

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 2nd June, 2021

Place: Council Chamber - Civic Suite

Present: Councillor N Ward (Chair)
Councillors A Dear (Vice-Chair), J Beck, K Buck, D Cowan, M Dent,
F Evans, D Garne, D Garston, S Habermel, D Jarvis, A Jones,
K Mitchell, C Mulroney, I Shead*, A Thompson and C Walker
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillor N Folkard
G Gilbert, K Waters, P Keyes, S Mouratidis, C White, M Warren and
T Row

Start/End Time: 2.00 pm - 4.30 pm

24 Apologies for Absence

Apologies for absence were received from Councillor Wakefield (Substitute: Councillor Shead).

25 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Buck – Agenda Item No. 11 (21/00721/FULH - 237 Prittlewell Chase, Westcliff-on-Sea) – Non-pecuniary interest: Had been contacted by objectors;

(b) Councillor D Garston – Agenda Item No. 11 (21/00721/FULH - 237 Prittlewell Chase, Westcliff-on-Sea) – Non-pecuniary interest: Had been contacted by objectors and the applicant;

(c) Councillor Jones – Agenda Item No. 5 (20/01726/BC3M - Garages at Eagle Way, Shoeburyness) – Disqualifying non-pecuniary interest: Relevant Cabinet Member (withdrew);

(d) Councillor Mulroney – Agenda Item No. 5 (20/01726/BC3M - Garages at Eagle Way, Shoeburyness) – Non-pecuniary interest; Cabinet Member (Council Application)

(e) Councillor Mulroney – Agenda Item No. 8 (21/00692/AMDT - Development Land Underwood Square, Leigh on Sea) – Non-pecuniary interest: Member of Leigh Town Council non-participant in planning;

(f) Councillor Walker – Agenda Item No. 8 (21/00692/AMDT - Development Land Underwood Square, Leigh on Sea) – Non-pecuniary interest: Friend lives in Fairview Lodge: and

(g) Councillor Ward – Agenda Item No. 8 (21/00692/AMDT - Development Land Underwood Square, Leigh on Sea) – Non-pecuniary interest: Has previously worked at this site

26 Minutes of the Meeting held on Wednesday, 3rd March 2021

Resolved:-

That the Minutes of the Meeting held on Wednesday, 3rd March 2021 be received, confirmed as a correct record and signed.

27 Supplementary Report

The Committee received and noted 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.

28 20/01726/BC3M - Garages at Eagle Way, Shoeburyness (Shoeburyness Ward)

Proposal: Demolish former disused garage sites to rear of 16 Eagle Way (Site 1A) and former compound site (Site 1B) and redevelop sites comprising of 5 terrace dwellinghouses with associated parking and amenity space (site 1A) and erect four storey block of 16 self-contained flats with communal garden and cycle store to rear, lay out associated parking and form additional vehicular access to north of site (1B) on to Eagle Way

Applicant: Southend on Sea Borough Council

Agent: AK Design Partnership LLP

Resolved: That planning permission be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not later than three years of 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 4760.111 PL8, 4760.113 PL2, 4760.116 PL6, 4760.117 PL3, 4760.118 PL4

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

03 No development can commence unless and until a scheme for securing the timing and delivery of all of the dwellings hereby approved (21 dwellings) as affordable dwellings, including their location, tenure and mix has been submitted to and approved in writing by the Local Planning Authority. Such a scheme must include a suitable means to secure the continuing provision of the 21 units as affordable housing. No housing in the scheme can be occupied until it has been built and management handed over to South Essex Homes in accordance with the terms set out in the scheme approved under this condition.

Reason: A pre-commencement condition is necessary to ensure that the affordable housing is secured for the lifetime of the development in accordance with Core Strategy (2007) Policies CP6 and CP8.

04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition and construction up to ground floor slab level shall take place until a brick sample and full product details of the materials to be used on all the external elevations, including walls, roof, doors and windows, balconies, canopies, soffits and boundaries have been submitted to and approved 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.

Reason: To safeguard the visual amenities of the area, in accordance with the National Planning Policy Framework (2019) Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

05 The 44 car parking spaces, including 6 disabled car parking spaces and the associated vehicular access for the spaces to access the public highway, shown on approved plans 4760.111-PL8 and 4760.116-PL6 shall be provided and made available for use at the site prior to the first occupation of the dwellings hereby approved. The car parking spaces noted on the approved plan and the associated vehicular access to and from the public highway shall thereafter be permanently retained as such.

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 (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM15 and the Southend Design and Townscape Guide (2009).

06 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby permitted shall not be first occupied unless and until a car park management plan, including full details of the residential parking permit scheme to be used for the parking spaces hereby approved, has been submitted to and approved in writing by the local planning authority. The car park management plan, including the residential parking permit scheme, must be implemented in full accordance with the details approved under this condition prior to first occupation of any part of the development hereby approved and the site shall be managed in accordance with the details approved under this condition in perpetuity thereafter.

