

Southend-on-Sea Borough Council

Agenda Item

Report of the Director of Technical & Environmental Services

to

Development Control Committee

On

25th May 2005

Report prepared by : Planning Officers

Report on Planning Applications

A Part 1 Agenda Item

INTRODUCTION

- (i) ***Recommendations in capitals at the end of each report are those of the Director of Technical and Environmental Services, are not the decision of the Committee and are subject to Member consideration.***
- (ii) *All plans have been considered in the context of the Borough Council's Environmental Charter. An assessment of the environmental implications of development proposals is inherent in the development control process and implicit in the reports.*
- (iii) *Reports will not necessarily be dealt with in the order in which they are printed.*
- (iv) *The following abbreviations are used in the reports:-*

AW	- Anglia Water plc
BLP	- Borough Local Plan
CAA	- Civil Aviation Authority
DEFRA	- Department of Environment, Food and Rural Affairs
DELL	- Director of Education & Lifelong Learning
DLCAS	- Director of Leisure Culture & Amenity Services
DSC	- Director of Social Care
DTLR	- Department of Transport Local Government & The Regions
EA	- Environmental Agency
ESRSP	- Essex and Southend Replacement Structure Plan
EPOA	- Essex Planning Officer's Association
ODPM	- Office of the Deputy Prime Minister
PPG	- Planning Policy Guidance Note

CONTENTS

Pre-Meeting Site Visits		
SOS/05/00316/FUL	R/o 660 Prince Avenue and 311 Bridgwater Drive, Westcliff-on-Sea	SV2
SOS/05/00151/FUL	1355-1369 London Road, Leigh-on-Sea	SV9
SOS/05/00452/CAC	Alexandra Yacht Club, Clifton Terrace, Southend-on-Sea	SV16
SOS/05/00453/CAC	Alexandra Yacht Club, Clifton Terrace, Southend-on-Sea	SV18
SOS/05/00454/BC4	Alexandra Yacht Club, Clifton Terrace, Southend-on-Sea	SV20
SOS/05/00526/FUL	54, 56 and 58 Barnstaple Road, Southend-on-Sea	SV23
Main Plans List		
SOS/04/01571/OUT	Essex and Suffolk Water Company, North Road, Westcliff-on-Sea	4
SOS/04/01793/FUL	Land to North East of Waitrose Petrol Station, Fossetts Way, Southend-on-Sea	10
SOS/05/00099/FUL	The Old Lifeboat House, Western Esplanade, Southend-on-Sea	22
SOS/05/00177/OUT	261 Elm Road and 1066 London Road, Leigh-on-Sea	26
SOS/05/00196/FUL	23 The Leas, Westcliff-on-Sea	31
SOS/05/00281/FUL	376 Central Avenue, Southend-on-Sea	38
SOS/05/00282/FUL	376 Central Avenue, Southend-on-Sea	40
SOS/05/00305/FUL	230 Bournemouth Park Road, Southend-on-Sea	43
SOS/05/00311/FUL	South East Essex College, Carnarvon Road, Southend-on-Sea	46
SOS/05/00322/FUL	1-15 Cricketfield Grove, Leigh-on-Sea	53
SOS/05/00327/FUL	59 Kings Road, Westcliff-on-Sea	58
SOS/05/00339/FUL	918 London Road, Leigh-on-Sea	62
SOS/05/00342/FUL	11 Oakengrange Drive, Southend-on-Sea	66
SOS/05/00359/FUL	326-328 Bridgwater Drive, Westcliff-on-Sea	68
SOS/05/00387/FUL	59 Vardon Drive, Leigh-on-Sea	70
SOS/05/00415/FUL	45-47 Alexandra Street, Southend-on-Sea	72
SOS/05/00496/FUL	68 Thorpe Hall Avenue, Thorpe Bay	75
SOS/05/00513/FUL	Part of Fossetts Farm Fronting Fossetts Way, Rear of Wellesley Hospital, Fossetts Way, sou	77
SOS/05/00527/FUL	East Beach Caravan Site, Blackgate Road, Shoeburyness	81
SOS/05/00568/BC3	Leigh North Street Schools, Leigh-on-Sea	84

Enforcement Report

75 The Drakes, Shoeburyness	ENF1
36 Clarence Street, Southend-on-Sea	ENF3
76a Herschell Road, Leigh-on-Sea	ENF5

Victoria Ward

SOS/04/01571/OUT (Application for planning permission)

DEMOLISH BUILDINGS, ERECT THREE STOREY BLOCK OF 32 FLATS WITH COMMUNAL AMENITIES, PARKING AND VEHICULAR ACCESS ONTO NORTH ROAD (OUTLINE APPLICATION)

Essex and Suffolk Water Company North Road Westcliff on Sea

Essex and Suffolk Water

FPD Savills

1 The Proposal

Site Area Gross (Net)	0.51 (0.46h)
Height	3 storey – indicative
Number of Units	32 - indicative
Parking	37 shown - indicative
	Guideline – 1.5 per flat
Cycle Parking	Secure cycle storage shown, no detail of numbers.
	Guideline 1 space per flat
Amenity Space	896m ² approx
	28m ² per unit
Density	63 dwellings ph
	26 dpa (Guideline = 75–100 dph)

- 1.1. The application is in outline form with only the detail of access submitted for approval. The applicants have submitted indicative plans which are for illustrative purposes only but show how the dwellings might be accommodated on the site.
- 1.2. The indicative plans show a roughly “L” shaped development with housing sited along the south and western sides of the site. The units are shown as being three storey, with pitched roofs including some gabled features and bay windows to the front. The development would extend over the vehicular access through into the rear car park.
- 1.3. The development is shown as being set back approximately 11m from the front boundary of the site, with a landscaped area to the front. The rear of the dwellings comprises a parking area for cars and cycles, and area of soft landscaping and hard landscaping. The existing access would be remodelled to form a single point of access to the site and the majority of existing trees would be retained, with some additional tree planting proposed. The existing railings bounding the site to the front would be retained.
- 1.4. The applicants have submitted a supporting statement with the application which is summarised below.
 - 1.4.1. *Essex and Suffolk water ceased operations at the site in the late 1990’s. The site has since been used infrequently by subcontractors of the Water Company and for general storage. However it has mainly stayed vacant and no workers re employed on site.*
 - 1.4.2. *The site presents an opportunity to recycle urban land to provide additional housing. The statement goes on to quote policy H1, H7 of the BLP and states that the application complies with those policies.*
 - 1.4.3. *The applicants acknowledge that Policy E4 of the BLP seeks to prevent loss of employment land, but the site is not identified for employment purposes within the BLP and has only been used infrequently for the last five years. No jobs would be lost as a result of the sites redevelopment. The non intensive use of the site prior to its closure is not comparable with a general business use which in this location is likely to have and adverse effect and the amenities of a predominantly residential area. The proposed residential use is more appropriate in this location. The proposals would therefore be in line with the thrust of E4.*

- 1.4.4. *National planning guidance has also moved on since Policy E4 was drafted. PPG3 now places greater emphasis on reusing previously developed land within urban areas for housing, and discourages planning policies such as E4 which aim to protect employment land for employment where it may not be in the market interest to support it. The applicant quotes para 42 and para 23 of PPG3 and concludes that the Council should support redevelopment of this underused site.*
- 1.4.5. *The proposals also provide and opportunity to provide additional housing land in Southend and integral part of the Thames Gateway Regeneration area.*

2 Location and Description

- 2.1. The roughly rectangular shaped site on the eastern side of North Road, opposite the Nelson public house and the sharp dogleg in the road at the junction with Chelmsford Avenue. To the south are the Chelmsford Avenue United Reform Church and the related church hall. To the north is a short terrace of three storey housing, to the east is two storey housing and to the west lies two storey terraced housing and the public house.
- 2.2. The site is mainly hardsurfaced and contains a number of buildings of varying heights and scale. Several of the buildings back onto the residential properties in Colchester Close. There are some material storage areas towards the southern end of the site. A number of mature trees lie along the boundary with the street.

3 Development Plan

- 3.1. BLP Policies C11 (New Buildings, Extensions and Alterations), C14 (Trees, Planted Areas and Landscaping), E4 (Industry and Warehousing), E5 (Non-Residential Uses Located Close to Housing), H1 (Housing Provision), H2 (Future Housing Needs), H5 (Residential Design and Layout Considerations), U1 (Infrastructure Provision), T8 (Traffic Management and Highway Safety), T11 (Parking Standards), T12 (Servicing Facilities).
- 3.2. The Replacement Borough Local Plan Issues Report
- 3.3. ESRSP Policies CS1 - Achieving Sustainable Urban Regeneration, CS2 - Protecting the Natural and Built Environment, CS3 - Encouraging Economic Success, CS4 - Sustainable New Development, BE1 - Urban Intensification, BE2 - Mixed Use Developments, H1 - Distribution of Housing Provision, H2 - Housing Development - The Sequential Approach, H3 - Location of Residential Development, H4 - Development Form of New Residential Developments, H5 - Affordable Housing, BIW3 - Business Development - The Sequential Approach, BIW4 - Safeguarding Employment Land, T3 - Promoting Accessibility, T6 - Walking and Cycling, T11 - Traffic Management, T12 - Vehicle Parking.
- 3.4. Regional Planning Guidance for the South-East (RPG9 and RPG9a) apply. The Core Strategy designates Southend as part of the Thames Gateway and the Thames Gateway is a regional and national priority for regeneration.
- 3.5. PPG's - PPG1, PPG3, PPG4, PPG13

4 Planning History

- 4.1. 1993 – planning permission granted for single storey side extension to provide additional office space (SOS/93/0659).

5 External Consultation

- 5.1. None.

6 Internal Consultation

- 6.1. Design Comment - the site is within the vicinity of a medieval village and adjacent to an ancient road, therefore request archaeological conditions CZY6, CZY5 and CZY3 if planning permission to be granted. The proposed scheme is an overscaled standard developer approach, which does not meet the townscape potential of this site. The redevelopment of this area is an opportunity to engage with the pub and church and turn this wide junction into a public space/focal point. New developments should positively engage with the existing townscape. The site also has a long history as a water works and some of this character should be incorporated within the scheme. The central pumping station is of high townscape value and should be retained and connected. (This would support the Council's approach to sustainable development). The site is also close to the town centre and public transport links and should incorporate some form of commercial community facilities.
- 6.2. Highway Comment – The width of vehicular access onto North Road should be a minimum of 4.8m. The parking bay size should be 4.8x2.4m (min) and the running lane between the bays should be 6m to allow adequate vehicle turning. A bin store should be provided with recycling facilities. Any redundant vehicle crossings should be reinstated back to footway construction at the applicant's expense. There appears to be a short fall of parking spaces. Only 37 appear on the plan, although 42 is stated. There may well be additional on street parking in the area that is already heavily parked causing increased parking stress. West Road is a distributor road and is generally very busy. Vehicles entering West Road from North Road normally have to queue and the situation is worse at peak times. This development will have a significant traffic impact in the area and is anticipated that this will increase queues in North Road and would be detrimental to the traffic flow. The applicant has not submitted a proper traffic assessment and analysis of the impact of this proposal.
- 6.3. Environmental Health Comment – No adverse comments from an environmental protection point of view.

7 Publicity

- 7.1. Press notice, site notice and neighbour notification – six letters of objection relating to the following issues:
- ◆ Loss of privacy, overlooking, from flats and security cameras
 - ◆ Insufficient parking provision
 - ◆ Additional traffic - Harcourt Avenue is a rat run, if more flats are built then need traffic calming.
 - ◆ Intensification of use of the access is not safe, there a high volume of on street car parking and traffic flow
 - ◆ Additional noise and disturbance
 - ◆ Additional pollution
 - ◆ Damage to eastern boundary wall from cars manoeuvring
 - ◆ Loss of security
 - ◆ Loss property value
 - ◆ Loss of the existing building
- 7.2. One letter raising no objection but requesting that if pp granted the existing rear boundary wall should be replaced by a fence.

8 Appraisal

- 8.1. The main issues to be taken into account are: the principle of residential development on the site, associated loss of employment land, regeneration of the area, density of development, impact on streetscene, impact on neighbours, parking provision, access, provision of affordable housing, car and cycle parking, servicing, refuse storage, decontamination and remediation.
- 8.2. The overall context for business and industrial development in the Borough is shaped by the constraints on land available in the Borough and the Borough's relatively high unemployment rate. Borough Local Plan Policies seek generally to expand local employment facilities in order to both reduce unemployment and redress the balance locally between the size of the Borough's workforce and the jobs available locally. Housing Policies complement the employment policies by seeking to make optimum use of the existing housing stock and available land to meet the Borough's housing needs.

