

Southend-on-Sea Borough Council

Development Control Committee 8th June 2016

SUPPLEMENTARY INFORMATION

Agenda Item 3 – Pre-Meeting Site Visits

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16/00551/FUL

30 Thorpedene Gardens

7. Representation Summary

Objection received from Councillor Cox:

“As I will not be able to attend Development & Control this week, I would be grateful if my objections could be shared with the committee. I believe that planning permission for 30 Thorpedene Gardens should be refused for the following reasons:

1. It is simply over development with flats on this scale not to be found anywhere in Thorpedene Gardens.

2. The planning application is simply not in keeping with the character of the road in terms of materials that are proposed to be used and the height of the building in conjunction with other existing properties.

3. On highways grounds. The junction of Thorpedene Gardens and St Andrews Road is already a busy junction and to have cars reversing out of the development into St Andrews Road raises some real safety concerns”.

9. Recommendation

An additional condition relating to the flat roof design as discussed under paragraph 4.6:

12. Prior to the commencement of development, the detail of the intersection between the flat part of the main roof and roofslopes shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out only in accordance with the agreed details.

Reason: To safeguard the visual amenities of the area, in accordance with National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy CP4, policy DM1 of Development Management Document DPD2 and SPD1 (Design and Townscape Guide).

Agenda Item 4 – Report on Planning Applications

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16/00758/FULM

Southend High School for Boys

6.5 Public Consultation

Four letters of objection have been received stating:

- Needs to be an acoustic fence behind the north boundary **[Officer Comment: see condition 14];**
- There are still concerns relating to the parking on both sides of Earls Hall Avenue mostly from sixth formers, which also affects access for emergency vehicles;
- The school want to expand the sixth form but have only put a limited provision for sixth form parking in the application (27 places and there are over 40 student cars that park in Earls Hall Avenue and over 50 students that drive to school and students will continue to park on the street **[Officer Comment: the level of parking proposed meets Policy DM15 of the Development Management Document DPD];**
- Yellow lines could be introduced along Earls Hall Avenue and other traffic measures;
- Lack of information to allow an informed decision **[Officer Comment: it is considered a full and proper assessment has been made];**
- Insufficient measures are proposed for the control of traffic and the mitigation of the associated impacts thereof;
- Misleading information in the planning statement that is a biased survey data regarding traffic and car movements together with how resident consultation has been carried out misleading information regarding students in sixth form;
- No information has been submitted on how the sixth form parking will be monitored;
- The school have continued to extend the student numbers without obtaining planning permission;
- The transport statement is not acceptable **[Officer Comment: The parking requirements based upon student and staff numbers have been assessed together with the highway safety];**
- Parking should be to the front of the existing building on the playground **[Officer Comment: The use of the playground for car parking would be contrary to Policy CP7 in terms of the loss of sports facilities for schools];**
- The loss of soft landscaping will affect wildlife, which is not acceptable **[Officer Comment: full details of landscaping are to be dealt with by condition 10];**
- 96 residents have signed a petition to support option 2 [parking on the playground at the front] during the pre-application discussions and this has not been carried forward **[Officer Comment: SHSB engaged in pre application discussions prior to the submission of this application and three options, were discussed in detail. Option 1 was considered most acceptable (i.e this application).**

Concerns were raised in relation to option 2, given the parking would be on the playground area, this would result in the loss of sports facilities for the school, which is contrary to policy CP7 of the Core Strategy DPD2. Option 3 was not considered acceptable due to the loss of the playing fields and impact on the character and appearance of the streetscene again contrary to policy CP7 of the Core Strategy].

9. Recommendation

Please note the changes to the following conditions and an additional condition no. 20 relating to the removal of the portacabin.

08 The temporary construction compound shall be removed and the area affected to be subsequently reinstated to playing field use before the new building opens, unless otherwise agreed in writing with the local planning authority. Such a condition is justified to ensure that the compound is removed in practice at the end of the construction period and the affected playing field area is reinstated to playing field use.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy CP7 of the Core Strategy.

09 Prior to occupation of the development hereby permitted details of a community use agreement for the school's playing field shall be submitted to and approved by the local planning authority (in consultation with Sport England).

Reason: To ensure the development is available for the community and is fit for purpose and sustainable and to accord with Development Plan Policy CP7 of the Core Strategy.

13 Prior to first occupation of the development hereby approved, a Travel Plan including a comprehensive survey of all users, targets to reduce car journeys to school, details of local resident involvement in the adoption and implementation of the travel plan, identifying sustainable transport modes including cycling and modes of public transport shall be submitted to and agreed in writing by the local planning authority, prior to the first use of the approved parking area as shown on drawing 14 148801 Revision L. At the end of each academic year the Schools Travel Plan monitoring the effectiveness of the Travel Plan and setting out any proposed changes to the Plan to overcome any identified problems must be submitted to and approved in writing by the local planning authority. The Travel Plan must be implemented in accordance with the approved details unless otherwise agreed in writing with the local planning authority.