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

07 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above a ground floor slab level shall take place until full details of both hard and soft landscape works and proposed boundary treatment have been submitted to and approved in writing by the local planning authority. These details shall include:

- i) proposed finished levels or contours;
- ii) Details for the means of enclosure of the amenity areas,
- iii) Details for the soft landscape works shall include the number, size and location of the trees, shrubs and plants to be planted together with a planting specification and the initial tree planting and tree staking details.
- iv) Measures to enhance biodiversity.

The hard landscaping shall be implemented in full accordance with the approved details before the development is occupied or brought into use. The soft landscaping shall be completed before the end of the first planting season following first occupation of the building. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and policies DM1 and DM3 of the Development Management Document (2015) and advice contained within the Southend Design and Townscape Guide (2009).

08 Prior to the commencement of development the tree protective fences as shown on plan reference 4760-118-PL4 shall be installed. The protective measures shall remain in place throughout the construction phase of the development. Implementation of the development shall be undertaken only in full accordance with British Standard 3998 and British Standard 5837 including supervision of works by a qualified arboriculturalist.

Reason: A pre-commencement condition is justified to ensure the trees on and close to the site 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) policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

09 The first floor windows on the side elevation of house plot 5 shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and fixed shut up to a height of not less than 1.7m above first floor level before the occupation of the dwellings hereby approved and shall be retained as such in perpetuity. In the case of multiple or double-glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

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

10 The flatted development hereby approved shall not be occupied or brought into use until the refuse and recycling storage facilities are provided and made available for use by the occupiers in full accordance with the details shown on approved drawing number 4760.118 PL4 or any other details that have been

previously submitted to and agreed in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained as such thereafter.

Reason: To ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

11 The flatted development hereby approved shall not be occupied or brought into use until the cycle storage facilities are provided in full and made available for use by the occupiers in accordance with the details shown on drawing number 4760.118 PL4 or any other details that have been previously submitted to and agreed in writing by the Local Planning Authority. The cycle storage facilities shall be permanently retained as such thereafter.

Reason: To ensure the provision of adequate cycle parking in accordance with policies DM8 and DM15 of The Development Management Document (2015).

12 No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be fully adhered to throughout the construction period. The Statement shall provide, amongst other things, for:

- a) The parking of vehicles of site operatives and visitors
- b) Loading and unloading of plant and materials
- c) Storage of plant and materials used in constructing the development
- d) The erection and maintenance of security hoarding including measures to ensure the protection of the existing grass verges to the north section of the site to be retained.
- e) Measures to control the emission of noise, dust and dirt during construction
- f) A scheme for recycling/disposing of waste resulting from construction works that does not allow for the burning of waste on site.

Reason: This pre-commencement condition is needed in the interests of visual amenity and the amenities of neighbouring occupiers pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

13 Prior to the first occupation of any dwelling, details of the Residential Travel Packs shall be submitted to and approved in writing by the local planning authority. The approved travel packs shall then be provided to each dwelling within 1 month of their first occupation.

Reason: In the interests of sustainability in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policy DM15, and Design and Townscape Guide (2009).

14 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, including the Drainage Strategy Report reference 200372 dated Dec 2020 and associated Drainage Plans references DBS200372-01A, DBS200372-02, DBS200372-03, DBS200372-04, the development hereby

permitted shall not be commenced other than for demolition works unless and until the remaining information required in relation to sustainable drainage at the site has been submitted to and approved in writing by the local planning authority. The following additional information on the proposed sustainable drainage system shall be provided:

- a) The proposed drainage strategy for the permeable pavement elements should be assessed based on the infiltration results. It should be noted that permeable pavement systems are compatible with low infiltration soils but different construction details may be required.
- b) The design and statement should incorporate further consideration to other applicable types of SuDS (e.g. permeable pavement in car park spaces, green roofs, raingardens, swales, etc). Where these are not implemented, a valid justification should be provided.
- c) A plan showing the areas positively drained into the system should be provided.
- d) The type and location of flow control device should be shown on the plan.
- e) Exceedance flow routes should be shown on the plan.
- f) Construction details of permeable pavement, underground storage and flow controls should be provided.
- g) Calculations or justification should be provided to confirm that the proposed discharge is below the pre-development discharge rates.
- h) Evidence of acceptance from Anglian Water is required for the discharge.
- i) Evidence of acceptance from Anglian water is required for the two sewer diversions.
- j) Confirmation is required that no additional catchment area is proposed to be discharged into the sewer in relation to the pre-development status.
- k) The method used to calculate the attenuation storage calculation (BRE Digest 365) is only applicable to infiltration systems. An acceptable calculation method for attenuation storage (see chapter 24 in CIRIA SuDS Manual C753) should be used and detailed calculations provided.
- l) The statement should incorporate a section on water quality.
- m) Apart from the sewer diversions, the drainage strategy does not include the proposals for the foul drainage on the site. These proposals should be included in the report and drawing.
- n) Details of management of health and safety risks in relation to the drainage design should be provided.
- o) A method statement detailing the effect of surface water during the construction phase should be provided.
- p) A SuDS Management Plan should be provided and should include details of the body who will be responsible for the drainage maintenance, the required maintenance activities, the maintenance schedules and any access points and easements.

