

# Public Document Pack

## SOUTHEND-ON-SEA BOROUGH COUNCIL

### Meeting of Development Control Committee

**Date: Wednesday, 29th July, 2020**

**Place: Virtual Meeting via MS Teams**

**Present:** Councillor N Ward (Chair)  
Councillors M Borton (Vice-Chair), B Ayling, J Beck, A Chalk,  
D Cowan, A Dear, M Dent, F Evans, M Flewitt, D Garston,  
S Habermel, D Jarvis, A Jones, A Thompson, S Wakefield and  
\*P Wexham

\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** P Geraghty, C Galforg, P Keyes, C White, J Rowley, M Warren,  
T Row, C Woodcraft, A Smyth and T Hartley

**Start/End Time:** 5.00 - 6.30 pm

#### **223 Apologies for Absence**

Apologies were received from Councillors Mulroney (Substitute: Cllr Wexham) and Walker (Substitute: Cllr Flewitt)

#### **224 Declarations of Interest**

(a) Cllr Beck – Agenda item No.10 (20/00760/FULH - 115 Tattersall Gardens, Leigh-On-Sea) – Non-Pecuniary Interest: Has received emails from the applicant

(b) Cllr Dear – Agenda item No. 10 (20/00760/FULH - 115 Tattersall Gardens, Leigh-On-Sea) - Non-Pecuniary Interest: Has received emails from the applicant

(c) Cllr Evans – Agenda item No.10 (20/00760/FULH - 115 Tattersall Gardens, Leigh-On-Sea) – Non-Pecuniary Interest: has been lobbied in the past on application on this site, but not this application specifically

(d) Cllr Flewitt – Agenda item No. 13 (20/00953/TPO - 59 The Bentleys, Eastwood, Leigh-on-Sea) – Disqualifying Non-Pecuniary: Has had email correspondence with the objector to the application

(e) Cllr Garston – Agenda item No.10 (20/00760/FULH - 115 Tattersall Gardens, Leigh-On-Sea) Non-Pecuniary Interest: The applicant has phoned him twice regarding this application

(f) Cllr Thompson – Agenda item No. 10 (20/00760/FULH - 115 Tattersall Gardens, Leigh-On-Sea) Non-Pecuniary Interest: The applicant has contacted him

(g) Cllr Ward – Agenda item No. 10 (20/00760/FULH - 115 Tattersall Gardens, Leigh-On-Sea) Non-Pecuniary Interest: The applicant has phoned him

(h) Cllr Ward – Agenda item No. 10 (20/00760/FULH - 115 Tattersall Gardens, Leigh-On-Sea) Non-Pecuniary Interest: Is an owner of a bed and breakfast

**225 Minutes of the meeting held on Wednesday 4th March 2020**

Resolved:-

That the Minutes of the Meeting held on 18th May 2020 be confirmed as a correct record and signed.

**226 Minutes of the special meeting held on Monday, 18th May 2020**

Resolved:-

That the Minutes of the Meeting held on 18<sup>th</sup> May 2020 be confirmed as a correct record and signed.

**227 Minutes of the special meeting held on Wednesday, 27th May 2020**

Resolved:-

That the Minutes of the Meeting held on 27<sup>th</sup> May 2020 be confirmed as a correct record and signed.

**228 Minutes of the meeting held on Wednesday 3rd June 2020**

Resolved:-

That the Minutes of the Meeting held on 3<sup>rd</sup> June 2020 be confirmed as a correct record and signed.

**229 Minutes of the Meeting held on Wednesday, 1st July, 2020**

Resolved:-

That the Minutes of the Meeting held on 1<sup>st</sup> July 2020 be confirmed as a correct record and signed.

**230 20/00544/FUL - 48 Argyll Road, Westcliff-On-Sea (Milton Ward)**

Proposal: Erect attached two storey building to rear to form nine-bedroom rehabilitation accommodation, layout associated amenity space.

Applicant: Dr B Bekas

Agent: Mr Colin Stone of Stone Me Ltd

Resolved:-

This application was WITHDRAWN.

**Proposal: Erect single storey front extension, single storey rear extension, form roof extension and install terrace to rear, form raised patio to rear and alter elevations**

**Applicant: Mr Ali**

**Agent: Mr Mehran Gharleghi of Studio Integrate Ltd.**

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: LP300, E.GA100, E.GA101, E.GA102, E.GA103, E.GA104, E.GA105, E.GA106, E.GA107, GA100, GA101, GA102, GA103, GA104, GA105, GA106, GA107, GA108.

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

03 The proposed development shall be finished in materials as specified on approved drawing no.GA104, GA105, GA106, GA107. This applies unless differences are shown on the drawings hereby approved or are required by conditions to this permission.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1, and advice in the Southend-on-Sea Design and Townscape Guide (2009).

04 Notwithstanding the details shown on the plans submitted and otherwise approved, prior to first use of the first floor rear roof terrace hereby approved, privacy screening to the north flank elevation shall be installed (a minimum 1.7m high in relation to the terrace floor and to at least Level 4 on the Pilkington Levels of obscurity), the details of which shall have previously been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before it is brought into use and retained as such thereafter in perpetuity.

