place on the site.

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

09 No lighting shall be installed at the site other than in accordance with a lighting scheme that shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the Waste Transfer Station building hereby approved. All lighting shall be installed and maintained in accordance with the approved lighting scheme in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

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

10 Prior to first use of the buildings hereby approved photovoltaic cells shall be installed along the south facing roof of the WTS in accordance with details set out in the Renewable Energy Statement dated August 2012 and submitted with the application and shown on the roof plan drawing 37272/A/CVD/014/A and on elevation drawing 37272/A/CVD/004/A. The cells shall remain operational for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with DPD1 (Core Strategy) policy KP2 and CP4, and DPD2 (Development Management) Policy DM2 and SPD1 (Design and Townscape Guide).

11 The use of the development hereby approved shall not commence until a Travel Plan has been submitted to and agreed in writing by the local planning authority, the Travel Plan shall be implemented in accordance with the approved details.

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

12 Prior to the first occupation of the Waste Transfer Station hereby approved remediation verification details to demonstrate that the remediation works that have occurred at the site have adequately mitigated the land contamination risk shall be submitted to and approved in writing by the Local Planning Authority. This shall include further soil tests where necessary to demonstrate that the land is suitably clear of contaminants. In the event that the remediation strategy as undertaken is considered insufficient, further remediation work shall be carried out to the satisfaction of the local planning authority including identifying any requirements for monitoring of pollutant linkages, maintenance and arrangements for contingency action. These requirements shall relate to hardstanding and groundwater in the west of the site in the vicinity of the former fuel tanks only.”

Reason: To protect and prevent pollution of the water environment and to ensure that the development does not cause pollution to Controlled Waters in accordance with DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management) Policy DM14.

13 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent pollution of the water environment and to ensure that the development does not cause pollution to Controlled Waters in accordance with DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management) Policy DM14.

14 No infiltration of surface water drainage into the ground at the site is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to the water environment.

Reason: To prevent the mobilisation of contaminants within the made ground and to ensure that the development does not cause pollution to Controlled Waters in accordance with DPD1 (Core Strategy) 2007 policy KP2.

15. The Waste Transfer Station building hereby approved shall not be put to use until the surface water drainage strategy (Southend Central Depot: Drainage Strategy prepared by Amex Foster Wheeler and dated July 2015) has been fully implemented.

Reason: To ensure surface water is adequately managed in the interests of flood prevention and pollution control, in accordance with DPD1 (Core Strategy) 2007 policy KP2

16 The roller shutter doors to the Waste Transfer building shall be kept closed at all times except when vehicles are entering and exiting the building.

Reason: To prevent noise pollution of the environment and to protect the amenities of surrounding occupiers in accordance with DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management) Policy DM1.

17 The level of noise emitted from the site shall not exceed 55dB between 07:00-23:00 Monday to Saturday as determined at the nearest noise sensitive premises. The measurements and assessment shall be made according to BS4142:1997.

Reason: To prevent noise pollution of the environment and to protect the amenities of surrounding occupiers in accordance with DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management) Policy DM1.

18 The rating noise level of the noise emitted from the odour control plant, including the flue termination, shall not exceed the existing background noise level at night (23:00-07:00hrs) determined to be 32dB by more than 10dB. The noise levels shall be determined at the nearest noise sensitive premises. The measurements and assessment shall be made according to BS4142:1997.

Reason: To protect and prevent noise pollution of the environment and to protect the amenities of surrounding occupiers in accordance with DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management) Policy DM1.

19 An odour management system as described in the submitted Air Quality Assessment dated June 2015 shall be installed to the Waste Transfer building, prior to first use of that building and shall remain operational thereafter.

Reason: To prevent pollution of the environment and to protect the amenities of surrounding occupiers in accordance with DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management) Policy DM1.

20 No building demolition shall take place until the buildings have been inspected by an ecologist to identify evidence of bird breeding activity. If such activity is found, works shall be delayed until young birds have fledged.

Reason: To minimise the risk of disturbance to nesting birds in accordance with DPD1 (Core Strategy) 2007 policies KP2 and CP4.

21 The "Recommendations" set out in section 5.2 paras 5.2.1 - 5.2.3 of the submitted Extended Phase 1 Habitat Survey Report dated February 2012, shall be fully implemented during the demolition and construction phase of the development, and the Enhancement and Management requirements set out at para 5.2.4 shall be implemented prior to first use of the WTS building, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To minimise the risk of disturbance to protected wildlife and to enhance the biodiversity of the site in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4.