The approved scheme shall be implemented in accordance with the approved details before the development is occupied or brought into use and be maintained as such thereafter in perpetuity

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework (2019), Policy KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015)

15 Prior to occupation of the dwellings hereby approved, appropriate water efficient design measures as set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to not more than 105 litres per person per day (lpd) (110 lpd when including external water consumption), to include measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be implemented for the development and thereafter retained in perpetuity.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and advice contained within the Southend Design and Townscape Guide (2009).

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

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 (2019), Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) policy DM2 and the Southend Design and Townscape Guide(2009).

17 The development hereby approved shall be carried out in a manner to ensure that at least 10% of the dwellings, a minimum of 3 units, comply with building regulation M4(3) 'wheelchair user dwellings' and the remaining dwellings comply with building regulation M4 (2) 'accessible and adaptable dwellings' before it is occupied.

Reason: To ensure the residential unit hereby approved provides a high quality and flexible internal layout to meet the changing needs of residents in accordance with National Planning Policy Framework (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM8 and the advice contained in the Southend Design and Townscape Guide (2009).

18 The development shall be carried out in full accordance with the recommendations set out in Sections 15.1 and 15.4 of the Combined Phase I and Phase II Site Investigation Report by agb Environmental reference P3220.1.0 dated 20 December 2018 before the development is occupied, including undertaking a watching brief by a competent person during any below ground works in accordance with the steps set out in paragraphs 15.1.2 and 15.4.2 If, during the development, land contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further works shall be carried out until a method statement detailing a scheme of mitigation for dealing with the additional contamination has been submitted to and agreed in writing with the Local Planning Authority. The approved scheme of additional contamination mitigation shall be implemented in full before the development is occupied.

Reason: To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution to Controlled Waters in accordance with Core Strategy (2007) Policies KP2 and CP4 and Policies DM1 and DM14 of the Development Management Document (2015).

19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order or Act of Parliament revoking and re-enacting that Order with or without modification, no extensions or detached buildings shall be erected at the dwellinghouses (plots 1-5) hereby approved specified within Schedule 2, Part 1, Classes A, B, D and E of the Town and Country Planning (General Permitted Development) Order 2015 without the receipt of express planning permission in writing from the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

20 Construction Hours for the development hereby approved shall be restricted to 8am - 6pm Monday to Friday, 8am - 1pm Saturday and not at all on Sundays or Bank Holidays.

Reason: In the interests of visual amenity and the amenities of neighbours and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

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.

Informatives

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not

received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact S106andCILAdministration@southend.gov.uk to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended).

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.

03 The applicant is advised that the appropriate highways licences should be obtained prior to the commencement of the development.

04 The applicant is advised that the commitment to seek the nationally recognised security accreditation is welcomed by Essex Police and the applicant is invited to contact Essex Police who can provide support for this application at designingoutcrime@essex.police.uk

05 The applicant is advised that Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence. Please contact Anglian Water at planningliaison@anglianwater.co.uk Reference 167627/1/0110592.

06 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.

29 20/02224/FUL - Former 51 Chalkwell Avenue Westcliff-on-Sea (Chalkwell Ward)

Proposal: Erect one three storey block of no. 9 self-contained flats with associated off-street parking to rear, balconies to north, east and west elevations, terrace areas to rear upper floor flats, private garden areas to rear ground floor flats, layout communal amenity space and landscaping, cycle and bin storage to rear and form vehicular access on to Kings Road

Applicant: Herald Build Limited

Agent: iArch Consulting

Mrs Elman, a local resident spoke as an objector to the application. Mr Wislocki, responded on behalf of the applicants.

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 Location Plan, 001 (11.05.21), 002 (11.05.21), 003 (11.05.21), 004 (11.05.01), 005 (11.05.21), 006 (11.05.21.21), 007 (11.05.21), 008 (11.05.21)

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

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition and construction up to ground floor slab level shall take place unless and until full product details of the materials to be used on all the external elevations, including walls, bays and balconies, roof, eaves and roof terraces, windows and doors, entrance glazing and porch, fascia and soffits, balcony balustrades and privacy screen, bin and cycle stores, rainwater goods and boundaries have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before it is brought into first use.