- 8.3. At a strategic level these general aims are reflected in Structure Plan Policies, BIW2 and BIW4, RPG9 and RPG9a.
- 8.4. The Borough Local Plan Issues Report identifies Key Regeneration Areas and prioritises focussing new development in urban areas. This approach is used in Southend to invest in existing areas that have perhaps been neglected in the past and could contribute significantly to the economic prosperity and well being of the town. The area in which the site is located is identified within the Borough Local Plan Issues report as a key area of regeneration and identified as having potential to continue to develop into an area of mixed but compatible uses providing for much needed local jobs. This approach is supported by the Sustainable Communities Plan.
- 8.5. Policy E4 of the BLP seeks to retain employment land. The application site is not specifically allocated for employment use so the latter part of the policy applies:
- 8.6. “Elsewhere permission will only be granted where this would bring clear benefits to the town in terms of jobs created or facilities provided; would result in the relocation or extinguishment of a use which is not compatible with the amenity or proper development of the surrounding area, or where it can be demonstrated that the premises are no longer suitable for industrial or warehouse use....”
- 8.7. Redevelopment of the site as proposed brings no clear benefits to the town in terms of the facilities that would be provided and the current use has not proved incompatible with the surrounding residential uses. The applicants have stated that the site is no longer is use by its current owners and previously generated only a low level of employment. However no evidence of marketing of the site has been submitted to demonstrate that it is no longer capable of supporting an alternative employment generating use. Thus it is considered that the permanent loss of an employment site resulting from the proposed development is contrary to policy E4. However, the site is divorced from the main collection of employment sites to the south west and is mainly bounded by residential development.
- 8.8. Current Structure Plan policy and Regional Planning Guidance reinforces the economic regeneration priority for development in Southend and promotes mixed use development and a more sustainable integration of housing, employment and services within existing urban areas, to an extent not fully reflected in the relevant policies of the Borough Local Plan. Partly in response to these policy changes the Council has produced an Interim Employment Land Policy as development control guidance pending the preparation of the replacement Borough Local Plan. The interim policy states:
- 8.8.1. “In accordance with Policies CS1, BE2, BIW1, BIW2 and BIW4 of the Essex and Southend on Sea Replacement Structure Plan, adopted in April 2001 and with their objectives, the following interim guidance will apply:
- ◆ all employment land will be safeguarded from development or change of use to other land uses;
 - ◆ changes to or development with other uses will only be permitted exceptionally and where:
 - ◆ the site has given rise to complaints relating to noise or general nuisance or the site has the potential to give rise to noise or general nuisance or redevelopment would bring significant townscape benefits in a sensitive area such as a Conservation Area or would significantly improve the setting of a listed building, and
 - ◆ evidence is provided to demonstrate that the premises are not suitable for business purposes due to environmental factors such as poor road access or harming the visual or functional amenity of the locality or continuation of the existing employment use would be inconsistent with the LTP due to generation or heavy goods vehicle movements within “environment rooms”, and
 - ◆ Consideration has been given to redevelopment for “other employment purposes” that would be compatible with the locality and the policies of the BLP, and
 - ◆ Consideration has been given to mixed use development and then to other “job creating” uses that would be compatible with the character, appearance and amenity of the local environment, and

- ◆ Convincing evidence has been presented to demonstrate that the site has been appropriately marketed for "employment purposes" in suitable locations and at a realistic price for the lawful or permitted use including evidence of long term vacancy exists (normally 12 months plus).
 - ◆ land identified as 'Safeguarded Land' in the Adopted Second Alteration to the Southend on Sea Borough Local Plan, together with any other significant development land opportunities which may arise within the Borough will only be granted permission for development where it can be demonstrated that the proposals make an appropriate contribution to the economic regeneration needs of Southend, and to the employment land provisions of the Adopted Replacement Structure Plan.
- 8.8.2. "Employment Land" includes all land or premises lawfully used for purposes within Use Classes B1, B2 and B8, and land or premises identified for such purposes on the BLP Proposals Map, including those listed in paragraph **4.28 of the adopted Borough Local Plan Written Statement, and sites within the North Road/Salisbury Avenue area to which Borough Local Plan Policy E6 otherwise applies.** It does not, however, apply to Proposal Sites P3f-P3t of the adopted Southend on Sea Borough Local Plan."
- 8.8.3. Where loss of employment land is exceptionally being considered and a residential element or residential development is proposed, that development must contribute toward local housing needs including the provision of affordable housing."
- 8.9. Although the buildings within the site are vacant, the changing nature of business, patterns of working and the principles of sustainable development, all point to the potential of this area to retain its potential for employment generating uses which would not conflict with the surrounding residential uses and to continue to develop into a vibrant area of mixed but compatible uses providing much needed local jobs, whilst protecting the amenities of local residents.
- 8.10. The applicant has submitted limited evidence to support the case of the loss of this site to employment uses, its residential redevelopment, or outlined how the proposed development will help regenerate the area. There is no evidence submitted to suggest that the site is no longer suitable for some form of business use, no evidence of marketing of the site, no evidence that that alternative employment generating uses or mixed development have been considered. Nor would the proposed development give rise to significant townscape benefits. No convincing case for the loss of the site for employment purposes has been made. The development as proposed would not lead to job lead regeneration of the area in the way envisaged within the Issues report and would not be in line with the objectives of the Sustainable Communities programme.
- 8.11. The development as proposed shows provision of flats. The interim employment policy requires that where loss of employment land is being considered and residential development is proposed, that development must contribute toward local housing needs including the provision of affordable housing. The provision of flats as proposed may contribute to local housing need, but there has been no indication that any part of the development would be allocated for affordable housing. If planning permission were to be granted this would need to be a requirement of a S106 Agreement.
- 8.12. The density of the development at 63 dph falls short of the Borough Local Plan guidelines of 75-100 dph.
- 8.13. The applicants appear to have taken reference for the design and massing of their indicative proposals from the adjacent terrace of three storey dwellings and the Nelson public house which lies opposite the site and also the adjacent church. However these buildings do not reflect the general not reflect the scale or nature of development in the surrounding area, which is primarily made up of two storey, small scale terraced properties. The development would therefore appear to be overscaled within the streetscene, to the detriment of the overriding character of the area. Furthermore the indicative design does not meet the townscape potential of this site. However it should be noted that the significant area of landscaping is welcomed.
- 8.14. Notwithstanding the above, the majority of buildings within the site are characterful and contribute to the visual amenities of the area. It would be preferable to see these buildings retained and converted rather than simply demolished. This would also be a more sustainable method of development.

- 8.15. The detail of the proposed access and car parking layout as shown is acceptable.
- 8.16. In terms of the number of spaces, the submitted indicative plans show 37 spaces, while the application details specify 42. This is a location which is relatively close to the town centre, amenities and public. Thus a level of provision of a minimum of one space per dwelling is considered acceptable.
- 8.17. Parking for cycles is shown, but no details of numbers have been submitted. A least one space per dwelling in secure covered storage would be expected for any detailed proposal.
- 8.18. The access to the site is from North Road, this is a stretch of road that experiences queuing from the junction with West Road at busy times of day. The applicant has not submitted any evidence to demonstrate that the proposed development would not worsen this situation or lead to highway safety issues. If planning permission were to be forthcoming for residential use, the applicants would be expected to demonstrate that the number of units being proposed would not have an adverse impact on highway safety.
- 8.19. Turning to the impact on neighbouring properties, the site is bounded on three sides by residential development. There is no evidence that the current or previous use of the site resulted in nuisance to those residential properties. In terms of activity associated with the development it is considered that the flats would result in a greater level of disturbance to the neighbours than the existing low key use, but this would be to such a degree to result in a material harm to the occupiers. Although there is an area of parking shown along the rear boundary, it is not immediately adjacent to the dwellings, being sited along the boundaries of their amenity areas, the parking spaces are separated by a landscaped area, which could be densely planted, thus reducing the impact further. The setting out of the buildings as shown meets BLP guidelines with the exception of the easternmost block, which is marginally below the guideline, however here the buildings are set almost at right angles and thus the ability to actually overlook the rear of the neighbouring properties is considerably reduced and thus no objections are raised on that basis.
- 8.20. Amenity space is shown to be communal to the east of the development. There is also an area to side of the development flanking the church which although to the front of the some of the flats could be used as a private area if suitably screened from general view. However the landscaped area to the front of the development should not be considered to be private amenity space, rather an area which gives the development a suitable and welcomed landscaped setting. The amount of amenity space provision equates to approximately 28m² per unit, this is in excess of BLP guidelines.
- 8.21. The submitted plans show the proposed siting of refuse storage. However there is room within the site to provide adequate facilities and site them within a location which is accessible to refuse collectors. Any detailed application should also include a waste management strategy.

- 8.22. This is a Brownfield site and it should be noted that any planning permission for this site would need to include a scheme of decontamination and remediation.

9 Recommendation

Members are recommended to **REFUSE PLANNING PERMISSION** for the following reason:

01 The proposed redevelopment of the for flats is unacceptable as it would lead to loss of the business and potential employment generating uses of the site within a Borough with only a limited supply of such land to meet the employment requirements of its workforce. This would be contrary to Borough Local Plan Policy E4 and Essex and Southend Replacement Structure Plan Polices CS1, CS3, CS4 and BIW4 and the Councils Interim Employment guidelines.

Informatives: If the site was found to be acceptable in principle for mixed or residential development:

- 01 It would be preferable to retain existing buildings and re use.**
- 02 The indicative design is overscaled and should be improved in townscape terms.**
- 03 Evidence should be submitted to demonstrate that traffic generation from the site would not have a detrimental impact on highway safety**
- 04 Detailed plans should show refuse provision, detailed cycle storage and include a draft decontamination and remediation assessment and a waste management scheme.**
- 05 Any residential development of more than 24 units should include a minimum of 20% affordable housing**
- 06 A financial contribution for education may be required.**

St Lukes Ward

SOS/04/01793/FUL (Application for planning permission)

ERECT SINGLE STOREY BUILDING (297M²) TO BE USED AS RESTAURANT (CLASS A3), LAY OUT CAR PARKING, CYCLE PARKING, SERVICE AND DELIVERY AREA AND REFUSE STORE AND FORM ACCESS ONTO LINK ROAD

Land To North East Of Waitrose Petrol Station , Fossetts Way, Southend-on-Sea

Lansbury Retail Limited

Ian Anderson

This application was deferred to allow English Heritage to comment regarding the additional information submitted by the applicant. These comments will be reported in the Supplementary Report.

1 The Proposal

- 1.1. To erect a single storey restaurant building which would be accessed from Fossetts Way, by a horseshoe shaped access road with single vehicular access. 40 car parking spaces would be provided to the south, west and north of the restaurant building. Seven cycle stands are shown. A refuse store is shown to the north west of the building. Servicing and delivery would also be to the west of the building. The area beyond the parking spaces is shown to be densely landscaped, although no landscaping scheme has been submitted.
- 1.2. The building would be largely rectangular. Revised plans have been submitted amending the roof design, to an asymmetrical pitched roof, with cut out. The main external wall would be facing brickwork, with a glazed entrance porch, also with a curved roof. The car park area would be partly tarmaced with block paved areas around the outside of the building. Cycle stands would be located adjacent to the front entrance. Although no landscaping scheme has been submitted with the application, the plans show the area between the car park and Scheduled Ancient Monument (SAM) to be densely landscaped. The plans also show signage to the south east of the building, but the details are to be subject to separate advertisement consent.

- 1.3. The applicant has submitted supporting information, which is summarised below.
- 1.3.1. *The restaurant would not function as a drive through. The provision of a restaurant facility is a logical land use in view of the mix of retail and employment generating uses that exist or will exist at Fossett's Farm. Both the B&Q and Hospital will generate significant employee and visitor numbers and the provision of a restaurant to site alongside the in store cafes at Waitrose and B&Q will make a positive contribution to the vitality and viability of Fossetts Farm. The restaurant will in turn provide an ancillary function to the wider Fossetts Farm land uses. The restriction on a drive through will negate the potential for people to make specific trips to the restaurant, and as a consequence the majority of vehicular trips will already be on the network. The restaurant will not operate a delivery service.*
- 1.3.2. *The design of the restaurant is proposed to compliment the B&Q warehouse. The intention is to deliver a comprehensive approach to commercial development at Fossetts Farm, and for an overall high quality development.*
- 1.3.3. *Considerable regard has been given to landscaping of the site. A mature tree belt would be provided along the northern western and southern boundaries in order to safeguard both the Green Lane footpath and the SAM. In addition the restaurant would be sited in close proximity to the Fossetts Way boundary in order to maximise the distance between the development and the SAM. The proposals do not encroach upon the boundaries of the SAM.*
- 1.4. The submitted Traffic Assessment is an update on previous reports that have been undertaken for other development along Fossetts Way. It concludes that there is no highway or transportation reason why the application should not be approved.
- 1.5. **Following publication of the original Committee report the applicant submitted additional information which is summarised below:**
- 1.5.1. *It is not considered that the comments raised by English Heritage are in any way at odds with the comments made in respect of the Prospects College proposals, which also relate to Lansbury's land holding. Notwithstanding this fact, there are two points I would seek to highlight in response to the issues raised in the consultation response. Firstly, the design changes that are being implemented will reduce further the impact of built development in this location. Coupled with the extensive belt of landscaping that is to be introduced, the impact of the proposed building – which is single storey – will be minimal. Secondly, and has been previously stated, Lansbury are prepared to work with the Borough Council to help introduce a proper management proposal for the SAM. Lansbury would be willing to donate its land holding that encompasses the SAM to the Borough Council, and to provide a financial payment of £50,000 towards its future maintenance and upkeep. Lansbury is aware that the Borough Council has requested a financial contribution of £10,000 from Prospects, and is continuing to negotiate with the NHS for a contribution upwards of £60,000 in respect of the DTC proposals, which also include part of the SAM land holding. Lansbury's donation of the land, coupled with a sizeable financial contribution would enable the Borough Council to put in place a schedule of improvements. Equally, whilst Lansbury does not accept that the Pizza Hut proposals would result in any detrimental impact per se, the financial assistance provided would help address the cumulative impact of built development on the edges of the SAM, including the B&Q, Prospects, the Fossett's Farm Link Road (Clements Way) and the DTC.*

2 Location and Description

- 2.1. The application site forms part of land commonly referred to as Fossetts Farm, which in total measures over 30 hectares (75 acres). The application site comprises some 0.391 hectares of undeveloped land which is located immediately to the north of the Waitrose Petrol Filling Station and to the west of the site which has planning permission approved for retail warehouse development and to the south of the site which has planning permission for a Diagnostic and Treatment Centre. It is irregular in shape.
- 2.2. Besides the developments which are proposed for Fossetts Farm, there is, to the north of the existing Waitrose Store and application site, an Iron Age Camp which is a Scheduled Ancient Monument (SAM). The boundary of the SAM was amended in 1988 to include the full circle of the monument as it extends northwards into Fossetts Farm. The SAM is located immediately to the north and west of the planning application site and abuts its boundary.

- 2.3. Access into the application site is provided by way of Fossetts Way via the Fossetts Way roundabout on Eastern Avenue (A1159). Eastern Avenue is a dual carriageway road at this point, and forms part of Southend's principal distributor route. Planning permission was recently granted in 2003 to construct a link road across Fossetts Farm to serve existing and future developments including the application site.

