

## **SOUTHEND-ON-SEA BOROUGH COUNCIL**

### **Meeting of Development Control Committee**

**Date: Wednesday, 7th October, 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, D Garston, S Habermel,  
D Jarvis, A Jones, C Mulroney, A Thompson, S Wakefield and  
C Walker

**In Attendance:** Councillor H Boyd  
K Waters, C Galforg, P Keyes, T Row, T Hartley, E Cook, A Smyth,  
M Warren and G Gilbert.

**Start/End Time:** 5.00 - 6.20 pm

#### **408 Apologies for Absence**

There were no apologies for absence for this meeting.

#### **409 Declarations of Interest**

The following declarations of interest were made at the meeting:

- (a) All Committee Members – Agenda Item No. 9 (20/01048/FULH - 1 Highwood Close, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is a fellow Councillor.
- (b) Cllr Beck – Agenda Item No. 6 (20/01095/AMDT - Beaumont Court and Richmond House – 71 Victoria Avenue) – Non-Pecuniary Interest: Has been in correspondence with residents for months regarding this application.
- (c) Cllr Beck – Agenda Item No. 10 (20/01221/FULH - 159 Burges Road, Thorpe Bay, Southend-on-Sea) – Non-Pecuniary Interest: Friend lives close to the application site.
- (d) Cllr Garston – Agenda Item No. 8 (20/01018/FULH - 115 Tattersall Gardens, Leigh-on-Sea) – Non-Pecuniary Interest: The applicant is known to him.
- (e) Cllr Garston – Agenda Item No. 9 (20/01048/FULH - 1 Highwood Close, Leigh-on-Sea) – Disqualifying Non-Pecuniary Interest: The applicant is a close colleague and friend.
- (f) Cllr Jarvis - Agenda Item No. 10 (20/01221/FULH - 159 Burges Road, Thorpe Bay, Southend-on-Sea) – Non-Pecuniary Interest: The applicant is known to him.
- (g) Cllr Mulroney – Agenda Item No. 8 (20/01018/FULH - 115 Tattersall Gardens, Leigh-on-Sea – Disqualifying Non-Pecuniary Interest: The applicant is known to her.
- (h) Cllr Thompson – Agenda Item No. 8 (20/01018/FULH - 115 Tattersall Gardens, Leigh-on-Sea (West Leigh Ward) – Non-Pecuniary Interest: Has been heavily canvassed by supporters and objectors

- (i) Cllr Thompson – Agenda Item No. 10 (20/01221/FULH - 159 Burges Road, Thorpe Bay, Southend-on-Sea) – Non-Pecuniary Interest: Is a trustee with the Southend boys' and girls' choir.
- (j) Cllr Walker - Agenda Item No. 10 (20/01221/FULH - 159 Burges Road, Thorpe Bay, Southend-on-Sea) – Disqualifying Non-Pecuniary Interest: Chair of the Southend Boys' and Girls' Choir Trust.
- (k) Cllr Ward – Agenda Item No. 8 (20/01018/FULH - 115 Tattersall Gardens, Leigh-on-Sea) – Non-Pecuniary Interest: Owner of a B and B.

**410 Minutes of the Meeting held on Wednesday, 29th July 2020**

Resolved:-

That the Minutes of the Meeting held on Wednesday, 29<sup>th</sup> July 2020 be confirmed as a correct record.

**411 Supplementary Report**

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

**412 20/01045/AMDT - 67 Branksome Road, Southend-on-Sea (Kursaal Ward)**

**Proposal: Application to vary condition 01 (Approved Plans) amend from pitched roof to flat roof with Velux windows with roof lantern (Minor Material amendment of planning permission 19/00598/FULH - Erect single storey rear extension dated 5th June 2019)**

**Applicant: Mrs D Curson**

**Agent: N/A**

That PLANNING PERMISSION be GRANTED subject to the following conditions:

01 The development shall be undertaken solely in accordance with the approved plans Drwg 1, Drwg 2b and Drwg 3a.

Reason: In the interests of visual amenities, pursuant to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

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

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

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

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the

area. This is as set out in the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice contained within the Design and Townscape Guide (2009).