Reason: To safeguard the visual amenities of the area, in accordance with the National Planning Policy Framework (2019) Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works ground floor slab level shall take place unless and until full detailed design drawings and cross sections of the main entrance and porch, projecting bay and balconies including balustrade, projecting eaves detail including soffits, windows and doors including reveals and framing, flat roof ridge edge detail, tile hanging and brick decoration, at a scale of 1:20 or 1:10 as appropriate have first 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.

Reason: To safeguard the visual amenities of the area, in accordance with the National Planning Policy Framework (2019) Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

05 The proposed first floor window in the south elevation of unit 7 of the development hereby approved shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal finished floor level. In the case of multiple or double-glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4 on the Pilkington scale.

Reason: To ensure the development has an acceptable design and protects the amenities of neighbouring occupiers in accordance with policy DM1 of the Development Management Document (2015).

06 Prior to the occupation of the development an obscure glazed privacy screen (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) of not less than 1.7m high above terrace level shall be fitted to the south side of the 2nd floor terrace to unit 9 in accordance with details and specifications that have previously been submitted to and approved in writing by the Local Planning Authority. The screen shall be retained for the lifetime of the development in accordance with the approved details.

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

07 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition and construction up to ground floor slab level of the existing building shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority. The details submitted shall include, but not limited to:-

- i) Proposed finished site levels or contours;
- ii) Means of enclosure, of the site including any gates or boundary walls and fencing;
- iii) hard surfacing materials;
- iv) full details of any structures (e.g. benches, planters, loggias, lighting etc.);
- v) full details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification and tree management plan.
- vi) details of measures to enhance biodiversity within the site.

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

Reason: In the interests of the visual amenity of the area and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy DM1 of the Development Management Document (2015) and Policy CP4 of the Core Strategy (2007)

08 The tree and tree root protection measures as set out in Tree Protection Plan Rev 1 dated 22.04.21 and Appendix 3 of the Arboricultural Report by Andrew Day Arboricultural Consultancy Rev 1 dated 22.04.21 in relation to the trees identified

as T2, T3, T4, T6, T7, T8 and T9 in this statement including the mitigation measures in relation to construction within the root protection areas shall be implemented in full prior to commencement of the development and shall be retained throughout the construction phase of the development hereby approved. Implementation of the development shall be undertaken only in full accordance with British Standard 3998 and British Standard 5837 including supervision of works by a qualified arboriculturalist.

Reason: A pre-commencement condition is justified to ensure the trees on and close to the site 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) policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

09 The 9 car parking spaces and the associated new vehicular access for the spaces to access the public highway at the site, including the reinstatement of the redundant crossover on Chalkwell Avenue back to planted verge, as shown on approved plan 001 (11.05.21) shall be provided and made available for use prior to the first occupation of the dwellings hereby approved. The car parking spaces and the associated vehicular access to and from the public highway shall thereafter be permanently retained solely for the parking of vehicles and the accessing of the car parking spaces in connection with the occupiers of the dwelling hereby approved and their visitors.

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 (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM15 and the Southend Design and Townscape Guide (2009).

10 The development hereby approved shall not be occupied until and unless full details of the refuse and recycling store and the secure, covered cycle parking to serve the residential development have been previously submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented and made available for use prior to first occupation of the development and shall be retained for the lifetime of the development.

Reason: To ensure that adequate refuse and recycling storage and secure cycle parking is provided and retained to serve the development in accordance with Policy CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

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

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 (2019), Core Strategy

(2007) policy KP2 and CP4, Development Management Document (2015) policy DM2 and the Southend Design and Townscape Guide (2009).

12 Prior to occupation of the development hereby approved, appropriate water efficient design measures as 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), to include measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be implemented for the whole development and retained in perpetuity.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and Design and Townscape Guide (2009).

13 The development hereby approved shall be carried out in a manner to ensure the flats comply with building regulation M4 (2) 'accessible and adaptable dwellings' before they are occupied.

Reason: To ensure the residential units hereby approved provides a high quality and flexible internal layout to meet the changing needs of residents in accordance with National Planning Policy Framework (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM8 and the advice contained in the Southend Design and Townscape Guide

14 No drainage infrastructure, including earthworks, associated with this development hereby approved shall be undertaken until details of the design implementation; maintenance and management of a scheme for surface water drainage works (incorporating Sustainable Urban Drainage (SuDS) Principles) have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details before the development is occupied or brought into use and shall be maintained as such thereafter in perpetuity.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework (2019), Policy KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015)

15 No development above ground level shall be undertaken unless and until details of existing and proposed site levels at and surrounding the site have been submitted to and approved in writing by the local planning authority. The development shall be undertaken and completed at the levels indicated on the approved drawing.

Reason: In the interests of the residential amenity of adjoining residents and the character and appearance of the area and to ensure that the development complies with 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).

16 Construction Hours for the development hereby approved shall be restricted to 8am – 6pm Monday to Friday, 8am - 1pm Saturday and not at all on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbours pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015).