3 Development Plan

- 3.1. The original Fossetts Farm proposals were assessed against Government planning policy, in particular, PPG1, PPG13, and RPG9. In addition, in considering the environmental impact of the proposed development, consideration was given to the advice contained within PPG2, PPG15, PPG24 and PPG 25.
- 3.2. ESRSP Policies CS2 - Protecting the Natural and Built Environment, CS3 - Encouraging Economic Success, CS4 - Sustainable New Development, NR1 - Landscape Conservation, NR5 - Historic Landscape Features, HC5 - Protection of Archaeological Sites, HC6 - Archaeological Assessment, BE5 - Planning Obligations, T3 - Promoting Accessibility, T6 - Walking and Cycling, T12 - Vehicle Parking, BIW1 - Employment Land Provision and BIW3 - Business Development - The Sequential Approach.
- 3.3. The BLP was adopted in March 1994, although more recently two Alterations to the Plan have been adopted, namely in October 1997 and March 1999. The latter relates solely to land at Fossetts Farm, including the application site. The BLP was modified to take specific account of Fossetts Farm, and in summary, land including the application site was removed from the Green Belt and re-designated 'safeguarded land' in Policy G1a. The Replacement Local Plan Issues Report, published in March 2001, addresses the application site and Fossetts Farm within a specific policy (page 17), and it is anticipated that this will follow through into policy within the forthcoming Local Plan Review.
- 3.4. Borough Local Plan Policies: G1a, C1 (Ancient Monuments and Archaeological Sites), C11 (New Buildings, Extensions and Alterations), C14 (Trees, Planted Areas and Landscaping), E1 (Employment Promotion), U1 (Infrastructure Provision), U7 (Existing Education Facilities), U8 (Provision of New Education Facilities), T1 (Priorities), T8 (Traffic Management and Highway Safety), T11 (Parking Standards), T12 (Servicing Facilities), T13 (Cycling and Walking).

4 Planning History

- 4.1. The context of the application site's planning history is provided by the evolution of the Local Plan. The Fossetts Farm land, including the application site, was originally reserved as Green Belt and part cemetery use. However, in September 1994, following an application by Swan Hill Developments Limited, a judgement in the High Court quashed the Local Plan, in so far as the allocation of Fossetts Farm.
- 4.2. Following the High Court decision, an alteration to the Local Plan relating specifically to Fossetts Farm was produced by the Borough Council (Second Alteration), which was subject to further consultation and a Public Inquiry. The Inquiry Inspector concluded that the inclusion of Fossetts Farm within the Green Belt was unnecessary. As a result, the Inspector recommended that the land be designated as 'safeguarded land'. The Inspector concluded that the site could be suitable for a variety of options, but that no development should be permitted that would prejudice or limit options for comprehensive redevelopment. The Borough Council accepted the Inspector's recommendations, and through the Second Alteration to the Local Plan, effectively restricted any form of development prior to 2001.
- 4.3. More recently, both the application site and the wider Fossetts Farm area have been the subject of a planning application proposing the development of a new football stadium (16,000 seat capacity), an 80 bedroom hotel and leisure development (21,400m²). The application, which was submitted by Southend United Football Club (SUFC) on 10 July 2000 was eventually withdrawn.
- 4.4. In 2004 planning permission was granted following a Public Inquiry for a 14,808m² retail warehouse with associated access road with roundabout at junction onto Fossetts Way, builders yard, garden centre, parking for 585 cars at front and service yard and sub-station at rear (02/00070/FUL) and (SOS 02/00071/FUL). This proposal was subject to a S106 agreement. The S106 required (amongst other things) that a link road, connecting Sutton Road and Fossetts Way, be completed prior to occupation of the retail warehouse.

- 4.5. In 2003 separate planning permission was granted to construct the link road.
- 4.6. The recent history of the wider Fossetts Farm site is set out below.
- 4.7. 1993 - full planning permission was granted for the erection of a retail superstore (82,750ft² 7690m²) and petrol filling station, layout 831 parking spaces and service bay and layout roundabout and access off Eastern Avenue – land to west and north of Wellesley Hospital, Eastern Avenue, Southend on Sea subject to conditions (SOS/93/0475).
- 4.8. 2001 - outline planning permission was refused for the erection of a 2,183m² (23,500 ft²) retail store for an unspecified non food retail (Class A1) purpose. June 2001 - the application was granted planning permission on appeal (SOS/00/00860/OUT).
- 4.9. 2002 - planning permission allowed following 'call in' Public Inquiry in 2004, S106 to lay out access road with roundabout at junction onto Fossetts Way, erect DIY retail warehouse (14,808m²) with builders yard, garden centre, parking for 585 cars at front and service yard and sub-station at rear (SOS/02/00070/FUL) and (SOS/02/00071/FUL).
- 4.10. 2002 – planning permission granted - to construct link road across Fossetts Farm to serve existing and future developments within the vicinity and on Fossetts Farm following application reference No. SOS/02/00070/FUL (03/00884/FUL)
- 4.11. 2003 - planning permission granted to vary condition 01 on planning permission SOS00/00860/OUT which required development of non-food retail warehouse unit to begin within five years to allow a further two years for the submission of reserved matters and to allow development to commence within seven years of 25th June 2001 (SOS/03/01453/FUL).
- 4.12. Current application - Erect workshop based business park and offices, form access onto proposed link road and lay out parking (SOS/03/01596/OUT).
- 4.13. 2003 - Lay out road, construct diagnostic and treatment centre comprising single, two and three storey buildings and lay out 400 parking spaces (SOS/03/01710/FUL). Application was considered invalid.
- 4.14. 2004 - Application withdrawn: Erect non-food retail warehouse (2183m²); lay out parking and service areas with vehicular access onto Fossetts Way (Approval of Reserved Matters following grant of outline permission SOS/00/00860/OUT dated 25.06.2001) (SOS/04/00457/RES).
- 4.15. 2004 – planning permission granted subject to completion of a S106 Agreement to construct diagnostic and treatment centre comprising part two/part three storey building and lay out 392 parking spaces with access and egress onto new link road. The S106 Agreement remains outstanding (SOS/04/00550/FUL).
- 4.16. 2004 – current application - Erect non-food retail warehouse (2360m²) comprising two units, lay out parking, service areas and landscaping and form vehicular access onto Fossetts Way (SOS/04/01785/FUL).
- 4.17. March 2005 – planning permission granted to erect vocational training college comprising part two/part three storey building and lay out parking area, landscaping and service yard, with access and egress onto new link road, Land East Of Fossetts Farm, East Of Scheduled Ancient Monument And North Of Fossetts Way, Southend On Sea (SOS/05/00070/FUL).

5 External Consultation

- 5.1. English Nature – We note that the present application is close to the site of previous consultations and that no populations for protected species have been identified in the area of the application site. However Southend Council are reminded that the presence of a protected species is a materials consideration in a planning application. It is the view of English nature that the Council should consider whether or not further updated survey information is required. The report goes on to set out the information that should be provided by the applicant. This information should be submitted to and considered by the Council prior to determination of the planning application.

- 5.2. Environment Agency – the development is classed as operational development less than one hectare and thus the agency provides general surface water information for the applicant, and requests two conditions relating to surface and foul water
- 5.3. Essex County Fire and Rescue Service – Additional water supplies for firefighting may be required.
- 5.4. Essex Wildlife Trust – had Skylark singing males in the general area which may have bred last year, and that any permission is therefore subject to a condition that works starts only outside the bird breeding season. It is noted that the area surrounding the car park is to be landscaped and as the site is directly adjacent to the SAM request that only non invasive, non suckering plants, bushes and trees are used to landscape the area..
- 5.5. English Heritage – (original submissions) The development affects the setting of Prittlewell Camp, which is a SAM. We consider that the siting of a restaurant with associated services in this location will adversely affect that visual character and the setting of the SAM and for the following reasons the application should be refused. Prittlewell Camp comprises the remains of a slight univallate hillfort of later Bronze age or early Iron Age date. The monument occupies the northern edge of a broad river terrace, which commands extensive views over the River Roach to the north east and west. The hill fort is nearly circular in plan; the south western third of the perimeter is defined by an earthen bank and an external ditch that survives within a wooded belt. The northern and eastern sections of the ramparts have been reduced by ploughing but are visible as crop marks on aerial photos. At the south eastern part of the perimeter is a mound containing quantities of medieval tiles and pottery, spanning the 13th-15th Centuries. It is thought this represents a medieval mill mound. This group of hill forts are thought to span the eighth to fifth centuries BC and appear to have been in use for 150–200 years prior to abandonment or reconstruction. They have generally been interpreted as stock enclosures, redistribution centres, places of refuges and permanent settlements. Such enclosures are a rarity nationally and their importance lies in their potential to understand the transition between Bronze Age and Iron Age communities. Importantly given the difficulties in identifying such settlements of the period in the archaeological record, a number of such enclosures appear to have been reoccupied in the Anglo Saxon Period.
- 5.6. Archaeological excavation associated with the construction of the B&Q development to the east of the monument has identified extensive prehistoric and Anglo Saxon settlement to the east of the hill fort. The distribution of the features strongly suggests that the application site occupies part of the nucleus of the settlement, immediately outside the circuit of the hill fort. The Council should note that the application does not include any assessment of archaeological impact, which would allow the impact of the development on buried archaeological deposits to be determined. In the absence of objection on setting grounds, such a development should not be determined without a pre determination archaeological determination being undertaken.
- 5.7. Despite having been reduced by ploughing, the monument retains significant archaeological information and forms an important extant earthwork feature, with a strong visual and topographical character in a landscape where the survival of early earthwork monuments has been severely affected and overwhelmingly arable agricultural regime. The presence of the medieval mound is an indication of the continuity and adaptation of such defensive earthworks in the medieval landscape and is sited close to the extant green lane that bounds the eastern side of the monument.
- 5.8. The development is to construct a drive to Pizza Hut restaurant, and associated development. The site would occupy the area immediately between the link road and the SAM. Notwithstanding the proposals to site the building on the eastern boundary and to create a band of planting between the building, its associated car park and the monument, we consider that the development is too close to the SAM. The building will be evident despite planting proposals. In addition, whilst the materials and form of the building are specified within the planning application, the planning authority should consider the impact of the freestanding sign and the possible mounted advertisements for which separate consent will be should be sought. Furthermore the planning application should note that in the case of another application by the same restaurant chain, neon, lighting which formed part of the badging of the restaurant was recently held not to constitute an advertisement. It will thus be important to consider future implications of this development in terms of visual amenity. Overall we consider that the development will be visually obtrusive from within the monument and will lead to a diminution of the character of the open space which surrounds the defensive circuit and the mill mound.

- 5.9. Development of land at Fossetts Farm follows a local plan Inquiry in 1996. In view of the prominence of the SAM in the area we consider it a matter of regret that no master plan was developed for this area or design briefs developed for the individual development proposals. As well as adding the protection of the hill fort, this would have acted as a catalyst for the progression of initiatives to improve and enhance the management of the SAM with the Borough Council, both by means of a S106 agreements pertaining to the development of land surrounding the monument as public open, with opportunities for the archaeological interpretation and visual appreciation of the site. This development of the application site would block views of the eastern end of the earthwork circuit from Fossetts Way and limit the opportunity to significantly enhance and extend the strip of land to the south of the extant earthwork circuit, bounded by the Waitrose store and the garage.
- 5.10. For the above reasons English Heritage consider that the adverse impact of the proposed development on the setting and character of the SAM is such to justify refusal of the planning application, in lie with PPG 16 and BLP policies.
- 5.11. Ramblers Association – to be reported.
- 5.12. Essex Chamber of Commerce - to be reported.
- 5.13. Council for the Protection of Rural Essex – to be reported.

6 Internal Consultation

- 6.1. Design Comment – It would be preferred due to the setting and proximity of the SAM to keep this an open land area, if this is acceptable in principle then it should be reduced in mass, in particular the roof form is overtly expressive and oppressive in scale. Any built solution should be horizontal in emphasis and relate with the surrounding landscape. To relate a small scale building to the form of the B&Q building creates poor proportions, relationship and is inappropriate.
- 6.2. Archaeology – Having considered that application in the context of the sites' proximity to the SAM it is considered that the proposal would damage the setting of the monument and should be refused. This land should be left as landscaped open space in order to protect the monument setting. Notwithstanding the above comments if consideration is being given to approving the application, it is considered that in view of the proximity to the SAM and that sites archaeological potential it is necessary for the developer to carry out an archaeological evaluation prior to determination of the application in accordance with para 21 of PPG 16. The evaluation should be carried out in accordance with a project design statement submitted by the applicant and agreed by the Council. Exploratory trenching of the site has revealed a high density of arc geological features most of which appear to be Bronze Age. Some linear features extend from the B&Q site.
- 6.3. Environmental Health Comment – to be reported.
- 6.4. Highway Comment – The transport statement has been assessed and is considered to be reasonable. The autotrack setting used should also show the settings used.
- 6.5. Strategic Planning Comment – no objection in retail/town centre planning policy grounds. No comment offered with regard to the setting and “accessibility” of the SAM, although it is felt that this may be a screen.
- 6.6. Highways maintenance - to be reported.
- 6.7. DCLAS Comment - This Department objects to this planning application for the following reasons:
 - ◆ The location of the proposed Pizza Hut would sit directly next to the Scheduled Ancient Monument of Fossetts Camp hilltop fort and will impinge too closely on the SAM.
 - ◆ The development would obstruct views of the monument from the east and minimise its historic importance thus will have a negative impact on the Monument. This would have a detrimental effect on the understanding of the whole site for future generations. Its entire historical context would be lost.

- ◆ The development will require substantial ground excavation which will be detrimental to any presence of archaeological importance - current archaeological work on site indicates that features are extending in all directions from the current area on the west towards the SAM. The present excavations have the potential for increasing our understanding of the development of the landscape in this area, the use of the area in the later prehistoric and Saxon periods and the place of the SAM in its landscaping setting - not only during the period of its construction and initial use, but also in later times.
- ◆ The proposed development would have a negative effect on the interpretation of the monument.
- ◆ There is a presence of reptiles on the site. Also reptiles have been recorded on the proposed Diagnostic Centre by the developer (WSP, November 2004) in late September and mid to late October.
- ◆ Whilst the survey was later than would normally be recommended populations of common lizards were discovered in four locations around the west, north-east and south-east boundaries of the Diagnostic Centre development boundary. Whilst numbers were small it is fair to conclude that several would exist for everyone seen. It is also fair to conclude that animals seen were from separate, scattered colonies. Two of the above locations were within 30m of the north-east boundary of this development area.
- ◆ No landscape proposals were submitted. Request submission.
- ◆ Where possible all trees and shrubs should be native species or cultivars of native species. Where the above is not possible then either ornamental trees or shrubs should be used only if they have recognised wildlife value; for example provide nectar for insects or berries or fruits for birds and mammals.
- ◆ It is noted that the existing hedge is to be cut back on the northern boundary (Drawing 1755/P/07). This Department objects to the proposals, the hedge should be left alone and remain in-situ. If there is a need to install boundary fencing this should be done with the minimum loss of hedge.
 - any cutting-back work should be undertaken when reptiles are active
 - any removal should be checked for nesting birds, ideally any works are to be undertaken outside the bird nesting season.
- ◆ There is reference to a footpath down a "Green Lane". This Department objects to this proposal, and it should be withdrawn.
- ◆ There is a substantial area of car parking proposed. An alternative surface material should be considered for the car park area to allow natural drainage and surface water and also to soften the impact on hard surfaces.
 - ◆ The surface of the easement access road has yet to be agreed.