04 The roof of the rear extension hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless express planning permission has previously been obtained. The roof can however be used for the purposes of maintenance or to escape in an emergency.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policy CP4, Development Management Document (2015) Policy DM1, and Design and Townscape Guide (2009).

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

#### Informatives

01 You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace, and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See [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 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.

#### **413 20/01095/AMDT - Beaumont Court and Richmond House - 71 Victoria Avenue, Southend-on-Sea (Victoria Ward)**

Proposal: Application to vary conditions 02 (materials), 03 (hard and soft landscaping), 04 (landscape maintenance), 05 (telecoms equipment), 06 (extraction, filtration, air con, ventilation/refrigeration equipment) and 07 (car parking and cycle storage)-various site changes comprising of increases to car parking and cycle spaces, revisions to landscaping areas, new residents entrance, waiting area, concierge service, residents community/meeting room and gym – Minor Amendment of planning permission 06/00598/FUL allowed on Appeal dated 03.10.2007

Applicant: Randall Watts

Agent: Steven Kearney of SKArchitects

Resolved:-

(a) That the Council enter into a Planning Obligation by Deed of Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

1. Public Accessible Area – Design as shown on drawings reference 279-03-15-6202A and 279-03-15-6088H to be provided and permanently maintained.
2. Victoria Avenue Works - Design as shown on drawings reference 8715-04-CRH-XX-00-DR-C-4103-P1, 8715-04-CRH-XX-00-DR-C-4002 – P1 and 8715-04-CRH-XX-00-DR-C-4003 – P1 - noted as completed.
3. Public Art lighting scheme - Design as shown on drawing reference 279-03-15-6088H to be permanently retained and maintained.
4. Residents Community Facility – Facilities including communal lobby, meeting room and residents gym as shown on drawing reference 279-03-15-6202A to be permanently retained and maintained.
5. Management Strategy for the site including buildings, car park, refuse and outside areas including public access area and public art to be submitted, agreed and implemented in accordance with the approved document.
6. Travel Plan for the site to be submitted, agreed and implemented in accordance with the approved document
7. Affordable Housing – 52 shared ownership units on floors 1-7 of Richmond House as shown on drawings reference 279-03-15-4(15) F01 and 279-03-15-4(16) F01 to be provided and permanently maintained. The affordable housing contribution is to be noted as paid in full.

(b) That the Interim Director for Planning or Group Manager of Planning and Building Control be delegated authority to GRANT PLANNING PERMISSION subject to the completion of the section 106 agreement referred to in part (a) above and subject to the conditions set out below.

(c) In the event that the planning obligation referred to in part (a) above has not been completed by 9th November 2020 (or an extension of this time as may be agreed by the Interim Director for Planning or Group Manager Planning and Building Control, the Interim Director for Planning or Group Manager Planning and Building Control be authorised to refuse planning permission for the application on the grounds that the development would not provide for affordable housing, highway works, travel plan, a publicly accessible area, a public art provision or appropriate management of the site and that as such the proposal would be unacceptable and contrary to Policies KP2, KP3, CP3, CP6 and CP8 of the Core Strategy (2007) and Policies DM1, DM3, DM7 and DM15 of the Development Management Document (2015).

01 The development shall be carried solely out in accordance with the approved plans: 279-03-15-6084B, 279-03-15-6085E, 279-03-15-6103A, 279-03-15-6202A, 279-03-15-6203A, 279-03-15-6204A, 279-03-15-6205A, 279-03-15-6206A, 279-03-15-6207, 22855-A-02-PL-001 Rev A, 22855-A-PL-03P-001-000 Rev A, 22855-A-PL-03P-002 Rev A, 22855-A-PL-03P-003 Rev A, 22855-A-PL-03P-004 Rev A, 22855-A-PL-03P-005 Rev A, 22855-A-PL-03P-006 Rev A, 22855-A-PL-03P-007 Rev A, 22855-A-PL-03P-008 Rev A, 22855-A-PL-03P-009 Rev A, 22855-A-PL-03P-010 Rev A, 279-03-15-6088H

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

02 The materials used for the external surfaces of the building shall be as detailed on plan reference 279-03-15-6203, 279-03-15-6204 and 279-03-15-6205

Reason: To safeguard the visual amenities of the area and wider streetscene, in accordance with Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) Policies DM1, and DM3 and advice contained within the Southend Design and Townscape Guide (2009).