17 No development shall take place, until and unless a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be fully adhered to throughout the construction period. The Statement shall provide, amongst other things, for:

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding including measures to ensure the retention of trees to the rear of the site
- v) measures to control the emission of dust and dirt during construction
- vi) a scheme for recycling/disposing of waste resulting from construction works that does not allow for the burning of waste on site.
- vii) Measures to mitigate the impact of noise during construction.

Reason: This pre-commencement condition is needed in the interests of visual amenity and the amenities of neighbouring occupiers pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

Informatives

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact S106andCILAdministration@southend.gov.uk to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended).

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.

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

04 The applicant is advised that the appropriate highways licences should be obtained prior to the commencement of the development. The applicant is advised to contact the Councils Highways Officer martinwarren@southend.gov.uk to arrange the reinstatement of the crossover and verge on the Chalkwell Avenue frontage which must be carried out by the Councils appointed contractor.

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.

- 30 21/00674/FUL - 59 First Avenue, Westcliff-on-Sea (Chalkwell Ward)**
Proposal: Demolish existing garage and erect two storey building with garages on ground floor and storage on first floor
Applicant: T E Perkins
Agent: Metson Architects Ltd

Mrs Alessandrello, a local resident, spoke as an objector to the application.

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: 2100 TP-01, X-10.

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

03. The outbuilding hereby permitted shall only be used for vehicular parking and storage purposes ancillary to the residential units at no.59 First Avenue. It shall not be used for any other purposes and shall not be sold or let separately or used for residential accommodation.

Reason: In the interests of neighbour amenities and the character and quality of the area, pursuant to Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

04. Construction hours for the development hereby approved shall be restricted to 8am to 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Bank Holidays.

Reason: To protect the environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

05. No development above ground floor slab level shall take place unless and until full details of external materials have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity pursuant to Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

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.

Informatives

1. Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact S106andCILAdministration@southend.gov.uk to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters can be found on the Planning Portal (www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy) or the Council's website (www.southend.gov.uk/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.

3. There is clear evidence that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire & Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can reduce the risk to life, business continuity and limit the impact of fire on the environment and to the local economy. Even where not required under Building Regulations guidance, ECFRS would strongly recommend a risk-based approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. We also encourage developers to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met.

4. It is the responsibility of anyone carrying out building work to comply with the relevant requirements of the Building Regulations. Applicants can decide whether to apply to the Local Authority for Building Control or to appoint an Approved Inspector. Local Authority Building Control will consult with the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority (hereafter called "the Authority") in accordance with "Building Regulations and Fire Safety - Procedural Guidance". Approved Inspectors will consult with the Authority in accordance with Regulation 12 of the Building (Approved Inspectors etc.) Regulations 2010 (as amended).

5. Plant & Materials - All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no plant or materials are capable of falling within 3.0m of the boundary with Network Rail

6. Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. The applicant/applicant's contractor must consider if they can undertake the works and associated scaffold/access for working at height within the footprint of their property boundary.

7. Future Maintenance - The applicant must ensure that any construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of/or encroaching upon Network Rail's adjacent land and air space. Therefore, any buildings are required to be situated at least 2 metres (3m for overhead lines and third rail) from Network Rail's boundary. This requirement will allow for the construction and future maintenance of a building without the need to access the operational railway environment. Any less than 2m (3m for overhead lines and third rail) and there is a strong possibility that the applicant (and any future resident) will need to utilize Network Rail land

and airspace to facilitate works as well as adversely impact upon Network Rail's maintenance teams' ability to maintain our boundary fencing and boundary treatments. Access to Network Rail's land may not always be granted and if granted may be subject to railway site safety requirements and special provisions with all associated railway costs charged to the applicant. As mentioned above, any works within Network Rail's land would need approval from the Network Rail Asset Protection Engineer. This request should be submitted at least 20 weeks before any works are due to commence on site and the applicant is liable for all associated costs (e.g. all possession, site safety, asset protection presence costs). However, Network Rail is not required to grant permission for any third-party access to its land.

31 21/00692/AMDT - Development Land Underwood Square, Leigh on Sea (West Leigh Ward)

Proposal: Vary conditions 02 to replace approved plan number drawings 385-P800A, 385-P801, 385-P802 and 385-P803, 385-P804 with 385-P8800, 385-P8801, 385-P8802 385-P8803- and 385-P8804 to move main entrance door to front, reduce front bay window, relocate stairs, install one dormer to north elevation instead of two, install rooflight to north elevation, alter openings to side and install flat roof to rear ground floor, alter wording of conditions 03, 05, 08, 13 and 15 to reflect this (Minor Material Amendment of planning permission 20/01309/FUL dated 04/11/2020)

Applicant: G Newton

Agent: SKArchitects

Resolved:- That planning permission be GRANTED subject to the following conditions:

01: The development hereby permitted shall begin not later than 04.11.2023.