7 Publicity

- 7.1. Press notice, site notice and neighbour notification – no response.

8 Appraisal

- 8.1. This application raises a number of important issues, both in respect of the use of the application site, and also, particularly in view of the adopted Local Plan (Second Alteration), implications for the future development of the remaining Fossetts Farm land. The adopted Plan makes clear that any development brought forward on part of Fossetts Farm should not undermine the opportunity for comprehensive development over the remainder of Fossetts Farm. With the above in mind, it is considered that the following issues are key to the determination of the current application proposals: the principle of development of this site for restaurant purposes, design, traffic generation, parking and accessibility, environmental impact including impact on the SAM, ecology, and drainage, comprehensive redevelopment of Fossetts Farm.

The Principle of Restaurant Use on the site

- 8.2. In accordance with the recently adopted Structure Plan, the Borough Council is required to provide for 30 hectares of land for industry and commerce during the period 1996–2011. It will be one of the functions of the Local Plan review to provide policies and allocations so as to ensure that the Structure Plan requirement can be achieved. However, in advance of this review, it is prudent to consider whether this level of provision can be readily achieved. Members should be aware that the committee previously objected to the Fossetts Way planning application on the grounds of loss of employment land. Whilst the Inspector dismissed this concern on appeal, the current proposals are for a significant development, on land that could conceivably be brought forward for employment development during the next Local Plan period.
- 8.3. In order to achieve regeneration in line with the objectives of Thames Gateway South Essex, but also to assist in meeting development requirements, the Local Plan Issues Report has identified a four flagship sites, namely: Prince Avenue, Shoebury Garrison (Old Ranges), New Ranges, Shoeburyness and Fossetts Farm). The Issues Report does not advocate that the totality of all of the flagship sites should be used for employment purposes. The four sites total 182 hectares and allowing for substantial land take by other land uses (including residential and public open space) between them the sites should provide an opportunity to accommodate the 30 hectares required to 2011.
- 8.4. Leaving aside the four flagship sites, the Issues Report is advocating a sequential approach to the allocation of land for business, industry and warehousing, a policy which also applies to proposals on land that is not allocated. This approach is consistent with the adopted Structure Plan. The sequential approach will be applied where preference is given to town centre locations (for major office development), to the reuse of other land in inner urban and suburban areas, to the reuse of previously developed land within urban areas and then for planned peripheral development. Via the application of this policy, particularly against the background of the Thames Gateway designation, it is clearly possible that additional ‘windfall’ employment opportunities will emerge up to the year 2011.
- 8.5. Additionally, the emerging Local Plan will identify Key Regeneration Areas (as explained on pages 17-19 of the Issues Report), containing areas of derelict, vacant or underused land. Again, these areas, some of which are substantial in size, have clear potential to generate a net increase in employment land.
- 8.6. The inspector appointed to determine the Fossetts Way appeal in May 2001 made a number of comments on the issue of employment land. At paragraphs 13 and 14 of his decision notice he reached the following conclusion:
- 8.6.1. *“...The safeguarded G1a site [Fossetts Farm] does not prohibit or control development on the P5e allocation [Fossetts Way]. The stadium application may well not be approved at all, or as presently proposed. As one of four ‘Key Employment Sites’ in the Borough, initially identified in the Replacement Borough Local Plan Issues Report, its 29ha could be viewed as capable of accommodating a significant amount of employment land. The matter is certainly one that Council members will bear in mind in deciding its future. The indications are that two other ‘Key’ sites – Prince Avenue and Shoebury Garrison Old Ranges – could provide 10-11 ha of employment land; the fourth, The New Ranges at Shoeburyness, comprising of 74 ha of land, remains to be considered in detail, but there must be a good chance of a large amount of employment land coming from it.*”

- 8.6.2. *"These findings about the employment land situation cannot, of course, take account of other land that may fall vacant as the Local Plan updating proceeds. Thus, the evidence before me suggests no strong reason to dismiss this appeal for fear of a dearth of employment land in the next few years to meet structure plan requirements, or market demand..."*
- 8.7. The committee has approved an outline planning application for a mixed use development on the Shoebury Garrison (Old Ranges site), furthermore a certificate of lawfulness has been issued in respect of the business/ industrial use of several former MoD buildings thus bringing forward sites for employment development within the emerging Local Plan period. In addition, employment development has now gone ahead on the identified Prince Avenue flagship employment site. The site, has now been developed by the Royal Bank of Scotland (RBS), as a regional head quarters within Southend. The development provides approximately 17,500m² of employment floor space, and accommodates in the region of 2,000 jobs. In addition the actual scale of the proposed RBS development has resulted in the release of a further 2.42 hectares of employment floor space, which would not have been anticipated at the time of the preparation of the Local Plan Issues Report.
- 8.8. Planning permission has already been granted on the Fossetts Farm for an amount of development that is not strictly in "employment" use, i.e. B1, B2 or B8 uses. This amounts to approximately 13 hectares. However it should be noted that the development which has previously been approved within the wider Fossetts Farm site at the site all has the potential to create significant numbers of new jobs for the town, a significant number of these being skilled posts such as nursing and teaching jobs, rather than the small number of largely unskilled jobs associated with the proposed restaurant. Also it has been established that the retail warehouse uses can not be catered for within the town centre and are appropriate development for this area. Policy G1a states that "...no development, including changes of use, will be permitted unless it is necessary in order to support and existing use of the land....." No overriding need for an A3 use to be provided on this site has been demonstrated and indeed. Both the DTC and Prospects College development have their own restaurant/canteen facilities and Waitrose has an existing restaurant. In view of the above, officers do not believe that it has been demonstrated that the provision of this restaurant use is justified within an area which is intended to be used for employment generating uses.
- 8.9. Officers are satisfied that the application proposals will not have a detrimental impact on the identification or take up of employment land within the wider site. Since planning permission was granted for development of a non food warehouse on an adjacent site, with permission granted for the associated link road, the comprehensive redevelopment of the Fossetts Farm site has been facilitated. Notwithstanding the above, it is considered that the restaurant could be provided without prejudicing the comprehensive redevelopment of the site. If planning permission was granted it would however be necessary by the use of appropriate conditions ensure that the restaurant was not operational prior to completion of the proposed link road.

Accessibility

- 8.10. The proposed development must be attractive to employees, customers and visitors wishing to walk, cycle or travel by public transport to the facility, in addition to those using the private car. Consequently, the application proposals should comply with the requirements of PPG13 and the relevant policies contained in both the Structure Plan and Local Plan. The applicants anticipate that the majority of customers to the site will be making associated journeys to other development within the Fossetts Way complex and that the proposed restaurant will not generally be a destination within itself.

Pedestrians

- 8.11. A large area of Southend is within 2km of the site. This is a travelling distance recognised as offering the greatest potential to replace car trips with walking and cycling. The area is essentially of level topography, and so would not present an obstruction to trips by this mode if suitable provision is available.
- 8.12. Existing pedestrian accessibility to the Fossetts Farm area will be improved as part of the B&Q development and associated link road. Footpath and cycle routes will be provided along the new link road and will cross Eastern Avenue and Sutton Road. Therefore direct and segregated routes will exist for these modes of travel.

Cyclists

- 8.13. The proximity of a large residential area to the application site is also likely to encourage those persons wishing to cycle to the site. Approximately 46,525 live within 3km of the application site, which is generally accepted as being a reasonable distance to cycle.
- 8.14. As Members will be aware, the Borough Council is proposing to extend the existing local cycle network along Eastern Avenue (A1159) past the Fossetts Way junction. As part of the B&Q proposals, a 1.2m cycle way will be provided from the A1159/Fossetts Way junction to the B&Q site. Cycle access to the site is direct and cycle parking is provided to the front of the complex.
- 8.15. The cycle parking standards set out within the County-wide vehicle parking standards adopted by Essex County Council require one space per every four staff and one per every 25m². This results in a requirement for 12 cycle parking spaces based purely on floorspace requirements. No staffing details have been submitted. Approximately seven spaces are shown, (if potential staffing levels are high then may not be sufficient space for additional bike racks.) but there is room to accommodate a few additional spaces within the site. It is considered that this issue can be dealt with by condition. Cycle parking is expected to be secure and weather proof. Cycle hoops are not adequate and some more robust storage is required. This issue can be controlled by a relevant condition.
- 8.16. The applicants have not submitted a travel plan with the application. Notwithstanding the fact that the applications do not consider the restaurant to be a primary destination, given the location of the site well away from the town centre and the desire to encourage employees to use sustainable modes of transport it is considered that if members are minded to grant planning permission, either a robust travel plan should be submitted prior to the issue of any planning permission, or a S106 Agreement to require submission and implementation of a TP is necessary.

Public Transport

- 8.17. The application site location is currently reasonably well served by buses. There are routes running along Eastern Avenue and along Sutton Road (and others). Most of these routes penetrate through the large residential area to the south of the application site, and a number of services provide an easy connection to Southend Town Centre. There are connections to Chelmsford, Rayleigh, Canvey, Canewdon etc. However it should be noted that a number of the current bus services are soon to be reduced. The B&Q permission includes provision of a bus service for a ten year period, which would link that facility to Southend Town Centre by way of an established bus service. An additional bus providing a 15 minute interval frequency will be provided. The DTC permission requires that bus service be extended to serve the DTC.
- 8.18. Given the limited level of primary journeys that the development is likely to attract it is not considered reasonable to require the applicants to provide a bus link to their development.

Car Parking

- 8.19. EPOA vehicle parking standards require a maximum provision of one parking space per 5m² of floorspace. Taking these standards into consideration the maximum number of car parking spaces that would normally be required is 76. The application proposes the provision of 40 parking spaces. This is approximately 50% of the maxima set out in the EPOA document. Given the likelihood that the site will not be a primary destination, this number of spaces is considered sufficient as the site is unlikely to be a primary destination and provided that a travel plan is put in place.

Vehicular Access and Traffic Impact

- 8.20. The use of an appropriate condition will ensure that the restaurant is not operational prior to completion of the proposed link road.
- 8.21. The restaurant would take its access from a new roundabout from the new link road which has now received planning permission and is due to be funded by the approved B&Q development elsewhere on Fossetts Farm.

- 8.22. Boreham Consulting Engineers have investigated the traffic implications of the completed Fossetts Way extension and associated developments, updating previously collected data and including current outstanding applications on the wider Fossetts Farm site. The only development that has not been included in the modelling is the Prospect College. However the TA submitted with the Prospects College proposal did take into account this current application and it was considered that no adverse impact was likely to result.
- 8.23. Officers accept the conclusions of the Travel Assessment that the application proposals will not generate sufficient vehicle movements in both the AM and PM peak hours to result in an adverse impact on traffic flows.

Layout

- 8.24. The layout of the development is generally considered to be acceptable in terms of vehicular access, parking etc. Additional information is awaited from the applicants to demonstrate the robustness of the layout and that a refuse vehicle can turn within the site. The details of any additional information will be reported at the meeting.

Waste Management

- 8.25. It has not been demonstrated that a refuse freighter can turn within the site . the applicants have not submitted a waste management plan with the application. However it is considered that there is scope within the proposals to provide sufficient waste management facilities. This issue can be properly addressed within a waste management plan, which will be the subject of a condition.

Environmental Effects

- 8.26. The applicants have not submitted an Environmental Statement or ecological surveys with the application.
- 8.27. One clear area of concern is the relationship of the proposed development with the Scheduled Ancient Monument (SAM). There is concern regarding the impact of the built form of the development on the setting of the Monument. The applicants have not submitted any supporting information to justify the siting of the proposed restaurant or demonstrated that there is a need for its siting as proposed.
- 8.28. The development affects the setting of Prittlewell Camp SAM. The siting of a restaurant with associated services in this location will adversely affect that visual character and the setting of the SAM. The site would occupy the area immediately between the link road and the SAM. There has been some attempt to mitigate the impact of the building by siting it on the eastern boundary and by creating a band of planting between the building, its associated car park and the monument, however it is considered that the development is too close to the SAM. At its closest point the building is 21m away from the boundary of the SAM, the DTC at its closest point is approximately 33m way. The current application also has car parking within 6m of the SAM. Furthermore the massing of the building emphasises its presence. The building will be evident despite planting proposals.
- 8.29. It would be preferable for this relatively small piece of land to be left open or planted in order to enhance the setting of the SAM. Although other development has been allowed within the Fossetts Farm area, which will affect the setting of the SAM to a degree, those developments were sited further away from the SAM and were also considered to bring wider benefits to the Borough. It is considered that the impact of the development on the SAM is sufficient to warrant refusal of the application.
- 8.30. The applicant's submissions and offer of a sum to provide for are welcomed but it is not considered that they would sufficiently mitigate the impact of this development on the SAM.

Ecology

- 8.31. No ecological statement has been submitted with the application. Previous surveys carried out in relation to the DTC show that there is a presence of reptiles on the site. Also reptiles have been recorded on the proposed Diagnostic Centre by the developer. Whilst numbers were small it is fair to conclude that several reptiles would actually exist for every one seen. It is also fair to conclude that animals seen were from separate, scattered colonies. Two of the above locations were within 20m of the north-east boundary of this development area. Thus us it considered that if members are minded to grant permission for this development reptile surveys should be carried out prior to the granting of any permission to identify the presence of reptiles and to establish appropriate mitigation or translocation methods.
- 8.32. If permission were to be granted for this development a number of conditions would be required to protect the ecology of the area.