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

20 The “portacabin” hereby approved shall be removed within 5 years from the date of this permission.

Reason: The siting of the “portacabin” would be unacceptable on a permanent basis in terms of its design and appearance, in accordance with policy DM1 of the Development Management DPD.

Informative

4. In relation to condition 09- a community use agreement sets out a school’s policy and arrangements for community use of its facilities and covers matters such as hours of use, pricing policy, types of bookings accepted, restrictions on community use, facility management arrangements etc. The agreement is between a school and the relevant local authority or leisure trust (e.g. Southend-on-Sea Borough Council) but may involve additional bodies and shall remain in perpetuity for the lifetime of the development.

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16/00413/AMDT**

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

8. Recommendation

Due to conditions being discharged since the Officer Report was prepared it is considered that condition 11 (contaminated land) is no longer necessary and should not therefore be imposed.

Condition 26 (colour and acoustic performance of materials used in construction) can be modified to read as follows:

“The construction of the Waste Transfer Station shall only be undertaken in accordance with the insulation and materials details that have been approved under the terms of application 15/02154/AD unless otherwise agreed in writing by the Local Planning Authority.”

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16/00184/FUL**

49 Milton Road, Westcliff-on-Sea, Essex, SS0 7JP

9. Recommendation

Upon further consideration it is considered that condition 05 should be modified to require amendments to the ground floor windows in the front elevation well as the first floor windows. Condition 05 should therefore be amended to read as follows:

“Within two months of the date of this permission, details of the provision of alternative first floor windows that replicate the first floor windows of 51 Milton Road shall be submitted to and approved in writing by the Local Planning Authority. The approved windows shall be provided within two months of the approval of such details and the existing unauthorised windows shall be removed to accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.”

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16/00460/FULH

80 Marguerite Drive, Leigh-On-Sea, Essex, SS9 1NW

9 Recommendation

Condition 04 reworded to read:

04 No development shall take place until details of soft and hard landscape works shall be submitted to and approved in writing by the local planning authority. The approved landscaping scheme shall be implemented following first occupation of the extended dwelling.

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

Additional recommended conditions:

06 The windows and rooflight in the north and south flank elevations 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 as may be agreed in writing with the local planning authority) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level unless otherwise agreed in writing by the local planning authority. 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. (C17B)

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

07 The proposed parking space on the front curtilage of the dwelling shall be provided in accordance with the plans No's 1501/S1/D and existing crossover shall be reinstated prior to occupation of the extended dwelling hereby approved and shall thereafter be permanently retained solely for the benefit of the occupiers of the dwellings and for no other purposes unless otherwise agreed in writing by the local planning authority.

Reason: To ensure satisfactory parking is provided and retained to meet needs of occupants that the development is completed and used as agreed, and to ensure that it meets DPD1 (Core Strategy) 2007 policy CP4, Development Management DPD policy DM15 and SPD1.

Agenda Item 5 – Enforcement of Planning Control

Page 5

15/00177/UCOU-B 161 Westbury Road, Southend-on-Sea, Essex, SS2 4DL.

A letter has been received from a complainant which raises several points and questions:

- Why was the planning application found invalid? [Officer Note – The submissions were not adequate to meet the requirements of a planning application]
- An additional car is used to deliver and collect visitors and that car is permanently parked in the highway.
- DVLA evidence suggests that there was not a valid MOT for this car for a period of 5 weeks in March and April 2016 [Officer Note – This is not matter for the Local Planning Authority]
- The carers never park at the site, they park in the highway.
- Residents do not believe that the use of the site will be monitored once the case is closed. [Officer Note – It is normal that Officers rely on allegations of increased activity before instigating further investigations, but will vet such allegations before using resources].
- The premises is sometimes (albeit rarely) occupied overnight.
- Waste is being collected from the site by Veolia as part of the domestic waste collection arrangements and not as commercial waste. [Officer Note – The Council's Waste Management Team can be notified of this matter. It is not a matter of relevance to the Local Planning Authority]
- The judgement of officers is flawed because neighbouring residents have not been consulted and complainants have not been kept updated of the situation. [Officer Note – The judgement of material harm in enforcement cases is a matter for the Local Planning Authority and not a matter for consultation. The complainant will be informed of the decision of the Development Control Committee.]

- Enforcement Action should be taken and the harm to the amenities of the area should not be downplayed or disregarded.

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16/0097/UNAU_B

174 Royston Avenue, Southend-on-Sea, Essex

7.3 Recommendation

It is recommended that the compliance period is 1 year rather than 3 months as stated.