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 385-P8800, 385-P8801, 385-P8802, 385-P8803, 385-P8804

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

03 Prior to its occupation the materials for the external surfaces of the dwelling hereby approved shall be as set out on plan reference 385-P8801 or any other details that have previously been submitted to and approved in writing by the local planning authority.

Reason: To safeguard the visual amenities of the area, in accordance with the National Planning Policy Framework (2019) Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

04 The first floor and second floor windows in the north and south elevations of the approved dwelling shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent

that has been previously submitted to and agreed in writing by the local planning authority) and fixed shut up to a height of not less than 1.7m above first floor level before the occupation of the dwellings hereby approved and shall be retained as such in perpetuity. In the case of multiple or double-glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

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

05 The hard and soft landscaping and boundary treatments at the site shall be carried out in full accordance with the proposed landscaping scheme including street tree planting as shown on plans ref 385-P8801 and 385-P8802 prior to occupation of the dwelling hereby approved, or any other details that have previously been submitted to and approved in writing by the local planning authority. 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 of the area and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy DM1 of the Development Management Document (2015) and Policy CP4 of the Core Strategy (2007).

06 No drainage infrastructure associated with this development shall be undertaken until details of the design implementation; maintenance and management of a scheme for surface water drainage works (incorporating Sustainable Urban Drainage (SuDS) Principles) have been submitted to and approved by the local planning authority. The approved scheme shall be implemented, in accordance with the approved details before the development is occupied or brought into use and be maintained as such thereafter in perpetuity.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework (2019), Policy KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015).

07 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order or Act of Parliament revoking and re-enacting that Order with or without modification, no extensions or detached buildings shall be erected at the development hereby approved specified within Schedule 2, Part 1, Classes A, B, D and E of the Town and Country Planning (General Permitted Development) Order 2015 without the receipt of express planning permission in writing from the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to

safeguard the character of the area in accordance the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

08 The two car parking spaces and the associated vehicular access for the spaces to access the public highway, shown on approved plan 385-P8801 shall be provided and made available for use at the site prior to the first occupation of the dwelling hereby approved. The car parking spaces and the associated vehicular access to and from the public highway shall thereafter be permanently retained solely for the parking of vehicles and the accessing of the car parking spaces in connection with the occupiers of the dwelling hereby approved and their visitors.

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 (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM15 and the Southend Design and Townscape Guide (2009).

09 The tree and tree root protection measures as set out in Sections 3 and 4 of the submitted Arboricultural Impact Assessment and Method Statement by Owen Allpress reference 1971 Rev-02 dated 20/09/20 and associated Tree Protection Plan reference 1974-02-P1 dated 20/09/20, Ground Protection Plan reference 1953-02-P1 dated 21/09/20, Cellular Confinement Plan reference 1953-02-P2 dated 25/05/20 and Tree Works Plan reference 1935-02-P3 dated 25/05/20 in relation to the trees identified as T1-T10 in this statement including the mitigation measures in relation to construction within the root protection areas of the trees denoted as T8, T9 and T10, shall be implemented in full prior to commencement of the development and be retained throughout the construction phase of the development. Implementation of the development shall be undertaken only in full accordance with British Standard 3998 and British Standard 5837 including supervision of works by a qualified arboriculturalist. The tree works to trees identified as T8 and T9 shall be restricted to that set out in Section 3.4 of the above report.

Reason: A pre commencement condition is justified to ensure the trees on and close to the site 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) policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

10 Prior to occupation of the dwelling hereby approved, appropriate water efficient design measures as set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to not more than 105 litres per person per day (lpd) (110 lpd when including external water consumption), to include measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be implemented for the development and thereafter retained in perpetuity.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policy KP2, Development Management Document

(2015) Policy DM2 and advice contained within the Southend Design and Townscape Guide (2009).

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

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 (2019), Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) policy DM2 and the Southend Design and Townscape Guide (2009).

12 The development hereby approved shall be carried out in a manner to ensure the dwellinghouse complies with building regulation M4 (2) 'accessible and adaptable dwellings' before it is occupied.

Reason: To ensure the residential unit hereby approved provides a high quality and flexible internal layout to meet the changing needs of residents in accordance with National Planning Policy Framework (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM8 and the advice contained in the Southend Design and Townscape Guide (2009).

13 The development hereby approved shall be carried out in full accordance with the recommendation set out in table 4.1 and Section 5 of the submitted Ecological Appraisal by The Ecology Consultancy version 3.0 dated 21.09.20 and plan reference 385-P8803 showing proposed habitat measures.

Reason: A condition is justified to ensure any protected species and habitats utilising the site are adequately protected during building works in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM2.

14 The construction management of the site shall be carried out in full accordance with the submitted Construction Method Statement by SKArchitects reference 385-08-16 Rev A and plan reference 385-P805 showing the proposed site layout plan during construction.