22 The "Recommendations" set out at section 10.2 of the Executive Summary, contained within the Site Investigation (Interpretive Report) prepared by Amec Environmental and Infrastructure U.K dated August 2012 shall be implemented during construction and following first occupation of the WTS building as appropriate.

Reason: To ensure that the development does not cause pollution in accordance with DPD1 (Core Strategy) 2007 policy KP2.

23 The existing boundary treatment along the eastern boundary of the site (with Aldi) shall be retained unless otherwise agreed in writing with the Local Planning Authority.

Reason: To maintain screening of the adjacent site in order to protect the amenities of occupiers in accordance with DPD1 (Core Strategy) 2007 Policies KP2 and CP4 and DPD2 (Development Management) policy DM1

24 Prior to their installation, details of the appearance and materials of the acoustic screens shall be submitted to and approved in writing by the Local Planning Authority. The acoustic screens shall be coloured dark green unless otherwise approved by the Local Planning Authority. The approved screens shall be installed prior to the first use of the Waste Transfer Station and shall be permanently retained.

Reason: To maintain screening of the adjacent site in order to protect the amenities of occupiers in accordance with DPD1 (Core Strategy) 2007 Policies KP2 and CP4 and DPD2 (Development Management) policy DM1

25 Prior to the formation of the bunds that are shown on the plans at the East boundary of the site (referred to as "Top Soil Stock Piles on plan 215075/100A), details of the proposed maximum height, gradients and soft landscaping of the

bunds shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To maintain screening of the adjacent site in order to protect the amenities of occupiers in accordance with DPD1 (Core Strategy) 2007 Policies KP2 and CP4 and DPD2 (Development Management) policy DM1

No noise shall be generated by the use of the vehicle Wash Area that is shown on the approved plans that exceeds a sound rating level of LWA 90dB.

Reason: To protect the amenities of neighbouring residents in accordance with DPD1 (Core Strategy) 2007 policies KP2 and CP4 and DPD2 (Development Management) policy DM1.

27 Prior to the commencement of the development hereby approved, details of the colour and acoustic performance of the materials to be used in the construction of the Waste Transfer Station building shall be submitted to and approved in writing by the Local Planning Authority. The cladding used on the walls of the Waste Transfer Station building shall be coloured dark green unless otherwise approved by the Local Planning Authority. The Waste Transfer Station shall only be erected using the approved materials.

Reason: To safeguard the visual amenities of the area and the amenities of neighbouring residential properties in accordance with Policy DM1 of the Development Management Document.

Informative

As this application has been made pursuant to Section 73 of the Town and Country Planning Act 1990, Community Infrastructure Levy (CIL) Regulation 128A applies. You are advised that in this instance there will be no CIL charge on this permission as there is no net increase in floorspace between the original permission and the S73 permission.

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.

(e) 15/01917/FUL

St Laurence

Erect two storey extension to hotel, form 24 additional car parking spaces and form new access on to Thanet Grange

Premier Inn, Thanet Grange, Westcliff-on-Sea, Essex, SS2 6GB

Premier Inn Hotels Limited

Walsingham Planning

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, 11477:SK01, 614-01, 3899/P1, 3899/P3, 3899/P4, 3899/P5, 3899/P6, 3899/P12A, 3899/P13, 3899/P14, 3899/P15, 3899/P16A and 3899/P17A.

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

03 The extension hereby approved shall not be used until the access to the site and all parking spaces have been provided in accordance with plan 3899/P12 Revision A.

Reason: To ensure the adequate provision of parking and vehicle access in accordance with the National Planning Policy Framework, policies CP3 of DPD1 (Core Strategy) and policy DM15 of DPD2 (Development Management)

04 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and 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. These details shall include, for example:-

- i. hard surfacing materials;
- ii. details of the number, size and location of the trees, shrubs and plants to be planted together with a planting specification, details of the management of the site, e.g. the uncompacting of the site prior to planting, the staking of trees and removal of the stakes once the trees are established, details of measures to enhance biodiversity within the site and tree protection measures to be employed during demolition and construction.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy DPD1 and Policy DM1 of the Development Management DPD2.