Reason: In the interests of visual amenity and the amenities of neighbouring occupiers and to ensure a satisfactory standard of screening in accordance with Policy DM1 of the Development Management Document (2015) and policies KP2 and CP4 of the Core Strategy (2007).

05 Prior to the commencement of the development hereby approved, details of tree protection measures to protect the 2no. TPO Oak trees to the front of the site shall be submitted to and approved in writing by the local planning authority. The approved tree protection measures shall be implemented in full prior to the commencement of the development and be retained throughout construction.

Reason: To ensure the trees to be retained as part of the development hereby approved are adequately protected during building works in the interests of visual amenity and in accordance with Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015).

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

Informative

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

2. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.

**232 20/00760/FULH - 115 Tattersall Gardens, Leigh-On-Sea (West Leigh Ward)**

**Proposal: Erect first floor rear extension and extend balcony to rear**

**Applicant: Mr J Moore**

**Agent: N/A**

Resolved:-

That PLANNING PERMISSION be 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: 1200 010 Revision C & 1200 012 Revision F, South Flank Elevation Plan & Tree Position Plan

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

03 Prior to first use of the balcony hereby approved, obscure glazed privacy screens shall be installed to the north and south sides of the balcony at a height of 1.7 metres above the balcony finished floor level in accordance with details that have previously been submitted to the local planning authority and approved in writing and these screens shall be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy). The screens shall be permanently retained thereafter.

Reason: To protect the privacy and environment of people in neighbouring residential properties, Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1 and the advice contained in the Design and Townscape Guide (2009).

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

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

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

#### Informative

01 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.

02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission, that the Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or

land. Please take care when carrying out works on or near the public highways and footpaths in the borough.

**233      20/00800/FUL - 2 Coptfold Close, Southend-on-Sea (Southchurch Ward)**

Proposal: Convert dwellinghouse into two self-contained flats, erect part single/two storey side extension, erect part single/part two storey rear extension, alter elevations, layout parking to front

Applicant: Mr A Bysouth

Agent: Mr Paul Seager of APS Design Associates Ltd

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reasons:

01      The development would result in the loss of a family-sized dwelling, a type of unit for which there is a particular identified need, to the detriment of the Borough's housing supply. No benefits which outweigh this harm have been advanced. This application is therefore unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP1, KP2, CP4 and CP8 of the Southend-on-Sea Core Strategy (2007), and Policy DM3 of the Southend-on-Sea Development Management Document (2015).

02      The proposed development, by reason of its failure to include adequate private amenity space would provide substandard living conditions for the future occupiers of the proposed first floor flat, to the detriment of their amenity. This is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM8 (as amended by the Technical Housing Standards Policy Transition Statement (2015)) of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).

**234      20/00875/FULH - 29 The Drive, Westcliff-On-Sea (Chalkwell Ward)**

Proposal: Hip to gable roof extension with dormer to rear and alter elevations (Part Retrospective) (Amended Proposal)

Applicant: Mr & Mrs Diver

Agent: Mrs Lindsey Wislocki

Resolved:-

That PLANNING PERMISSION be GRANTED subject to the following conditions:

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

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

02      The development hereby permitted shall be carried out in accordance with the following approved plans: P1010; P1011; P1012; P1013; P1014; P1015; P1016

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

03 Finishing materials shall be tile hanging to the dormer's exterior walls with black Upvc windows and fascia to match existing original work, as demonstrated in approved plan: P1012.

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), Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) policy DM1, and advice contained in the Design and Townscape Guide (2009).

Informative

01 The existing roof extensions are unauthorised and failure to promptly remedy their identified harm through implementation of this planning permission leaves the owner open to the implications of the planning enforcement notice which has been served by the Council.

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

03 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.

**235 20/00953/TPO - 59 The Bentleys, Eastwood, Leigh-on-Sea (St Laurence Ward)**

**Proposal: Crown reduce Robinia to side of dwelling by 2-2.5 metre all round with varying quantities of reduction to best pruning points to leave balanced tree following the form of the crown (Application for works to a tree covered by a Tree Preservation Order)**

**Applicant: Miss Jade Hardy**

**Agent: N/A**

Resolved:-

That CONSENT TO CARRY OUT WORK ON TREES be GRANTED subject to the following conditions:

01 The works covered by this consent must be begun not later than the expiration of two years beginning with the date of this consent.

Reason: To enable the circumstances to be reviewed at the expiration of the period if the consent has not been implemented, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policy KP2 and CP4, Development Management Document (2015) Policy DM1 and advice in the Southend Design and Townscape Guide (2009).

02 The works to the robinia tree covered by TPO 3/2000 T1 shall be restricted to crown reduction of 2-2.5 metres with varying quantities of reduction on each cardinal point pruning to best pruning points to leave the tree balanced and following the form of the crown.

Reason: In the interests of visual amenity in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

03 The works shall be carried out in accordance with British Standard BS 3998 (2010) by a suitably qualified person.

Reason: In the interests of visual amenity in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

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

As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

**Chair:** \_\_\_\_\_