Reason: A condition is justified in the interests of visual amenity and the amenities of neighbours pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

15 Before it is occupied the finished levels at the site shall be as set out on plan reference 385-P8804.

Reason: A condition is required to safeguard the visual amenities of the site and wider area as set out in Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice contained within the Southend Design and Townscape Guide (2009).

16 Construction Hours for the development hereby approved shall be restricted to 8am – 6pm Monday to Friday, 8am - 1pm Saturday and not at all on Sundays or Bank Holidays.

Reason: In the interests of visual amenity and the amenities of neighbours and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

17 The roof of the single storey projection on the development hereby approved shall not be used as a balcony, roof garden or terrace 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 the event of an emergency.

Reason: To ensure the development has an acceptable design and protects the amenities of neighbouring occupiers in accordance with policy DM1 of the Development Management Document (2015).

18 No external lighting shall be installed on the rear elevations of the dwelling hereby approved other than in accordance with details that have previously been submitted to and approved in writing by the local planning authority.

Reason: A condition is justified to ensure any protected species and habitats utilising the site are adequately protected in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM2

Informatives:

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact S106andCILAdministration@southend.gov.uk to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended).

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.

03 The applicant is reminded that they are required to adhere to the Conservation (Natural Habitats &c.) (Amendment) Regulations 2007 and the Wildlife and Countryside Act (1981) in relation to development works close to protected species including badgers and bats. A Protected Species Licence may be required.

04 The applicant is advised that the appropriate highways licences should be obtained prior to the commencement of the development.

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.

- 32 21/00316/AMDT - Westcliff Eruv, Westcliff-on-Sea (Chalkwell Ward)**
Proposal: Vary condition 02 of planning application 17/01263/FUL dated 03/10/2018 to replace approved plan numbers 911.23, 911.25, 911.33 and 911.002 with 911.23 RevA, 911.25 RevA, 911.33 RevA and 911.001 resiting and removal of poles at various locations (Minor Material Amendment of planning permission 17/01263/FUL dated 03/10/2018)
Applicant: Westcliff Jewish Association
Agent: Mr Daniel Rosenfelder of Rosenfelder Associates

Resolved:- That planning permission be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not later than 3rd October 2021

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:

911.001C (Location Plan) ; 911.51; 911.002; 911.1; 911.2; 911.3; 911.4 A & B; 911.4 C & D; 911.5; 911.6; W.911.6; 911.7; 911.8; 911.9; 911.11; 911.12; 911.13 A & B; 911.13 C; 911.14; 911.15; 911.16; 911.17; 911.18; 911.19; 911.20; 911.21; 911.22; 911.23A; 911.25A; 911.26; 911.27; 911.28; 911.29; 911.30; 911.31; 911.32 Rev A; 911.33A; 911.34; 911.35; 911.36; 911.37 Rev A; 911.38; 911.39; 911.40 A & B; 911.40 C & D and 911.41.

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

03 In respect of all sites hereby approved, details of the design and colour of the external surfaces of the posts and poles and associated structures plus, in respect of sites 17, 27, 30, 31 and 39 the detailed locations, sizes and design details of the polycarbonate and steel sheet fixings, shall be submitted to the Local Planning Authority and approved in writing prior to the commencement of the development

at a particular site. Each individual pole, post or structure hereby approved shall be implemented in full accordance with the details approved under this condition within 6 months of the erection of that particular pole, post or structure. Notwithstanding the details shown on the plans submitted and otherwise hereby approved the pole erected outside the boundary of 70 and 72 Eastbourne Grove (Site 21) shall be chamfered above a height no less than 1m above ground level to a diameter of 76mm in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority.

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

04 A Construction, Management and Maintenance Strategy, for all works hereby approved on or adjacent to the public highway, including details of the management arrangements for implementation of the works hereby approved, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Local Highway Authority, prior to the commencement of the development. The Construction and Maintenance Strategy submitted shall include details on how the Eruv structure (poles, posts, associated structures and wire) would be constructed and maintained in a manner that would not compromise highway and pedestrian safety or unacceptably impact on movements on the public highway. The development shall be implemented and in full accordance with the approved Construction, Management and Maintenance Strategy and maintained in accordance with this Strategy in perpetuity.

Reason: In the interests of highway and pedestrian safety and to ensure that disruption to pedestrians and traffic on the road network arising from the development would be kept to a minimum in accordance with the National Planning Policy Framework Policies KP2, CP3 and CP4 of the Core Strategy 2007 and Policies DM1, DM3 and DM15 of the Development Management 2015 and the advice contained within the Design and Townscape Guide 2009.