05 The drainage measures shown on plan 11477:SK01 shall be installed prior to the first use of the extension hereby approved.

Reason: To ensure the adequate management of surface water drainage at the site in accordance with the National Planning Policy Framework and policy KP2 of the Core Strategy (DM1).

06 A scheme detailing how at least 10% of the total energy needs of the extension hereby approved 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 use of the extension 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 (DPD1) and policy DM2 of the Development Management DPD.

07 Prior to the commencement of the development hereby approved, a scheme of archaeological investigation, including a timetable for the proposed investigation works and the means of reporting any findings and subsequently acting, shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be undertaken in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of protecting the archaeological assets of the Borough in accordance with the National Planning Policy Framework and policy DM5 of the Development Management DPD.

08 No development shall take place until samples of the materials to be used on all the external elevations 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 policies KP2 and CP4 of the BLP

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 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

(f) Prittlewell Ward
15/01763/FUL

Erect two storey dwellinghouse on land adjacent to 171 West Road, layout parking and form vehicular crossover on to Westborough Road
171 West Road, Westcliff-on-Sea, Essex, SS0 9DH

Mr George Zinonos
Mr Maz Rahman

DEFERRED (to seek the provisions of one additional parking space).

(g) West Leigh Ward

15/01741/FUL

Erect new fourth floors to Legra Grange (1525 London Road) & Brushes Warren (1527 London Road) to form 2 additional self-contained flats per block

Legra Grange, 1525 London Road, Leigh-on-Sea, Essex

Willaim Limited

BBD Architecture

Ms C Nicholls, a local resident, spoke as a local objector. Mr Bowman, the applicant's agent, responded.

Planning permission REFUSED for the following reasons:

01 The proposed increase in scale of the building would be out of character with and harmful to the streetscene to the detriment of the character of the area contrary to the NPPF, policy CP4 of the Core Strategy, policy DM1 of the Development Management DPD and the Design and Townscape Guide (SPD1).

02 The proposal would result in a loss of useable amenity space to the detriment of the living conditions of occupiers of the flats contrary to the NPPF, policy CP4 of the Core Strategy, policy DM8 of the Development Management DPD and the Design and Townscape Guide (SPD1).

(h) Milton Ward

15/01493/FUL

Erect two 3 storey dwellinghouses with balconies to front at second floor on land at rear of Clifton Court

Clifton Court, Royal Terrace, Southend-on-Sea, Essex, SS1 1DX

Spurdawn Ltd

Glen Eldridge Architects

Planning permission REFUSED for the following reasons:

01 The proposed development, by reason of its position, scale, bulk, mass, design and materials would be out of keeping with the existing layout and grain of development in the area failing to integrate with the streetscene and would fail to preserve or enhance the character of the Clifftown Conservation Area to the detriment of the character of the area contrary to the NPPF, Policies KP1, KP2 and CP4 of the Core Strategy (DPD1), Policies DM1, DM3 and DM5 of the Development Management Document and the Design and Townscape Guide (SPD1).

02 The proposed development by reason of its height, bulk and siting in relation to neighbouring properties would result in an overbearing dominant form of development and result in a sense of enclosure, loss of privacy, loss of outlook and loss of light to surrounding residential occupiers contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy, policy

DM1 of Development Management Document DPD2, and the Design and Townscape Guide.

03 The proposal, by reason of the limited internal size of the units, poor outlook, the lack of information to demonstrate accessibility and adaptability of the units, and insufficient outdoor amenity space, and refuse storage would result in a poor quality living environment and is indicative of overdevelopment. This would be contrary to the NPPF, policies KP2 and CP4 of the Core Strategy, policy DM3 and DM8 of the Development Management DPD2 and National Technical Housing Standards 2015 DCLG 2015.

04 The proposed development by reason of unsatisfactory provision of parking will cause additional on street parking in an area of parking stress to the detriment highway safety and the local highway network contrary to guidance contained within the NPPF, Policy CP3 of the DPD1 (Core Strategy), Policy DM15 of the Development Management DPD2, and the Design and Townscape Guide (SPD1).

05 The proposed development fails to provide adequate information regarding the use of renewable energy resources which given the scale of the proposal could have a significant impact on design, the appearance, surrounding Clifftown Conservation area and impact on surroundings residential properties. This is contrary to the National Planning Policy Framework, Policy KP2 of the Core Strategy, Policy DM2 of Development Management Document DPD2, and the Design and Townscape Guide, 2009 (SPD1).