03 Within 4 months of the date of this decision the landscaping for the development hereby approved shall be carried out in full accordance with the approved landscaping plans reference 297-03-15-6103 Rev A, 279-03-15-6084 Rev B, 279-03-15-6085 Rev E, 279-03-15-6088H and the associated landscape management plan entitled Garden Specification Beaumont and Richmond House by iv Property Management. If any tree, shrub or plants are removed or found to be dying, severely damaged or diseased within 5 years of planting them they must be replaced with trees, shrubs or plants of a similar size and species.

Reason: In the interests of visual amenity and to ensure the development 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) Policies DM1 and DM3 and The Design and Townscape Guide (2009).

04 The 180 residents car parking spaces, including 1 disabled parking space and 7 visitor parking spaces, including 2 disabled visitor car parking spaces, shall be permanently retained at the site and made available for use solely for occupiers of the residential units hereby approved and visitors to the site in full accordance with the details shown on drawing 279-03-15-6202A.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policy CP3 of the Core Strategy (2007) and Policy DM15 of the Council's Development Management Document (2015).

05 The 280 cycle parking spaces shall be permanently retained at the site and made available for use solely for occupiers of the residential units hereby approved and visitors to the site in full accordance with drawing 279-03-15-6202A.

Reason: To ensure that satisfactory cycle parking facilities are provided at the site in the interest of sustainability and amenity in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP3, Policies DM1, DM8 and DM15 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

06 The refuse and recycling stores as shown on plan reference 279-03-15-6202A shall be retained in perpetuity for use solely for the storage of refuse and recycling for the occupiers of the site. Refuse Management at the site shall be carried out in full accordance with the Beaumont and Richmond Waste Management Plan by B&R Property Management Ltd in perpetuity.

Reason: To ensure the provision of adequate refuse and recycling storage in accordance with Policies DM3, DM8 and DM15 of Development Management Document (2015).

07 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2 Part 16 (or any other revoking and re-enacting that Order with or without modification), no telecommunications equipment shall be installed above the highest part of the roof of either building.

Reason: In the interests of aircraft safety and to safeguard character and appearance of surrounding area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

08 No dust or fume or filtration equipment or air conditioning, ventilation or refrigeration equipment shall be installed at the site until details of its design, siting, discharge points and predicted acoustic performance and any odour and noise mitigation to be installed as part of this equipment have been submitted to and approved in writing by the local planning authority. The equipment shall be installed in full accordance with the approved details and thereafter be retained as such.

Reason: To safeguard the amenities of residents and the character and appearance of surrounding area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

09 The ground floor areas marked as 'shop use class A1' (2 units), 'professional services office use class A2' and 'café use class A3' hereby approved, as identified on plan reference 279-03-15-6202A, shall only be occupied for purposes falling within Use Classes A1, A2 and A3 as defined under the Town and Country Planning (Use Classes) Order 1987 on the date this application was submitted. These units shall not be used for any other purpose, including any purpose permitted under amendments to the Town and Country Planning (Use Classes) Order 1987 since the application was submitted nor any change of use permitted under the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or in any provisions equivalent to those in any statutory instrument revoking and re-enacting these Orders, with or without modification.

Reason: To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floorspace within the Use Class specified so that occupation of the premises does not prejudice amenity and wider objectives of the planning system, in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007) and Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015).

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

Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

#### Informatives

01 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.