Archaeology

- 8.33. Given the proximity of the site to the SAM and current findings as a result of archaeological works on the B&Q site, if Members are minded to accept this development in principle, it is considered necessary that proper archaeological evaluation of the application site is carried out, preferably prior to the grant of planning permission and certainly prior to any development on site.

Drainage

- 8.34. The applicants have not submitted a drainage strategy with the application. The development is proposed on a Greenfield site and wider development is proposed across the Fossetts Farm area, as a result there are significant implications for the hydrology of the site and the resulting need for drainage. The applicants may wish to link with the drainage system for the wider Fossetts Farm area. No objections to the development have been raised by the Environment Agency. In the absence of comprehensive drainage details for this site, it will be necessary for the applicant to submit a drainage strategy (as has been required for the DTC and B&Q etc). This can be dealt with by condition.

Design Issues

- 8.35. The original design of the development reflected that of the approved B&Q retail warehouse to the east. Whilst in some circumstances this might be considered beneficial, each building so far approved at Fossetts Farm has been individually designed and each has a different character reflecting its function. It is considered that to relate a small scale building to the form of the B&Q building creates poor proportions, has a poor relationship and is inappropriate. Revised plans have been submitted which have been individually designed for this site, the resulting building is horizontal in emphasis, and it has a slightly reduced mass more appropriate roof. Thus there are no objections per se to the design of the proposed building.

Conclusion

- 8.36. The siting of the proposed development in such close proximity to the SAM is considered inappropriate and would be harmful to the setting of the SAM. The revised plans are considered to overcome the design objection to the development.
- 8.37. The offer of a commuted sum as a contribution for improvements to the SAM is welcomed, as is the donation of part of the site to the Council. However, it was considered that this would not mitigate the impact of the development on the SAM and that this "offer" would breach government guidance on "planning gain". Nevertheless, it was felt that the further views of English Heritage should be sought in respect of the applicant's submissions and these will be reported at Committee.

- 8.38. If Members are minded to grant planning permission for this development the application should be deferred to allow ecological and archaeological surveys to take place.

9 Recommendation

Subject to the consideration of the views of English Heritage Members are recommended to REFUSE planning permission for the following reasons:

- 01 The proposed development by reason of its close proximity to the Prittlewell Camp will be visually obtrusive from within the monument and will lead to a diminution of the character of the open space which surrounds the defensive circuit and the mill mound and would have a detrimental impact on the visual character and the setting of the SAM contrary to Policy C1 of the Borough Local Plan Policy HC5 of the ESRSP

Milton Ward

SOS/05/00099/FUL (Application for Full Planning Permission)

DEMOLISH BUILDING, ERECT TWO STOREY BUILDING TO BE USED AS CAFÉ
(CLASS A3)

The Old Lifeboat House, Western Esplanade, Southend-on-Sea

A Innell

D Grew

This application has previously been called in by Councillors Garston, Waite and Brown citing the development being out of character with the area and the existing building should be maintained. The application was deferred at the Committee meeting dated 30th March 2005 pending further information regarding the design of the building and waste management and for submission of a geotechnical assessment of the impact of the proposal on the stability of the Cliffs.

1 The Proposal

- 1.1 Full planning permission is sought to construct a two storey building to be used for the purposes of a café. This would require the demolition of the building that exists on the site.
- 1.2 A similar application was submitted in March 2004, however it was subsequently withdrawn. The current proposal has been reduced in scale following discussions with Council officers.
- 1.3 Due primarily to the spatial constraints of the site, the proposed building has a vertical emphasis and has been reduced in height from three to two storeys. The building is of a contemporary architectural style with floor to ceiling glazing in the southern and western elevations at ground and first floor levels. It is proposed to finish the building with, white acrylic rendering, glazing and balconies finished in powder-coated steel tubing.
- 1.4 The proposed building has ground and first floor dimensions of 4.75m x 10m. The maximum height of the flat roof is 7m (an exhaust duct outlet extends slightly beyond this).
- 1.5 The ground floor will comprise a lobby/foyer, kitchen and food storage, bathroom and seating for six patrons. The first floor comprises seating for 20 patrons, additional bathroom and small balcony.
- 1.6 Construction of the building would require significant earthworks due to the slope of the land. Details of ground levels and necessary earthworks have not been submitted.
- 1.7 The applicant was requested by the Council to provide information regarding waste management. This is set out below:
- 1.7.1 *Proposed use: sandwich bar (no cooking oil to be used).*

Products for consumption include: sandwiches, paninis, cakes, coffee, tea, cold drinks, ice cream.

1.7.2 *Amount of refuse: 0.6m³ per day (estimate)*

1.7.3 *Type of waste: paper, cardboard, plastic, aluminium cans and containers.*

1.7.4 *Method: waste to be separated and stored in plastic bags. Daily collection to be arranged. Aluminium cans and paper to be recycled.*

1.7.5 *On site storage: volume of store provided 1.5m³. External access via steel door.*

1.8 The applicant has engaged structural engineers to investigate the proposed works in relation to the stability of the cliffs. Their comments are set out below:

1.8.1 *We can confirm it is our client's intention to carry out appropriate stabilisation works to ensure slope stability behind the proposed café building. We proposed to inspect the borehole logs/site investigation works carried out in the vicinity and subsequently design an appropriate sheet steel piled retaining wall installed behind the existing building, so as to ensure stability of the slope, taking into account the relevant slip plane. Once this sheet steel piled retaining wall is installed then construction of new foundations to the proposed café could be undertaken.*

1.8.2 *Clearly before any works were undertaken on site, stabilisation and structural details would be provided to yourselves for approval in order to ensure you are satisfied that the slope stability issue has been taken into account.*

2 Location and Description

2.1. The subject site is located on the north side on Western Esplanade adjacent to The Esplanade Hotel. Immediately behind the site is the public open space area known as "The Cliffs".

2.2. The parcel of land on which the building is to be constructed is approximately 50m².

2.3. A short distance to the west of the site is an historic bus shelter. To the east are steps that provide access up The Cliffs and ultimately to Clifton Terrace.

2.4. Adjacent to the site, Western Esplanade is a divided two lane (each direction) road with a grassed median strip. Parallel on-street parking is provided on both side of the road.

2.5. The site has views to the south over the Thames Estuary and the Kent coastline. The site has a very prominent position on the approach to the Southend Pier and waterfront precinct. Its visibility is accentuated by the surrounding landform and parkland backdrop. The cliff area to the west was the subject of a major landslip.

2.6. The site presently contains a pitch roofed building, formerly a garage. The building has some character and contributes positively to the character of the seaside area. The building is not however a "Listed Building" (or on the Local List) and is not explicitly protected under Policy C2 (Historic Buildings) in the BLP. The building is in need of maintenance and does not appear to be in use. (There has been reference to the property as an old lifeboat house, however Building Control records indicate that approval was given for its construction as a garage in 1928. The building appears, without identification, on the 1939 OS maps, but not the 1922 series. The applicant has advised that the building was constructed circa 1935).

3 Development Plan

3.1 ESRSP Policies CS1 - Achieving Sustainable Urban Regeneration, CS2 - Protecting the Natural and Built Environment and CS4 - Sustainable New Development.

3.2 BLP Policies C11 (New Buildings, Extensions and Alterations) and C16 (Foreshore Views).

4 Planning History

4.1. 2004 – Application **withdrawn** to demolish building, erect three storey building with terraces to front at first and second floor to be used as café/restaurant (class A3) and install extract duct at rear (SOS/04/00390/FUL).

5 External Consultation

- 5.1. Anglian Water Services Limited – to be reported.
- 5.2. Environment Agency – guidance for the applicant with respect to minimising the potential for pollution from this development.
- 5.3. Eastern Electricity – to be reported.

6 Internal Consultation

- 6.1 Design Comment – this could be a minimal and discreet building along the seafront, however the presentation is very poor and illegible. The detailing would have to be very carefully controlled and judging on the proposal as it has been submitted is cause for concern. Comments on additional submission awaited.
- 6.2 Highway Comment – the proposed café will be mostly used by passing tourists and other general public visiting the seafront and as the immediate area is parking controlled any increase in parking arising from this proposal is considered insignificant. Therefore no objections.
- 6.3 Environmental Health Comment – to be reported.
- 6.4 DLCAS – The close proximity of the landslip may affect the proposed building directly if further movement should occur. Should funding for restoring the landslip become available the proposed café may restrict the options regarding the best solution for any engineering works. Any disturbance to this area should be considered very carefully and make allowance for the possibility of triggering further landslips.
- 6.5 Structural Engineering comments – (original comment). The planning application must be supported by a feasibility study for the proposed development. The feasibility study should include the effect of the development on the stability of the whole area. The present cliff slippage happened without any disturbance (ie: without any construction works in the area). Advice is that the entire cliff is only marginally stable, and any works that could reduce the stability of the cliff would cause unpredictable failure to any part or the whole area. It is the duty of the developer's engineer to come up with a solution to ensure that the proposal would not destabilise the whole cliff. Therefore the applicant must appoint a qualified geotechnical engineer to advise him on the proposal. Further comments sought. **(Amended Comment) – following correspondence with the applicants' structural engineers no further objection is raised subject to submission of a satisfactory geotechnical analysis and design to ensure cliff stability during and after construction.**

7 Publicity

- 7.1 Neighbour notification and site notice. A total of four objections have been received. The issues raised by objectors are as follows:
 - ◆ Concerns about loss about building with heritage value
 - ◆ Increased risk of further slippage of the cliffs
 - ◆ Enough uses of a similar nature on the seafront
 - ◆ Design is not in keeping with the seafront facade
 - ◆ Inadequate parking availability
 - ◆ On-site drainage problems
 - ◆ No refuse storage facilities
 - ◆ Internal layout would not meet environmental health standards vis-à-vis arrangement of kitchens and toilets

8 Appraisal

- 8.1. As the committee agreed to defer the application subject to further information regarding design, land stability and waste management, the principle of this use and loss of the existing building has been accepted. As the previous report also discussed matters related to potential flood risk which can be mitigated by condition and car parking implications, it is not considered they require revisiting in this instance.

- 8.2. With respect to design there were concerns that the plans submitted did not present the scheme in its best light and therefore the applicant has produced a scale model of building and the surrounding area. It is considered that the model provides a much clearer indication of the appearance of the building and its setting in the public realm. No further objections are raised.
- 8.3. With respect to waste management, there were concerns raised with respect to the size of the area indicated for refuse storage on the plans and whether this was sufficient. Further information was therefore requested with regards to waste management for the development. The applicant has indicated via an outline waste management plan that the amount of refuse accumulated per day will be approximately 0.6 cubic metres. The type of waste will be paper, cardboard, plastic and aluminium cans. It is proposed to be separated and stored in plastic bags, with aluminium and paper to be recycled. It is proposed to arrange a daily collection of refuse material. The volume of refuse storage space provided is 1.5 cubic metres. It is considered that if a daily collection of refuse material is arranged then there are no objections to the proposed refuse storage space proposed, this can be controlled by submission and agreement of a detailed waste management plan further to a condition.
- 8.4. As previously indicated, there were some unresolved geotechnical and structural engineering issues which are of material consideration in assessing the proposal. PPG14 states that land stability is a material consideration when deciding a planning application however, the responsibility for determining whether land is suitable for a particular purpose rest primarily with the developer. The applicant has since engaged the services of structural engineers who have indicated through their preliminary assessment that works can take place with respect to the development without further destabilising the cliffs. The Council's engineers are now satisfied to this effect and the details of the geotechnical analysis and design are to be conditioned and agreed prior to any works commencing.

9 Recommendation

Members are recommended to GRANT PLANNING PERMISSION subject to the following conditions:

- 01 start within five years.**
- 02 Materials to be agreed**
- 03 Ventilation to be agreed**
- 04 Geotechnical analysis and design to ensure cliff stability to be agreed and implemented.**
- 05 Finished ground floor level to be set at 5.30 AOD**
- 06 Detailed waste management plan to be agreed and implemented.**

Informative

- 01 applicant needs to be aware that the carrying out of a geotechnical analysis, and implementing its requirements, could add considerably to the costs of the development.**
-

Leigh Ward

SOS/05/00177/OUT (Application for Outline Planning Permission)

DEMOLISH BUILDINGS, ERECT PART THREE/PART FOUR STOREY BLOCK AND COMMERCIAL PREMISES TO GROUND FLOOR AND 22 FLATS ABOVE, LAY OUT PARKING SPACES, ERECT TWO DETACHED DWELLINGS WITH ACCESS ONTO ELM ROAD AND CRANLEIGH DRIVE (AMENDED PROPOSAL)

261 Elm Road and 1066 London Road, Leigh on Sea

Mr G Halls

Nathaniel Lichfield and Partners

1 The Proposal

- 1.1. An amended outline application for construction of 22 flats with commercial premises to the ground floor and two detached houses. (Previous proposal 49 flats plus commercial). The application is submitted in outline form for a determination as to the principle of development. Matters of siting, design and means of access to the site are given for full consideration. Landscaping and external appearance would form subsequent Reserved Matters submissions should outline permission be granted.
- 1.2. The proposal has been amended to reduce the building footprint adjacent to the south site boundary and provide greater separation to the residential properties and to significantly reduce the height and number of storeys. The resultant reduction in footprint is then used to incorporate two detached three storey houses, one fronting Cranleigh Drive, the other Elm Road, with vehicular accesses thereto. Commercial units of 59m², 58m², 59m² and 59m² are proposed to the ground floor, proposed as A1, A2 and/or B1 use.
- 1.3. The proposed built form commences at three storeys in height adjacent to residential properties of Cranleigh Drive and Elm Road, the three storey height being equal to the ridge height of existing residential properties. The flats adjacent then produce an increase in height over three storeys, stepping up to the north to four storeys then increasing in height again above the commercial units adjacent to the junction of London Road. The building height is suggested at approximately that of Sovereign Court at 1217 London Road opposite.