Informative

01 Please note that this application would be liable for a payment under the Community Infrastructure Levy Regulations 2010 (as amended) if planning permission had been granted. Therefore if an appeal is lodged and subsequently allowed, the CIL liability will be applied. Any revised application would also be CIL liable.

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 pre-application advice service.

(i) Belfairs Ward
15/01859/FUL

Demolish existing buildings, erect three two storey terraced houses with associated parking and bin stores, form vehicular accesses on to Woodside Woodside Parade, Woodside, Leigh-on-Sea, Essex
Mr Julian Griffiths

Planning permission REFUSED for the following reasons:

01 The proposal would result in the loss of floorspace for employment use, which would impair economic led regeneration contrary to the National Planning Policy Framework, Policy CP1 of the Southend on Sea Core Strategy DPD1, Policy DM11 of the Development Management Document DPD2, which seek to promote building a strong, competitive economy.

02 The proposed development by reason of its siting, layout, design, height and scale would appear incongruous and out of keeping within the streetscene to the detriment of the character and appearance of the area contrary to the National Planning Policy Framework; Policies KP2 and CP4 of the Core Strategy; Policy DM1 of the Development Management Document DPD2 and advice contained within the adopted Design and Townscape Guide (SPD1).

03 The proposed development by reason of its siting and scale would result in an overbearing form of development and result in loss of privacy to nearby residential occupiers at 2-5 Hickling Close and 7 Hickling Close through unmitigated overlooking contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy, policy DM1 of Development Management Document DPD2, and the Design and Townscape Guide.

04 Insufficient information has been submitted to demonstrate that the proposal meets the criteria for the Building Regulation M4 (2). Thus the development fails to prove that it will provide accessible and adaptable dwellings for older people or wheelchair users, contrary to the NPPF, Policy DM8 of the Development Management DPD and National Technical Housing Standards 2015.

Informative

1 Please note that this application would be liable for a payment under the Community Infrastructure Levy Regulations 2010 (as amended) if planning permission had been granted. Therefore if an appeal is lodged and subsequently allowed, the CIL liability will be applied. Any revised application would also be CIL liable.

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 pre-application advice service.

(j) Kursaal Ward
15/01877/FUL

Change of use from existing Care Home (Class C2) to form 5 self-contained flats (Class C3), erect single storey rear extension and balcony at first floor and layout parking to rear

Willowdale Lodge, 21 Cromer Road, Southend-on-Sea, Essex, SS1 2DU
Dr H Siddique
SKArchitects

DEFERRED

(k) Belfairs Ward
15/01713/FUL
Demolish existing bungalow and erect two storey dwelling house
84 Flemming Avenue, Leigh-on-Sea, SS9 3AX
Mr Edward Ford

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

Planning permission REFUSED for the following reasons:

01 The proposed replacement dwelling by virtue of its form, appearance, detailed design and external materials would result in an obtrusive and discordant feature in the streetscene, contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 of the Development Management Document and the guidance within the Design and Townscape Guide, 2009 (SPD1).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and clearly setting these out in the reason(s) for refusal. Furthermore, Members of the planning committee which took the decision to refuse planning permission based their view on a detailed report prepared by officers and have considered whether there are opportunities to amend the development to address this harm. Where a potential way forward has been identified, this has been communicated to the Applicant. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

(l) Blenheim Park Ward
15/01927/FULH
Erect fence to part boundary wall fronting Elmsleigh Drive and Blenheim Chase (Retrospective)
127 Blenheim Chase, Leigh-on-Sea, Essex, SS9 3BX
Ms Janice Oliver

Planning permission REFUSED for the following reason:

01 The proposed fence by virtue of its height and design would be an overbearing, dominant, and alien feature of the street scene and would detract from the verdant open and spacious character of the area, and would therefore be contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy, policy DM1 of the Development Management DPD, and advice contained within the Design & Townscape Guide SPD1.

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 pre-application advice service.

Informative

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

Resolved:

That ENFORCEMENT ACTION be AUTHORISED to require the removal of the boundary wall and fences or the lowering of the height of the boundary enclosure to a height of no more than 1 metre above ground level on the grounds that the existing boundary treatments are harmful to visual amenity, contrary to the National Planning Policy Framework, policies KP2 and CP4 of DPD1 (Core Strategy), policy DM1 of DPD2 (Development Management) and advice contained within the Design & Townscape Guide (SPD1).