02 This permission is governed by a legal agreement between the applicant and the Borough Council under Section 106 of the Town and Country Planning Act 1990. The agreement relates to affordable housing, public access areas, public art, highway works, residents community facility, management strategy and a Travel Plan.

03 The applicant is encouraged to provide electric vehicle charging points at the site in accordance with Policy DM15 which encourages their provision wherever practical and feasible.

#### **414 20/01146/FUL - 15 Aylesbeare, Shoeburyness (West Shoebury Ward)**

Proposal: Erect dwellinghouse adjacent to existing dwellinghouse; install two vehicular accesses onto Aylesbeare, associated layout parking to front and rear (Amended Proposal).

Applicant: Mr Thompson

Agent: BGA Architects

Resolved:-

That PLANNING PERMISSION be REFUSED for the following reasons:

01 The proposed development by reason of its size, design and siting would conflict with the grain of the local area and would be out of keeping with and detract from the character and appearance of the site and wider locale. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Core Strategy (2007) policies KP2 and CP4; Development Management Document (2015) policies DM1 and DM3 and the advice contained within the Design and Townscape Guide (2009).

02 The proposed development would, by reason of the height of the proposed boundary treatments and relationship to the proposed vehicular crossovers create conditions detrimental to highway and pedestrian safety. The proposal would also require the relocation of a light column which has not been justified. The proposed development is therefore unacceptable and contrary to policy CP3 of the Core Strategy (2007), policies DM3 and DM15 of the Development Management Document (2015) and the advice contained in the Vehicle Crossing Policy and Application Guidance (2014).

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. 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.

#### Informatives

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.

#### **415 20/01018/FULH - 115 Tattersall Gardens, Leigh-on-Sea (West Leigh Ward)**

Proposal: Raise roof height and erect roof extension, erect front and rear extension at first floor level, convert loft into habitable accommodation with dormer windows to front and side, install balconies to rear at first floor level and second floor level with bi-fold doors, rooflights to side elevation, alterations to front and rear elevations and alter bay window to first floor at rear (Amended Proposal) (Part Retrospective).

Applicant: Mr J Moore

Agent: N/A

Cllr Mulroneu withdrew from the meeting for this agenda item.

J Pullen spoke as an objector to the application. A written submission from the applicant was read to the committee by an officer to respond.

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 E & 1200 012 Revision J.

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

03 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance.



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

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (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).

04 Prior to first use of the balcony shown on the plans 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).

05 Notwithstanding the details shown on the drawings submitted and otherwise hereby approved within 4 months of the date of his decision details of a scheme requiring the new second floor north-facing rooflight window to be fitted with obscured glazing (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and that no part of that window which is less than 1.7 metres above the finished floor level in the room in which it is installed shall be capable of being opened, shall be submitted to in writing to the local planning authority for approval. The approved scheme shall be implemented within 3 months of the local planning authority's approval, shall be retained thereafter in accordance with the approved details in perpetuity.

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).

06 The extensions hereby permitted shall not be occupied until the new second floor north-facing dormer window has been fitted with obscured glazing (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy), and no part that window which is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter in accordance with the approved details in perpetuity.

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).

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

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within 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.

10 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.

**416 20/01048/FULH - 1 Highwood Close, Leigh-on-Sea (Blenheim Park Ward)**

Proposal: Erect dormers to front.

Applicant: Mr K Buck

Agent: Mr P Seager

Cllr Garston withdrew from the meeting for this agenda item.

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 the decision.

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

02 The development shall be undertaken solely in accordance with the approved plans: Drawing number 01 Revision D, Drawing number 02, Drawing number 03 Revision D.

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

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

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice contained within 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.

#### Informatives

01 You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace, and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See [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 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.

**417      20/01221/FULH - 159 Burges Road, Thorpe Bay, Southend-on-Sea  
(Thorpe Ward)**

Proposal: Erect single storey front extension, install balcony to front

Applicant: Mr R Humphrey  
Agent: N/A

Cllr Walker withdrew from the meeting for this agenda item.

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: Location plan, Site Plan, 01.

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

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

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

#### Informatives

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.

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