Site Area Gross (Net)	0.27h (0.2h)
Height	3-4 storey (max equivalent to 5)
Number of Units	22 x 2 bed 2 x 4 bed houses
Total	24 units
Parking	29 spaces (100% + garages for houses) 5 retail and visitor
Cycle Parking	Cycle store shown
Amenity Space	Approx 110m ² per house, terraces for flats of between 5.5m ² and 24.5m ² and communal terraces of 240m ² (11m ² per flat) (guideline 25m ²)
Density	89dph (gross) (guideline 75-100 dph, three storeys)
Refuse Storage	Area shown

- 1.4. The Applicant has written as follows:

- 1.4.1. *Appealing previous refusal via public inquiry in October 2005. This revised scheme takes account of the comments of Council Members although they do not acknowledge that the original scheme was unacceptable, the changes are:*
- ◆ *Reduction in the number of dwellings*
 - ◆ *Reduced density (86dph gross)*
 - ◆ *Reduced height of building*
 - ◆ *Visitor/commercial parking space*
 - ◆ *Private amenity space in accordance with standards*
 - ◆ *Enclosed cycle parking*
 - ◆ *Refuse storage area*
 - ◆ *Layby at front for service vehicles to commercial units*
 - ◆ *Setting back main residential block from boundary facing London Road.*

- 1.4.2. *They quote PPG3 - Housing, 6 and 13, BLP Policies C11, H2, H5, E1, S9 and EPOA Vehicle Parking Standards.*
- 1.4.3. *Mention previous officer support and negotiations.*
- 1.4.4. *Re: reason 01:*
- ◆ *The height and scale have been reduced – houses on both roads ensure the proposals are not over-dominant and the scheme will not adversely affect visual amenities.*
- 1.4.5. *Re: reason 02:*
- ◆ *Density halved and parking and amenity space is compliant with standards.*
- 1.4.6. *Re: reason 03:*
- ◆ *A servicing layby and refuse store have been provided.*
- 1.4.7. *Commercial floorspace at ground floor could be used for A1, A2 and/or B1 and they request this flexibility in any permission. This use will enhance the shopping centre's vitality and viability – there is no policy requirement to provide employment floorspace here. Additional employment would be created.*
- 1.4.8. *The development relates to its context by concentrating units at a high point on the London Road frontage. Detached houses of a similar scale to Elm Road and Cranleigh Drive properties are proposed (the detailed design of which can be subject to negotiation and acceptable distances between the site and the existing houses are maintained. An 'open' setting is formed using the space to the north east of the site comprising part of London Road, the entrance to Elm Road and the car park of the public house, the profile of the development is staggered to infer a domestic quality, sympathetic to the character of the adjacent residential areas, existing crossovers are reinstated and paving around the building has been increased with the potential for street tree planting. Balconies and roof terraces provide the amenity space. Access arrangements are considered acceptable and the level of parking suitable with the site being accessible by a choice of transport means.*

2 Location and Description

- 2.1. Site is a former petrol station on the south side of London Road, located between Elm Road and Cranleigh Drive. The site is currently used for car sales to the London Road frontage, beneath the original service station canopy, the south of the site adjacent to residential units being used as an open car wash/valeting service. Visually the site is in poor condition and presents issues in terms of non-conforming uses.
- 2.2. Surrounding development includes domestic units to the south, fronting Cranleigh Drive and Elm Road, to the west of the site commercial premises adjoining London Road, the built scale of which being domestic 2/3 storeys. To the west the site is exposed to wider vistas with a significant separation with the neighbouring unit of the Elms Public House, this being set rear of London Road at a modest 2/3 storeys.
- 2.3. The north of London Road is dominated by Yantlet flats, a Council owned flat development from 1963 of four to six storeys in height containing 43 flats. Yantlet flats are served by eight garages which are under used (two being boarded up) and controlled on street parking for nine cars.
- 2.4. To the north of the site adjacent to London Road is a small on street parking area for 11 cars. This forms the final element in phase two of the A13/London Road improvements, though no alterations to the layout or capacity are proposed, the area will be resurfaced and marked out.

3 Development Plan

- 3.1. ESRSP Policy BE1 - Urban Intensification.
- 3.2. BLP Policies C11 (New Buildings, Extensions and Alterations), H5 (Residential Design and Layout Considerations), H6 (Protecting Residential Character), H7 (The Formation of Self-Contained Flats), H10 (Backland Development), S5 (Non-Retail Uses), Appendix 4.

3.3. EPOA adopted Vehicle Parking Standards.

4 Planning History

4.1. **October 2004 – refusal related to proposal to demolish buildings and erect part three/part five/part six storey block, comprising parking and commercial premises to ground floor and 49 flats above with access onto Elm Road and Cranleigh Drive for the following reasons:**

01 The proposal would by reason of its height, scale and position on the site, overdominant and out of scale in the streetscene detrimental to visual amenities and contrary to Borough Local Plan Policies C11 and H5 and Essex and Southend Replacement Structure Plan.

02 The proposal is, having regard to the proposed density, relationship with the existing property and the levels of parking and amenity space, overdevelopment detrimental to the character and amenities of the area, contrary to Borough Local Plan Policies C11 and H5.

03 Adequate provision has not been made for off street servicing and refuse storage, to the detriment of conditions on the adjoining highway, contrary to Borough Local Plan Policy T12.

This application is subject to an appeal.

5 External Consultation

5.1. Environment Agency – no objection.

5.2. Leigh Town Council – oppose – four storeys – too close to pavement and some balconies extend over footway. Design unsympathetic particularly house access adjacent bus stop and taxi rank. Amenity space inadequate.

5.3. Southend Airport – To be reported.

6 Internal Consultation

6.1. Design Comment – to be reported.

6.2. Environmental Health Comment – to be reported.

6.3. Highway Comment – parking space, access width and running lane sizes all acceptable. Site is close to public transport. Redundant crossings reinstated to match footway at applicants expense. Garage doors to houses are of acceptable distance from highway. Need 6m from edge of layby to spaces 1-4 in public parking bays (to be confirmed). Bin stores should be large enough to accommodate the refuse for 22 flats (and commercial).

7 Publicity

7.1. Press and site notices and neighbour notification – 23 objections received from local residents and interested parties, issues raised include the following:

- ◆ Parking – Elmsleigh Drive busy and new owners will park kerbside as access tight.
- ◆ Loss of trees on site.
- ◆ Loss of privacy.
- ◆ No amenity space.
- ◆ Inadequate refuse storage and commercial parking and servicing.
- ◆ Smaller ratio of parking per flat compared to previously – saturated streets – 1.5 spaces should be adhered to.
- ◆ Design lacks imagination and vision.
- ◆ Contrary to policies H7, S1, H5, H12.
- ◆ Overdevelopment
- ◆ Safety for school children.
- ◆ Area already overcrowded.

- ◆ Two bungalows in line with footway and 8m high wall adjacent to two bungalows is unacceptable.
- ◆ Insufficient room for four cars.
- ◆ Proposal out of keeping with environment.
- ◆ Detached dwellings do not blend in.
- ◆ Flats too high and overpowering.
- ◆ No need for more shops.
- ◆ No visitors parking.
- ◆ Proximity to busy junction.
- ◆ Lack of doctors and dentist surgeries and schools overcrowded.
- ◆ Increased air pollution.
- ◆ Loss of light.
- ◆ Should be landscaped frontage.

7.2. Two letters of support for loss of car sales facility.

7.3. West Leigh Residents Association – object – building will have significant effect on streetscene, bulk and height dominate, overshadow area and towering to pedestrians. Balconies overhang footpaths and contribute to dominating effect. Loss of view of open Elms frontage and contributes nothing to landscaping. Insufficient parking. Out of character and incongruous with neighbouring properties – Yantlett unattractive and new building would contrast poorly with Elms pub. Access dangerously positioned. Insufficient amenity space – roof terrace won't be used in practice.

8 Appraisal

8.1. The considerations are design, impact on the street scene, density of development, affordable housing provision, provision of commercial units, impact on neighbours, parking implications and whether this proposal has dealt acceptably and adequately with the reasons for refusal.

8.2. Clearly the scale of development has reduced significantly compared to the refused scheme. Comments on the bulk and mass of the buildings are awaited but the overall scale of the development is now considered appropriate for this large site with the main frontage to London Road, reducing in scale on the adjoining road frontages. Whilst the suggested design of all three buildings is contemporary, this detail is subject to a reserved matters application. Although higher generally than nearby properties, the character of the locality is extremely mixed and there is no objection per se to a flat roofed, staggered, stepped proposal here. If balconies overhang the pavement these may need a highway licence. Frontage parking/landscaping could be controlled by condition.

8.3. The density of development is now acceptable for 3-4 storey developments and is not out of character with the general density of the locality. The lack of infrastructure in itself (e.g. school places, doctors, clinic places etc) is not a valid reason to refuse the scheme where the development can reasonably make provision for such amenities. No such provision was sought on the previous application and, especially bearing in mind the reduction in dwelling numbers here, it would be unreasonable to require that the development propose such provision now. Affordable housing provision is no longer required as the circular threshold level is not met here.

8.4. It is correct that interim policy does not specifically require the provision of employment provision for this non-'B' use site. The provision of flexible commercial/retail floorspace is not objectionable – the site is not allocated for retail etc. provision in the BLP Proposals Map but this potential 250m² area is not felt to detract from the viability of the adjoining Secondary Shopping Frontage. Again, no objection to the commercial use was raised in the previous scheme.

8.5. With respect to the impact on adjoining neighbours, those most at risk are 60 Cranleigh Drive and 259 Elm Road. Guidelines are complied with concerning the relationship with these two properties and no material detriment will be caused to them. The impact on 259 Elm Road is lessened due to the bulk of building adjacent now being reduced.

8.6. Guidelines generally are met within the site re distances from windows to windows and windows to boundaries. The proposed balconies are sufficiently distant from adjoining residents to not cause detriment.

- 8.7. Parking facilities numerically comply with the lower guideline figure appropriate for developments in positions close to public transport and local amenities such as this. Additional motorcycle and cycle storage is provided to supplement the parking facilities. The layby outside the commercial units will be useful for servicing.
- 8.8. The bin store position is close to the highway and accessible for both residential and commercial use.
- 8.9. Amenity space is provided on the balconies and terraces – some of which are large. The communal terraces would provide 11m² area average and the balconies supplement this. Each flat would therefore have amenity terrace space of between 16.5m² and 35.5m² average. This falls below the guideline size in some cases and is not provided in a 'private garden'. This in itself is not however considered to render the scheme unacceptable.
- 8.10. The reasons for refusal are now considered to have been overcome through: a significant reduction in the size of building and number of units proposed; the massing changes; the splitting of the buildings into three elements, the levels now of terraced amenity space; and provision of servicing/refuse storage. Subject to internal consultation responses not raising objection, the application is recommended for approval.

9 Recommendation

Members are recommended to GRANT PLANNING PERMISSION subject to the following conditions:

- 01 Reserved Matters to be submitted within three years.**
- 02 Reserved matters to include certain details.**
- 03 Building, Boundary and Surfacing materials to be submitted and agreed.**
- 04 Parking to be provided and retained.**
- 05 Landscaping to be submitted and agreed.**
- 06 Commercial unit for A1, A2, B1 use only.**
- 07 Decontamination of site.**
- 08 Refuse Storage to be agreed.**
- 09 Cycle Parking to be agreed.**

Informative - re: highway licence.

Chalkwell Ward

SOS/05/00196/FUL (Application for full planning permission)

DEMOLISH EXISTING BUILDING, ERECT SEVEN STOREY BLOCK OF SIX FLATS WITH BASEMENT PARKING, HEALTH SPA, LAY OUT AMENITY AREA, REFUSE AND CYCLE STORE AND LANDSCAPING AND FORM VEHICULAR ACCESS ONTO THE LEAS (AMENDED PROPOSAL)

23 The Leas, Westcliff-on-Sea, SS0 8JB

Halo Homes Ltd

Tim Knight Architects

*This application was deferred at Development Control Committee on 30th March 2005 to negotiate amendments to the design, especially the entrance. The Committee had indicated informally that the scheme was otherwise acceptable. The previous report is reproduced here with the amended proposal in **bold italics**.*

1 The Proposal

Site area gross (net)	0.097 ha (0.080 ha)
Percentage frontage redeveloped	Not relevant – site not residential
Original gross floor area	Not relevant – site not residential
Height	27.2m approx 7 storeys (slightly less into the ground but same height above ground level as before) (1.4m higher than previously suggested as now not set into the ground)
Number of units	6 x 2 bed
Parking	6 spaces in basement 100% (guideline 100-150%) (Reduced by six spaces from the previous scheme – six spaces agreed on appeal).
Cycle parking	10m ² area shown in basement
Refuse storage	10m ² area shown joint adjacent to cycle store
Amenity space	Terraces 170m ²
Density	Outside space approx 234m ² = 39m ² (guideline 25m ² per flat) plus landscaping to front 61 dwellings per hectare (guideline for four storeys 100-125 dph)

- 1.1. This is a revised application for the redevelopment of the now cleared site with a block of six flats, following the recent refusal. The applicant has commented, the contents of which are the same as on SOS/05/00197/FUL.
- 1.2. This development is for a curved, asymmetrical building, with a flat on each floor from the ground to the fourth floor and the top flat over the top three floors, and a health spa at the rear. The overall structure is **(3.9m)** 2.5m higher than the highest point of Admirals Place. Main habitable room windows face the front – at an angle, and the rear, with secondary and non-habitable rooms facing the sides. Each flat has a terrace on the front. The duplex flat has a terrace, on floor five, then a roof terrace. The materials are as for the 12 storey scheme.
- 1.3. **This scheme varies from that allowed on appeal in that it is a completely different design, (7.4m) 6m higher than the allowed scheme, amenity space and parking facilities are differently configured and positioned. The building relates differently to the adjoining properties, projecting further to the front and rear, with its curved form compared to the previous rectangular form. The room arrangements are different. The gym, whilst in the same position as that on appeal, is 1.3m less in length (no external details of this have been provided).**

1.4. The proposal differs from the refused scheme as follows:

- ◆ The vehicular access is from The Leas via a 4.8m wide vehicular crossover roughly central on the front boundary, leading to a curving driveway ramp down to the basement car park – now for six cars (rather than 12) abutting the western side of the site. Triangular landscaped areas are shown either side of the access ramp. Cycle and refuse storage areas lie to the front of the building but beneath general ground level. An area of amenity space lies to the rear – narrowing to follow the side boundaries further north and accessed from the car park. A pathway and steps lead to the 50m² private health spa which would take the place of the current garage adjacent to Grosvenor Mews.
- ◆ All rooms now face front (south) and rear (north) except a study serving the flats on the ground to fourth floors, which is located with a curved window on the west side – the window looks north-westwards. These studies have been relocated compared to the refused scheme to enable the bedrooms to be relocated southwards to reduce the rearward projection of the building – in the case of the bedrooms on floors ground to four by 5m and overall to the tip of the frame by 4.5m. The upper floors projected less previously than the lower floors and the new scheme is unaltered on these floors (5th, 6th and roofspace). The 6th floor front terrace has been removed. The 5th floor would have a double height void at the front of the apartment. The 'feature wall' does not project northwards as much.
- ◆ The previous gym was beneath the building. The current gym is 7.2m long and 4.9m wide, located off Grosvenor Mews. The overall height above ground level is much the same.