The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of said Notice

When serving an Enforcement Notice the Local Planning Authority must ensure a reasonable for compliance. It is considered that a three month compliance period for the removal or lowering of the boundary enclosures is reasonable in these circumstances

(m) Milton Ward
15/01496/AMDT

Application to vary condition 02 to amend plans to include external walkways, external access to plots 3 and 8, amend balcony details, shopfront layout and elevations, increase overall height and install lift housing (Minor Material Amendment to planning permission 13/00438/FULM Convert first, second and third floors into nine self-contained flats, erect four storey rear extension and roof extension containing nine further flats and ground floor commercial unit (total 18 flats), layout cycle storage and waste storage at ground floor, layout roof terraces and balconies, allowed on appeal 17th December 2014)

3 - 5 High Street, Southend-on-Sea, SS1 1JE

Harding Homes

E And M Design Partnership

Planning permission GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not later than 17th December 2017).

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

02 With the exception of cycle storage details, the development hereby permitted shall be carried out in accordance with the following approved plans: Site/Location Plan, 2614/200A Basement plan; 2614/201A Ground floor plan; 2614/202A first floor plan; 2614/203B Second floor plan; 2614/204B Third floor plan; 2614/205B penthouse floor plan; 2614/206A roof plan; 2614/207B south elevation; 2614/208 B north elevation; 2614/209 B west elevation; 2614/210 East elevation.

Reason: To ensure that 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, and on all external surfaces have been submitted to and approved by the Local Planning Authority. The development shall only be carried out in accordance with the approved details 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 locally listed building makes a positive contribution to the character and appearance of the Clifftown Conservation Area. This is as set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD policies DM1, DM2, DM3, DM5, and SPD1 (Design and Townscape Guide).

04. The sustainability measures set out in the Energy Strategy by pemxq dated 17th June 2013, and details submitted with application 15/01363/AD and those shown on plan 2614/206A shall be implemented in accordance with the submitted details during the course of development and brought into use on first occupation of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with DPD1 (Core Strategy) 2007 policies KP2 and CP4, Development Management DPD policy DM2 and SPD1 (Design and Townscape Guide).

05. No meter boxes shall be installed on the external elevations of the premises.

Reason: In the interests of the visual amenity and to protect the character of the Clifftown Conservation Area and this locally listed building in accordance with Policy CP4 of DPD1 (Core Strategy) 2007, Borough Local Plan Policies , Development Management DPD policies DM1, DM3 and DM5 and SPD1 (Design and Townscape Guide)

06. Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development) Order 2015, or any order revoking and re-enacting that Order with or without modification, no development shall be carried out within Part 16 to those Orders unless previously agreed in writing by the LPA.

Reason: In the interests of visual amenity and to protect the character of this locally listed building and the Clifftown Conservation Area in accordance with policy CP4 of the Core Strategy DPD1, Development Management DPD policies DM1 and DM5 and SPD1 (Design and Townscape Guide).

07. The development shall not commence until details of the style, design, profile and materials of the windows, doors other joinery has been submitted to and approved by the local planning authority on plans of not more than 1:20. The development shall only be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to protect the character of this locally listed building and the Clifftown Conservation Area in accordance with policy CP4 of the Core Strategy DPD1, Development Management DPD policies DM1, DM3 and DM5 and SPD1 (Design and Townscape Guide).

08. All new outside rainwater and soil pipes must be cast iron and painted black and must then be permanently retained in those materials and that colour unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to protect the character of this locally listed building and the Clifftown Conservation Area in accordance with policy CP4 of the Core Strategy DPD1, Development Management DPD policies DM1, DM3 and DM5 and SPD1 (Design and Townscape Guide).

09. Prior to first occupation gates to the waste and cycle storage area shall be installed in accordance with details shown on plan 2614/PL/20 (submitted with application 15/01363/AD) and shall permanently thereafter in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to protect the character of this locally listed building and the Clifftown Conservation Area in accordance with policy CP4 of the Core Strategy DPD1, Development Management DPD policies DM1, DM2, DM5 and SPD1 (Design and Townscape Guide).