05 No site works or other works associated with this development shall be commenced before an Arboricultural Method Statement and Tree Works Plan, detailing the precautions to be taken to minimise damage to trees within and adjacent the sites and any works to be carried out to trees as part of the implementation of the proposal (where relevant), in accordance with British Standards BS5837:2012 and BS3998:2010, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the Arboricultural Method Statement and Tree Works Plan approved under this condition. The approved tree protection measures shall be fully installed before the commencement of works and maintained during construction.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of tree protection, pursuant to Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and the advice contained in the Design and Townscape Guide (2009).

06 No site works or other works associated with this development shall be commenced unless and until an assessment of the impact of the wires on the flight paths of birds, for those approved structures within the reasonable proximity of Priory Park, have been submitted to and approved in writing by the Local Planning Authority. The assessment shall identify and propose measures such as, but not limited to, bird deflectors necessary to mitigate any identified harmful impacts and those agreed measures shall be fully installed prior to completion and first use of the respective developments and shall be permanently maintained for the lifetime of the developments hereby approved.

Reason: To ensure that the development protects local ecology in accordance with the National Planning Policy Framework, Policy KP2 and CP4 of the Council's Core Strategy (2007).

Informatives

01 The erection of the Eruv structures (poles, wires and any other associated works) on the highway would require a Highways Licence under the Highways Act 1980. This Licence would be subject to a number of conditions such as design, use of an approved contractor, indemnity insurance and a bond. If there are problems with any of these matters the licence would not be granted. The Highway Licence covers the proposal in terms of the positions of each pole and will check for any potential concerns, including impacts on clutter, sight lines, obstruction (this would be assessed in relation to all including the needs of disabled people), security and technical specification (including colour of poles and type of wire). The terms of the Licence require weekly inspections for the lifetime of the Eruv and the applicant must submit reports on the outcome of the inspection, any defects identified and actions taken to resolve. The Highways Group also charge an annual fee via the licence to carry out ad hoc inspections to ensure maintenance is being carried out.

02 Structures located on a footway or a footpath must allow for a minimum clearance of 1.5 metres for pedestrians. Location of any existing furniture in the vicinity must be taken into consideration to ensure that the minimum clearance required for pedestrians is not compromised.

03 The applicant is advised that any structures to be sited within or project over adopted highway will require Licences under the Highways Act 1980 in addition to planning permission. The exact location and details of these structures will be agreed as part of the licensing process. Please note that Licenses under the Highways Act 1980 will be issued for structures located on areas under the Local Authority's responsibility. For structures located in other areas, the applicant should seek an agreement with the land-owner. For structures impacting on adjacent boroughs, agreement must be sought from the relevant authorities.

04 The applicant is advised that on sites located on traffic sensitive routes, deliveries during the construction period should not take place during restricted hours.

05 Any and all works carried out in pursuance of this grant of planning permission will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the

provisions of the Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution.

06 The applicant is advised that they would be fully responsible for the maintenance of the proposed Eruv poles, wire and leci to be placed on the public highway at all times.

07 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.

33

21/00396/AMDT - 25 Mount Avenue, Westcliff-on-Sea (Chalkwell Ward)

Proposal: Erect first floor extension with bay window to front to form additional floor to existing dwelling, recessed balcony to front, dormers and rooflights to side elevations to form habitable accommodation in roof and alter elevations (variation of plans approved under condition 2, variation of materials under condition 3 and variation of obscure glazing requirement under condition 5 attached to permission reference no. 20/01834/FULH dated 23/12/2020)

Applicant: Mrs McCormick

Agent: Mr Robert Parish

Resolved:- That planning permission be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin no later than 23/12/2023, three years from the date planning permission 20/01834/FULH was granted.

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: 20-051-pp-02 ISS09 & 20-051-pp-03 ISS08, 20-051-pp-01 ISS02.

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 approved plans.

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

04 Other than the first floor front bedroom corner wrap around window to the southern flank elevation of the application dwelling, the additional first floor windows to both flank elevations shall only be glazed in obscured glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and fixed shut to a height not less than 1.7m above finished internal floor level except for any top hung fanlight the lowest part of which shall be not less than 1.7m above the adjacent finished internal floor level and shall be retained as such in perpetuity.

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 policy DM1

05 With the exception of a top hung clear glazed opening fanlight, the windows belonging to the two side dormers facing No.21 Mount Avenue shall only be glazed in obscured glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut to a height not less than 1.7m above finished internal floor level and shall be retained as such in perpetuity.

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

Informatives

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. This contains details including the chargeable amount, when this is payable, and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability Notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.

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.

34 21/00721/FULH - 237 Prittlewell Chase, Westcliff-on-Sea (Prittlewell Ward)

Proposal: Erect part single/part two storey side and rear extension, install juliette balcony to rear, alter elevations (amended proposal)

Applicant: Mr & Mrs Matthew & Sarah Harding

Agent: Mr Danny Knott

Mr Abdul, a local resident, spoke as a objector to the application. The applicant, Mrs Harding responded.

Resolved:- That the matter be deferred for a pre-meeting site visit,

Chair: _____