1.5. The applicants have provided additional information and the east elevation has had fixed etched glazing inserted into the elevation at various points. It has been confirmed that there would be a 'pod' over the spiral staircase onto the roof terrace. The agent has submitted plans indicating the shadowing effect caused by the proposal together with comparisons with the scheme approved on appeal. In addition there are three dimensional representations of the proposal.

1.6. All glazing to the study areas will be fixed and obscured to avoid overlooking. They have provided drawings to show the distances between the rear windows and adjacent properties. The distance from window to window increases at each additional floor. The increase is proportionately greater the higher the building – i.e. 1st to 2nd = 557mm, 11th to 12th = 2144mm. The approved scheme fails to comply with the standard at the upper level. The Appeal Inspector accepted that overlooking is not a reason for refusal at the upper levels. The angle of sight from the upper floors is a minimum 46° (**this has now increased with each floor being higher**) – when designing auditoria with clear sightlines, a maximum 35° is recommended – 45° will not provide clear sightlines into adjacent properties. The shadow study shows both schemes at various times of the year, together with the approved scheme to compare:

- ◆ The shadow of the appeal scheme is far bulkier than the application proposals and has greater impact on the ground plan
- ◆ The approved scheme is sited closer to the rear properties than the application scheme
- ◆ The upper floor of the six flat application is only 1m higher than the approved scheme (**this is now 1.4m higher**) – the increase in height is negligible when viewed in the context of the seafront
- ◆ The slender design of the application creates less obtrusive shadow and has far less impact on the adjacent buildings
- ◆ The six scheme casts less of a shadow than the approved scheme
- ◆ The adjacent buildings are only affected for two hours of the day due to the narrow design and not at all in mid summer
- ◆ The rear properties are affected to the same degree during spring, autumn and winter, regardless of the height of the building. The approved scheme overshadows the rear properties during certain months therefore the increase in height is immaterial. The effect of the shadow is lessened by the new design as the shadow cast is more slender and therefore the overshadowing lasts for a shorter period of time during the day.

- ◆ Whilst the shadow cast by the proposed schemes are greater in length than the approved design, the slenderness of the building reduces the material affect. It has been established at appeal that the effects of partial overshadowing during certain times of year and day on the rear properties is acceptable. The application scheme follows a precedent set, however innovative design reduces the amount of shadow cast on the surrounding area.

1.7. The agent comments on the report as follows:

- Para 1.3 *The scheme is only 1.5m higher than the appeal scheme not 6m (now 1.4m higher).*
- Para 6.1 *Three dimensional images provided.*
- Para 8.3 *See above re height and eastern elevation has been amended*
- Para 8.6 *Additional information has been provided as above.*

1.8. ***Due to the increase in height to improve the design, each floor has been increased in height by that amount also.***

2 Location and Description

- 2.1. The site is located on the north side of The Leas, west of Grosvenor Road, between Admiral's Place and the vacant Grosvenor House. The site is now cleared but formerly comprised an extended, deep plan building, with a garage fronting Grosvenor Mews, a narrow street that runs from Grosvenor Road to serve the rear and front of dwellings and small commercial premises. The ground level of the site slopes up to the north and narrows towards Grosvenor Mews.
- 2.2. The site is bounded on three sides by residential properties; the new 5/6 storey flatted block to the west, 1 Grosvenor Mews abuts the north eastern side, and Elm Cottage is to the north western side. This property has a sole habitable room window adjacent to the side boundary of the site.
- 2.3. The previous lawful use was unclear but it had been used as an hotel/guest house. As the block has been demolished, it could be argued that the site now has a nil use.

3 Development Plan

- 3.1. ESRSP Policies CS2 - Protecting the Natural and Built Environment, BE1 - Urban Intensification, H1 - Distribution of Housing Provision, H2 - Housing Development - The Sequential Approach, H3 - Location of Residential Development, H4 - Development Form of New Residential Developments, T12 - Vehicle Parking, LRT11 - Coastal Resort Towns.
- 3.2. BLP Policies C11 (New Buildings, Extensions and Alterations), L6 (Hotels and Guest Houses), L7 (Retention of Hotel and Guest House Uses), L10 (Seafront Visitor Parking), H5 (Residential Design and Layout Considerations), T11 (Parking Standards) and adopted.
- 3.3. PPG21 – Tourism.
- 3.4. Visitor accommodation area.

4 Planning History

- 4.1. May 2001 – refusal of demolition of building and erection of five storey block of five flats and lay out parking and access onto Grosvenor Mews (SOS/01/00408/FUL). The reason for refusal was that the design was incongruous in an important seafront location, the site being too narrow to accommodate this tall building; parking layout unsatisfactory and difficult to access and loss of hotel being contrary to Policy.
- 4.2. December 2001 – refusal of amended scheme (following original refusal) comprising a four storey block of four flats (SOS/01/01162/FUL). Reason for refusal that design was incongruous in prominent seafront location, detrimental to visual amenity.

- 4.3. **July 2003 – refusal of permission for demolition of building and garage, erect six storey block of six flats with basement parking, erect single storey detached building for use as gym, lay out amenity area and form vehicular access onto the Leas. (SOS/03/00734/FUL). The reason for refusal was that the height and design were out of keeping in the streetscene and in relation to adjoining buildings, and the proposed building would therefore be detrimental to visual amenities, contrary to C11 and BE1.**
- 4.4. **This refusal was challenged on appeal which was allowed in September 2004. The Inspector’s comments are briefly summarised:**
- Para 7. the height and design was acceptable in the skyline with a variety of designs in the streetscene;**
- Para 8. further layering was not required and the development was not dominant due to Admirals Place. The site’s prominent position was acknowledged;**
- Para 9. not concerned about the different floorplate heights;**
- Para 10. no significant harm to the character and appearance of the area;**
- Para 11. 6 parking spaces compensated more than enough for the spaces lost on-street;**
- Para 12 There was no significant overlooking or loss of sunlight;**
- Para 13. The gym would be ancillary to the residential only;**
- Para 14. Whilst there was mention of comprehensive redevelopment with next door, this application was treated on its merits**
- 4.5. **January 2004 – approval of outline application for five storey block of five flats with basement parking, erect single storey detached building for use as gym, lay out amenity area and form vehicular access onto the Leas (SOS/03/01585/OUT).**
- 4.6. **February 2005 – refusal of seven and 12 storey developments of six and 11 flats respectively with basement parking, health spa and plant room, lay out amenity area, refuse store and landscaping and form vehicular access onto Grosvenor Mews (SOS/04/01768 and SOS/04/01736/FUL). Both schemes were refused for identical reasons except the 11 flat scheme also had deficient amenity space.**
- 01 the proposed east facing bedroom windows are unacceptable as they are too close to the eastern boundary. This would given an unacceptably restricted outlook for residents and jeopardise the redevelopment of the site to the east, contrary to Borough Local Plan Policy H5 and Essex and Southend Replacement Structure Plan Policy BE1.**
- 02 The proposed rear access to the site is unacceptable as its use in connection with the volume of traffic generated by the proposal would result in an overintensification of the use of a narrow road, detrimental to highway safety and residential amenity, contrary to Borough Local Plan Policies H5 and T8 and Essex and Southend Replacement Structure Plan Policy BE1.**
- 03 The proposed rear facing rooms and the height of the building would be detrimental to the residential amenities of 3 Grosvenor Mews by reason of overlooking, loss of privacy and obtrusiveness, contrary to Borough Local Plan Policy H5 and Essex and Southend Replacement Structure Plan Policy BE1.**
- 04 The proposed rear projection of the building beyond the rear of Admirals Place would be detrimental to the residential amenities of the flats closest to the boundary with the site, causing obtrusiveness, contrary to Borough Local Plan Policy H5 and Essex and Southend Replacement Structure Plan Policy BE1.**

05 The development of the site with this number of flats constitutes overdevelopment of the site due to the excessive rear projection of the building, the impact on surrounding residential amenities, the unsatisfactory rear access, the inadequacy of the private amenity space and the deficiencies in the cycle parking and refuse storage provision. This development would therefore be contrary to Borough Local Plan Policies H5 and T8 and Essex and Southend Replacement Structure Plan Policies BE1, H3 and H4.

06 The height and design of the proposed building are out of keeping in the streetscene and in relation to adjoining buildings and the proposed building would therefore be detrimental to visual amenities, contrary to Borough Local Plan and Essex and Southend Replacement Structure Plan.

4.7. **March 2005 – refusal of 12 storey block of 11 flats (SOS/05/00197/FUL), for reasons of rear rooms and height being detrimental to 3 Grosvenor Mews; overdevelopment re: impact on 3 Grosvenor Mews and inadequate private amenity space and height and density detrimental to visual amenities.**

5 External Consultation

5.1. Southend Airport – to be reported.

5.2. Essex County Fire and Rescue – additional water supplies for firefighting may be required – applicant should consult with Water Technical Officer.

5.3. Environment Agency – not within flood risk area, just advise general water drainage info standard info letter.

6 Internal Consultation

6.1. Design Comment - Needs to be represented three-dimensionally. This is a brave and interesting attempt at developing a contemporary tower for living. The plan form and suggested elevations are well resolved and create a nodal point for visual reference along the seafront. This represents a better architectural and townscape scheme than the proposal approved at appeal. The ground/sub-terrain entrance is weak and lacks connection with both the seafront and pedestrian path. If this proposal is to be considered, all detailing and materials will need to be further discussed. Concern over harsh and unpenetrated east elevation. However, this may be awaiting the adjacent site development. Would be preferred if this was part of a comprehensive proposal including the site of Grosvenor House. ***(Comments on amended proposal to be reported)***.

6.2. Highway Comment – ramp gradient 8% satisfied (4% for first 5m), parking bays 2.4m x 4.8m and vehicular access 4.8m, will be a loss of at least two pay and display parking bays due to construction of vehicle crossing, however no objections in principle. (Requested confirmation of whether ramp does comply).

6.3. Housing (DCS) Comment – no affordable housing expected on this site.

7 Publicity

7.1. Site notice and neighbour notification (**and renotification of amended height and entrance design**) – 14 objections to date on the following grounds:

- ◆ Overdevelopment of site
- ◆ Higher than adjacent buildings detrimental to surrounding area
- ◆ Too high – breaches height restrictions and should be no higher than five storeys.
- ◆ Loss of light
- ◆ Will overlook adjoining properties
- ◆ Should not overshadow or detract from Conservation Area
- ◆ Object to style
- ◆ Increased traffic leading to congestion and insufficient parking
- ◆ Out of keeping
- ◆ Nine storeys still unacceptable due to loss of quality of life
- ◆ Too narrow a site
- ◆ Noise from health spa and gym attached to Elm Cottage.

8 Appraisal

- 8.1. The issues are as before, the principle of redevelopment of this former hotel into flats, the impact of the additional flat and new design and height on adjoining residential amenities and the character and streetscene of the area, the nearby Conservation Area; parking, cycle parking, access and traffic implications, affordable housing, education provision, the precedent set by the appeal and adjoining sites to the west and east, landscaping and amenity area, flood risk, height in relation to the flight path, density set against guidelines and PPG3 aims, refuse storage provision and use of the gym. Also the differences between this scheme and the refused scheme and whether they have overcome the previous reasons for refusal need to be considered.
- 8.2. The loss of what is thought to have been a previous hotel has already been granted in principle once at outline stage and also by the appeal – albeit that the Council did not object to the loss of the hotel on the case taken to appeal. The site is now vacant and could be considered to have a nil use, the previous use(s) having been abandoned. The principle of flats at this site has also been accepted by the previous permissions and such a use is acceptable in the streetblock, the previous use having not been residential.
- 8.3. The additional height – 6m (**7.4m**) – set against the scheme allowed on appeal, is higher than Admiral's Place to the west and although this can be argued to be out of character, the narrowness of the site and good, innovative design mean that this scheme could stand out as more of a landmark – similar to other multi-storey blocks at various points along the seafront. If Members were willing to accept this latter argument, Officers would go back to the architects to resolve the entrance deficiencies and harsh east elevation as mentioned in paragraph 6.1 although clearly the previous scheme was refused as it was considered to be too high and out of keeping. (**Entrance feature amended at Members' request and is now acceptable**). Whilst there are Conservation Areas to the west and east, this development, being separated by large sites from the boundaries of the Conservation Areas, is not considered to detrimentally impact upon them.
- 8.4. The building is within 1m from both side boundaries – 0.7 at its closest to the western boundary and 0.75m from the eastern boundary at its closest. With the curved design proposed and the openness of the front elevation, it is questionable whether or not this breach, 14m behind the front of the building, would actually be detrimental to the streetscene. The building attempts to address the narrowness of the site with the design approach and the majority of the building is more than 1m from the boundary. Amendments could be sought if the principle was acceptable, to achieve a further separation from the boundary if this was considered necessary. This in itself is not considered to render the scheme refusible and was not a reason why the previous scheme was refused.
- 8.5. The impact of the additional floor of accommodation on adjoining residents and, indeed the impact of the different configuration of the flats on adjoining residents is considered: the rear of the building projects beyond the rear of the vacant Grosvenor House and Admirals Place. The guideline 45° is met however in respect of Grosvenor House and has been amended so it complies in relation to the rear corner of Admirals Place.