10. No part of the development shall be occupied until space has been laid out within the site for at least 21 bicycles to be parked in accordance with plan 2614/PL/20 (submitted with application 15/01363/AD) unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that satisfactory secure off-street bicycle parking is provided in the interests of sustainability, amenity and highways efficiency and safety, in accordance with DPD1 (Core Strategy) 2007 policy KP2, Development Management DPD policies DM1, DM15 and SPD1 (Design and Townscape Guide).

11. The cycle parking spaces provided in relation to condition 10 shall be permanently reserved for the parking of cycles of occupiers and callers to the premises and not used for any other purposes, whether or not permitted by the

Town and Country Planning (General Permitted Development Order) 2015 (or any other Order amending, revoking or re-enacting that Order).

Reason: To ensure that satisfactory secure off-street bicycle parking is retained in the interests of sustainability, amenity and highways efficiency and safety, in accordance with DPD1 (Core Strategy) 2007 policy KP2 Development Management DPD policy DM15 and SPD1 (Design and Townscape Guide).

12 Prior to first occupation of the development waste storage shall be provided in accordance with plan 2614/PL/20 (submitted with application 15/01363/AD). Waste storage shall be permanently retained in accordance with the approved details unless otherwise agreed in writing with the LPA.

Reason: To protect the environment and ensure adequate and appropriate storage, recycling and collection of waste resulting from the development in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4 and Development Management DPD policy DM15.

13. Windows marked as “etched glass” on approved plan 2614/207B shall only be glazed in obscure glass (the glass to be obscure glazed to at least Level 4 on the Pilkington Levels of Privacy, or such equivalents as may be agreed in writing with the local planning authority) and shall be fixed and unopenable except for clear glazed, top hung vents, no part of which shall be less than 1.7m above the floor level in the room. In the case of double or multiple glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring occupiers in accordance with , Development Management DPD policies DM1 and DM3 and SPD1 (Design and Townscape Guide)

14. The balustrades marked on plans on approved plan 2614/207B shall only be glazed in obscure glass (the glass to be obscure glazed to at least Level 4 on the Pilkington Levels of Privacy, or such equivalents as may be agreed in writing with the local planning authority), shall be installed prior to first occupation of the development and shall be permanently retained thereafter.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring occupiers in accordance with policy DM1 and DM3 of the Borough Local Plan and SPD1 (Design and Townscape Guide)

15. The balustrade to the balcony to serve flat 18 shown on plan 2614/207B and 2614/205 B, shall be permanently retained at a height of not less than 1.2m unless otherwise agreed in writing with the Local Planning authority.

Reason: To prevent overlooking and consequent loss of privacy to neighbouring occupiers in accordance with policy DM1 and DM3 of the Development Management DPD and SPD1 (Design and Townscape Guide).

In the event that the planning obligation referred to in part (a) above has not been completed by 26th February 2016 the Director for Place, Head of Planning and Transport or Group Manager Planning & Building Control be authorised to consider whether permission should be refused on the grounds that it has not proved possible to complete a S106 agreement within an appropriate timescale,

and that the proposals are unacceptable in the absence of the obligation that would have been secured; if so, the Head of Planning & Transport or Group Manager of Development Control & Building Control are authorised to determine the application and agree appropriate reasons for refusal under delegated authority.

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.

(n) Leigh Ward
15/01606/AMDT

Application to vary condition 10 (Approved Plans) to replace drawings numbered b100h, b 110h and b111h with drawing numbered b500, to increase the depth of the ground and first floor rear (estuary facing) balconies of planning permission 10/00554/FUL dated 25th May 2010 (Retrospective)

Land At Former 74, Undercliff Gardens, Leigh-on-Sea, Essex

Mr A. Brown

Mr P. Andrews (WvH Planning Ltd)

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

Planning permission REFUSED for the following reasons:

01 The proposed development, by virtue of the depth and appearance of the proposed balconies and the associated roof, would cause harm to the character and appearance of the application site and the surrounding area, contrary to the National Planning Policy Framework, policies KP2 and CP4 of DPD1 (Core Strategy), policy DM1 of DPD2 (Development Management) and SPD1 (Design and Townscape Guidance).

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 pre-application advice service.

(o) St Lukes Ward
15/01040/ADV

Install 16 freestanding non-illuminated signs to Chandlers Way, Fossetts Way and Sutton Road roundabouts
Street Record, Eastern Avenue Roundabout (Fossetts Way), Southend-on-Sea, Essex
Southend Borough Council

Planning permission 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: Location Plan; Chandlers Way Roundabout Site Plan; Fossetts Way (A) Roundabout Site Plan; Fossetts Way (B &C) Roundabout Site Plan; Sponsored signage drawing; Chandlers Way Roundabout 14.12.2015; Fossetts Way (A) Roundabout 14.12.2015; Fossetts Way (B &C) Roundabout 14.12.2015; Eastern Avenue Roundabout 14.12.2015.

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

(p) Shoeburyness Ward
15/01041/ADV

Install three freestanding non-illuminated signs
Street Record, Eagle Way Roundabout (constable Way), Shoeburyness, Essex
Southend Borough Council

Planning permission 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: Roundabout Location Plan; Constable Way Roundabout 21/05/15, Constable Way Roundabout 14/12/15 and Sponsored Signage Drawing.

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

(q) St Laurence Ward
15/01042/ADV

Install four non-illuminated freestanding sign
Cuckoo Corner Roundabout, Southend-on-Sea, Essex
Southend Borough Council

Planning permission 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: Location Plan; Cuckoo Corner Roundabout Site Plan; Sponsored signage drawing; Cuckoo Roundabout 14.12.2015.

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

(r) St Laurence Ward
15/01045/ADV

Install seven freestanding non-illuminated signs
Street Record, Eastwoodbury Lane Roundabout (Cherry Orchard), Southend-on-Sea, Essex
Southend Borough Council

Planning permission 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: Location Plan; Eastwoodbury Lane Site Plans; Sponsored signage drawing; Eastwoodbury A Roundabout 14.12.2015; Eastwoodbury B Roundabout 14.12.2015.

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

(s) Shoeburyness Ward
15/01046/ADV

Install five non-illuminated freestanding signs to Delaware Road, Caulfield Road and Ness Road Roundabout
Street Record, Elm Road Roundabout (Hermes Way), Shoeburyness, Southend-on-Sea, Essex
Southend Borough Council

Planning permission 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: Location Plan; Elm Road Roundabout Site Plan; Sponsored signage drawing; Elm Road Shoeburyness Roundabout 14.12.2015.

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

(t) St Lukes & Southchurch Wards
15/01047/ADV

Install four non-illuminated freestanding signs at Eastern Avenue, Hamstel Road and Royal Artillery Way Roundabout
Roundabout, Royal Artillery Way, Southend-on-Sea, Essex
Southend Borough Council

Planning permission 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: Location Plan; Royal Artillery Way Site Plan; Sponsored signage drawing; Garons Park Roundabout 14.12.2015

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

(u) St Laurence Ward
15/01048/ADV

Install five non-illuminated freestanding signs
Street Record, Harp House Roundabout, Southend-on-Sea, Essex
Southend Borough Council

Planning permission 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: Roundabout Location Plan; Harp House Roundabout 26/05/15, Harp House Roundabout 14/12/15 and Sponsored Signage Drawing.

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

(v) Victoria Ward

15/01049/ADV

Install four non-illuminated freestanding signs

Street Record, Queensway Roundabout (London Road), Southend-on-Sea, Essex

Southend Borough Council

Planning permission 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: Roundabout Location Plan; London Road Roundabout 26/05/15, London Road (Sainsbury's) Roundabout 14/12/15 and Sponsored Signage Drawing.

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

(w) Shoeburyness Ward

15/01050/ADV

Install three non-illuminated freestanding signs

Street Record, North Shoebury Road Roundabout (Asda), Shoeburyness, Southend-on-Sea, Essex

Southend Borough Council

Planning permission 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: Location Plan; North Shoebury Road Roundabout Site Plan; Sponsored signage drawing; North Shoebury (Asda) Roundabout 11.12.2015.

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

(x) West Shoebury Ward

15/01051/ADV

Install seven non-illuminated freestanding signs

Parsons Corner, Bournes Green Chase Roundabout (Poynters Lane),
Shoeburyness, Southend-on-Sea, Essex, SS3 8UD
Southend Borough Council

Planning permission 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: Location Plan; Bournes Green Chase Roundabout Site Plan; Sponsored signage drawing; Poynters Lane Roundabout 14.12.2015; Maplin Way Roundabout 14.12.2015

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

(y) St Laurence Ward
15/01052/ADV

Install 11 non-illuminated freestanding signs
Nestuda Way Roundabout, Prince Avenue, Westcliff-on-Sea, Essex
Southend Borough Council

Planning permission 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: Roundabout Location Plan; Tesco & Thanet Grange Roundabout 26/05/15, Nestuda Way Roundabout 26/05/15, Tesco & Thanet Grange Roundabout 04/12/15, Nestuda Way Roundabout 14/12/15, Tesco Roundabout 11/12/15 and Sponsored Signage Drawing

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

(z) Kursaal Ward
15/01053/ADV

Install four non-illuminated freestanding signs on Southchurch Avenue roundabout and three non-illuminated freestanding signs on Queensway Street Record, Southchurch Avenue Roundabout (Queensway), Southend-on-Sea, Essex
Southend Borough Council

Planning permission 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: Location Plan; Queensway/Southchurch Avenue Roundabout Site Plan; Queensway/Chancellor Road Roundabout Site Plan; Sponsored signage drawing; Queensway/Chancellor Road Roundabout 14.12.2015; Queensway/Woodgrange Drive Roundabout 14.12.2015

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

(aa) St Laurence Ward

15/01054/ADV

Install three non-illuminated freestanding signs

Roundabout, St Laurence Way, Southend on Sea, Essex

Southend Borough Council

Planning permission 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: Location Plan; St Lawrence Way Roundabout Site Plan; Sponsored signage drawing; St Lawrence Way Roundabout 14.12.2015

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

(ab) Southchurch Ward

15/01057/ADV

Install seven non-illuminated freestanding signs

Street Record, Bournes Green Chase Roundabout (Thorpe Hall Avenue), Southend-on-Sea, Essex

Southend Borough Council

Planning permission 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: Roundabout Location Plan; Thorpe Hall Avenue and Bournes Green Chase Roundabout 26/05/15, Thorpe Hall Avenue and Bournes Green Chase Roundabout 14/12/15 and Sponsored Signage Drawing.

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

(ac) Shoeburyness Ward
15/01058/ADV

Install 3 non illuminated adverts to Eagle Way Roundabout (Hermes Way) & install four non illuminated adverts to Vanguard Way Roundabout, Shoeburyness Street Record, Eagle Way Roundabout (Hermes Way), Shoeburyness, Southend-on-Sea, Essex
Southend Borough Council

Planning permission 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: Location Plan; Vanguard Way Roundabout, Eagle Way Roundabout; Sponsored signage drawing; Eagle Way Roundabout 14.12.2015.

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

(ad) Thorpe Ward
15/01059/ADV

Install four non-illuminated freestanding signs
Street Record, Thorpe Hall Avenue Roundabout (Woodgrange Drive), Thorpe Bay, Essex
Southend Borough Council

Planning permission 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: Location Plan; Thorpe Hall Avenue Roundabout Site Plan; Sponsored signage drawing; Thorpe Hall Avenue Roundabout 14.12.2015

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

(ae) St Lukes Ward

15/01065/ADV

Install seven freestanding non-illuminated signs to East street and Jones/Victory roundabouts

Street Record, Sutton Road Roundabout, Southend-on-Sea, Essex
Southend Borough Council

Planning permission 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: Roundabouts Location Plan; East Street Roundabout 26/05/15, Jones'/Victory Roundabout 26/05/15, Jones'/Victory Roundabout 04/12/15, East Street Roundabout 14/12/15 and Sponsored Signage Drawing.

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

549 Enforcement of Planning Control

The Committee received a report of the Corporate Director for Place which reported on an alleged breach of planning control.

Milton Ward

EN/15/00100/UNAU_B

Without planning permission installed a raised walkway and railings to the front of existing building.

31 Westcliff Parade Westcliff on Sea Essex

Resolved: That ENFORCEMENT ACTION be AUTHORISED to the remove the unauthorised walkway and railings. This is because of its unsympathetic materials and design, causing a detrimental visual impact to the streetscene within the Shorefield Conservation Area, contrary to Policies DM1 and DM5 of the Development Management DPD, Policies KP2 and CP4 of the Core Strategy and advice contained within the Design and Townscape Guide (SPD1).

The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of said Notice.

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. It is considered that a three months compliance period is reasonable in these circumstances.

Chairman: _____