- 8.6. A distance of 20m is proposed for the rear bedroom windows and sixth floor kitchen to the boundary at ground to fifth floor. This complies with the guidelines to the boundary up to the fourth floor but the fifth floor window is too close by 0.3m and the sixth floor too close by 1.7m. The relationship with 3 Grosvenor Mews is that there is a distance of 25m from these aforementioned windows. The guideline distances are 21.4m at first floor, with an additional 2.4m for each extra storey. Bearing in mind the land level change, the ground floor of the development would be at approximately between ground and first floor level on 3 Grosvenor Mews. The first floor of the development would have elevated overlooking of no. 3 but this would largely comply with guidelines. The third floor and above would fail to comply with guidelines, with the breach gradually worsening the higher the development goes, with the sixth floor being 8.4m short of the guideline. It should be noted that if 3 Grosvenor Mews was applied for today in the position on its plot, it would not comply with guidelines itself and there is some flexibility here as the development should not be penalised due to deficiencies at another site. However, this would produce an unneighbourly development, overlooking 3 Grosvenor Mews, impacting detrimentally on their amenities, causing loss of privacy. This relationship is better than the scheme allowed on appeal in terms of the first to fourth floors, the fifth floor is 1m closer and therefore worse. Also the development is higher by one storey and the additional accommodation would cause additional overlooking that breaches guidelines. It is not accepted that flats at this level would not overlook no 3 and certainly there would be significant perceived overlooking. ***The height of each floor has increased as a result of the design amendment but this is not considered to worsen the impact to a detrimental degree.***
- 8.7. Side windows are shown serving non-habitable rooms or as secondary light sources. This is similar to the scheme allowed on appeal and such windows could be conditioned to be obscure glazed and fixed or high level. It should be noted that the appeal Inspector only conditioned bathroom windows facing Admirals Place to be obscure glazed. It is considered that with the circumstances around Grosvenor House changing since the appeal – i.e. developers have submitted an application to redevelop the site at 22, it is now felt that circumstances have altered materially and it would be reasonable to restrict windows on the east side.
- 8.8. Balcony positions are between 2.2m and 3m from each side boundary. The guideline distance is 2m. The roof terrace would be 1.75m from the eastern boundary – this could be screened. The appeal case had balconies within 2m of both side boundaries that were conditioned to have obscure glazed side panels. The proposal here is considered to be no worse than the appeal case.
- 8.9. Parking complies with guidelines and is at the same level as the appeal case, bearing in mind the location close to Westcliff Railway Station. Cycle parking is in a larger area compared to the refused scheme and is now acceptable.
- 8.10. Access to the site is from the front as in the appeal case, indeed two schemes have been approved now with access to the front. The scheme is not objectionable in this respect and the precise detail of the access and ramp can be dealt with at construction stage and by condition.
- 8.11. The development is not of sufficient size to require either affordable housing or an education contribution.
- 8.12. The appeal decision sets a precedent in that it is a recent decision that could still be implemented. However, that decision and the subsequent outline are materially different from the current case in a number of key areas and it is not simply a case of adding another 1-2 storeys onto the permissions. The reasons above deal with the detail of this. In respect of the case at Admirals Place – this is a development that followed a long history, starting prior to the adoption of the Borough Local Plan. The history, size of the site and differences from the current scheme mean that the only real relevance of the Admiral's Place case to the current case is in that the building is there in the streetscene as part of the context of this proposal. It could be argued that in the context of the Inspector's comments on design and character one additional floor is not significant in those terms. The case at Grosvenor House is complicated – an application was submitted but it has not been approved so little weight can be attached to it. The Council would wish to see Grosvenor House developed satisfactorily and it has been accepted that comprehensive redevelopment along with No 23 is not realistic. This does not mean that the two sites should be seen in isolation however and for reasons stated above, the development of No 23 should not jeopardise the development of No 22.

- 8.13. Landscaping for this site would have to be of the highest quality – the area at the front –is shown as on the appeal proposal, as minimal due to the access position. Numerically the guideline for amenity space is complied with and there are substantial balconies for each flat also. No objection is therefore raised to landscaping or amenity space. The details could be controlled by condition.
- 8.14. The site falls outside the flood risk area and does not affect airport safeguarding. An informative can be included regarding general surface water drainage as requested by the Environment Agency.
- 8.15. The density of the scheme falls below guideline limits and is an efficient use of a formerly developed site under PPG3 guidance.
- 8.16. Refuse storage is shown in a larger area than the refused scheme and only 14m from the highway – an acceptable position.
- 8.17. Use of the gym on the appeal case was restricted to residents only. If this scheme were to be approved, a similar condition would be recommended on the integral health spa proposed here. The rear position of the gym is roughly as allowed on appeal so cannot be objected to – especially as it is smaller. External details would be sought.

9 Recommendation

Members are recommended to GRANT PLANNING PERMISSION subject to the following conditions:

- 01 start within five years
- 02 material samples to be submitted
- 03 use of gym only for residents of flats
- 04 parking provided
- 05 parking retained
- 06 cycle parking provided and retained
- 07 refuse store provided and retained
- 08 landscaping scheme submitted
- 09 landscaping implemented
- 10 ramp gradient
- 11 obscure glazed windows
- 12 levels

St Lukes Ward

SOS/05/00281/FUL (Application for Full Planning Permission)

ERECT SINGLE STOREY REAR EXTENSION

376 Central Avenue, Southend on Sea, SS2 4EG

Mr Hales

Andrew Davison Architect

1 The Proposal

- 1.1. Planning permission is sought to erect single storey rear extension, which would project 2.7m from the rear main wall of the property and provide additional internal accommodation.

2 Location and Description

- 2.1. A vacant plot of land to the west of 376 Central Avenue, which is currently used for off street parking. The site is positioned to the south of Central Avenue amongst a residential area. The neighbouring property to the east is brick built with rendered walls finished in white coloured paint.
- 2.2. The surrounding properties are either terraced, semi or detached two storey dwellings. To the

east, at the end of Central Avenue there is a school.

3 Development Plan

- 3.1. ESRSP Policies BE1 – Urban Intensification, CS1 – Achieving Sustainable Urban Regeneration, CS4 – Sustainable New Development, T12 – Vehicle Parking.
- 3.2. BLP Policies C11 (New Buildings, Extension and Alterations), T11 (Parking Standards), H5 (Residential Design and Layout Considerations) and Appendix 4 (Design and Layout Guidelines for Housing).
- 3.3. EPOA Vehicle Parking Standards (2001).

4 Planning History

- 4.1. 1961 – Permitted Development – to erect garage.
- 4.2. 1967 – Permission refused to erect house and integral garage.
- 4.3. 1971 – Permission approved to erect two storey side extension and two garages at rear (for conversion to flats).
- 4.4. March 2003 – Permission refused to erect two storey terraced dwellinghouse adjacent to 376 Central avenue, re site existing vehicular access, alter front elevation to no 376, lay out hardstanding and form new vehicular access onto Central avenue (SOS/02/01459/FUL).
- 4.5. **November 2003 – Planning permission granted to erect two storey terraced dwellinghouse adjacent to 376 Central Avenue, re-site existing vehicular access, alter front elevation to No. 376, lay out hardstanding and form new vehicular access onto Central Avenue (Amended proposal) (SOS/03/01089/FUL)**
- 4.6. **2005 – Application Pending Consideration (to be determined in conjunction with this proposal) to Erect two storey terraced dwellinghouse adjacent to 376 Central Avenue (SOS/05/00282/FUL).**

5 External Consultation

- 5.1. None undertaken.

6 Internal Consultation

- 6.1. Design Comment – No objections.
- 6.2. Highway Comment – The vehicle crossing width should be increased to 3.66m (Min) (The plan shows 2.6m as scaled). The minimum width of the frontage required for parallel parking for a medium car is only 5.5 (clear distance, as the clear distance is only 5.2 (from site visit), then this is lower than the minimum parallel parking and as such would not be permitted. Consequently, this proposal is likely to give rise to additional on street parking in an already parking stressed road. (This comment in reality relates to SOS/05/00282/FUL).

7 Publicity

- 7.1. Neighbourhood Notification – No replies.

8 Appraisal

- 8.1. The main consideration with the application is the impacts on the neighbours and design implications.
- 8.2. The proposed extension would lead to the demolition of some older single storey additions. The proposal would project 2.7m from the rear main wall of the neighbouring property to the east, which meets BLP guidelines.

- 8.3. Within the site, to the west of the flank wall, is a vacant area, which has planning permission (SOS/03/01089/FUL) to erect a new dwelling to adjoin this property and form a terrace of three properties. There is an amended application currently pending consideration for revisions to that permission (SOS/05/00282/FUL). The proposed extension would project in line with the single storey rear element of the new dwelling.
- 8.4. The neighbour to the west would not be affected by the proposal.
- 8.5. The design of the extension would feature a mono-pitched roof with rooflight windows and openings on the rear elevation. Providing the materials match the existing dwelling there are no objections are raised to the proposal from the design point of view.

9 Recommendation

Members are recommended to GRANT PLANNING PERMISSION as subject to the following conditions:

- 01 Start within five years**
02 Materials to match existing

St Lukes Ward

SOS/05/00282/FUL (Application for Full Planning Permission)

ERECT TWO STOREY TERRACED DWELLINGHOUSE ADJACENT TO 376 CENTRAL AVENUE (AMENDED PROPOSAL)

376 Central Avenue, Southend on Sea, SS2 4EG

Mr Hales

Andrew Davison Architect

1 The Proposal

- 1.1. This is an amended application seeking planning permission to erect a two storey dwelling house onto an existing pair of semi-detached properties forming a terrace of three properties on land adjacent 376 Central Avenue.
- 1.2. The difference between this proposal and the previous approval (SOS/03/01089/FUL) consists of a revised rear elevation with alterations to the ground floor rear projection and the formation of a projecting gable end at first floor level, which is proposed due to an increased floor area. The front elevation is also slightly amended.
- 1.3. The internal floor layout has also been revised since the previous approval.

2 Location and Description

- 2.1. A vacant plot of land to the west of 376 Central Avenue, which is currently used for off street parking. The site is positioned to the south of Central Avenue amongst a residential area. The neighbouring property to the east is brick built with rendered walls finished in white coloured paint. The proposed dwelling would adjoin this property.
- 2.2. The surrounding properties are either terraced, semi or detached two storey dwellings. To the east, at the end of Central Avenue there is a school.

3 Development Plan

- 3.1. ESRSP Policies BE1 – Urban Intensification, CS1 – Achieving Sustainable Urban Regeneration, CS4 – Sustainable New Development, H1 – Distribution of Housing Provision, H2 – Housing Development – The Sequential Approach, H3 – Location of Residential Development, H4 – Development Form of New Residential Development, T11 – Traffic Management, T12 – Vehicle Parking.

3.2. BLP Policies C11 (New Buildings, Extension and Alterations), T11 (Parking Standards), H1 (Housing Provision), H2 (Future Housing Needs), H5 (Residential Design and Layout Considerations), T8 (Traffic Management and Highway Safety), T11 (Parking Standards) and Appendix 4 (Design and Layout Guidelines for Housing).

3.3. EPOA Vehicle Parking Standards (2001).

4 Planning History

4.1. 1961 – Permitted Development – to erect garage.

4.2. 1967 – Permission refused to erect house and integral garage.

4.3. 1971 – Permission approved to erect two storey side extension and two garages at rear (for conversion to flats).

4.4. March 2003 – Permission refused to erect two storey terraced dwellinghouse adjacent to 376 Central avenue, re site existing vehicular access, alter front elevation to no 376, lay out hardstanding and form new vehicular access onto Central avenue (SOS/02/01459/FUL).

4.5. **November 2003 – Planning permission granted to erect two storey terraced dwellinghouse adjacent to 376 Central Avenue, re-site existing vehicular access, alter front elevation to No. 376, lay out hardstanding and form new vehicular access onto Central Avenue (Amended proposal) (SOS/03/01089/FUL).**

4.6. **2005 – Application Pending Consideration (to be determined in conjunction with this proposal) to erect single storey rear extension and form vehicular access onto Central Avenue (SOS/05/0028/FUL).**

5 External Consultation

5.1. None undertaken.

6 Internal Consultation

6.1. Design Comment – No objections in principle to extending the terrace, however, it is important to draw references from the existing streetscene. This area is characterised by bay windows at ground floor and this element should be included in the design.

6.2. Highway Comment – The vehicle crossing width should be increased to 3.66m (Min) (The plan shows 2.6m as scaled). The minimum width of the frontage required for parallel parking for a medium car is only 5.5 (clear distance, as the clear distance is only 5.2 (from site visit), then this is lower than the min. parallel parking and as such would not be permitted. Consequently, this proposal is likely to give rise to additional on street parking in an already parking stressed road.

6.3. Environmental Health Comment – Previous comments were as follows: objection in principle. Should check history of regarding contaminated land. If contaminating use is found – investigate and take remedial action.

7 Publicity

7.1. Site Notice and Neighbourhood Notification – No replies.

8 Appraisal

8.1. The main consideration with the application is whether the revisions to the previous approval are considered acceptable in relation to the impacts upon the streetscene, impacts on the neighbours, parking constraints and design implications

8.2. As a vacant plot the application site forms a gap in the streetscene and the postal addresses suggest the site was once occupied by a dwellinghouse. This area is currently used for off street parking.

- 8.3. BLP guidelines state that a 1m isolation should be maintained between building and boundary and 2m between buildings. However, this street is characterised by terraced housing and thus this proposal is not out of keeping. As there are no windows in the flank walls of the neighbouring properties and the infill dwelling would not project forward or rearward of the existing building line at first floor level this relationship was previously considered acceptable.
- 8.4. The revisions to the scheme include a first floor gable end at the rear, which would project 1m from the rear main wall of the neighbouring properties either side and would project up to the boundary. This would result in a minor breach of BLP guidelines, however the property most affected would be No.376, which currently falls within the application site. The gable end at first floor level would project slightly beyond the neighbours rear main wall by 1m. However due the western neighbours single storey rear addition there is no breach of the 45-degree line. Also, in terms of No.376 if the single storey rear extension (application SOS/05/00281/FUL currently pending consideration) were built the breach would be mitigated and not considered significant enough to warrant refusal.
- 8.5. The introduction of the gable end at first floor would be a relatively new feature within the rear elevations of the buildings to the east and west of the site. However as its located at the rear, and its design is sympathetic to the surroundings, no design objections are raised.
- 8.6. In terms of the front elevation of the proposed dwelling design issues have been raised over the need for a ground floor bay to reflect the character of the streetscene. However the previous application was approved without the bay and the proposed canopy would break up what would be a rather bland front elevation to the new dwelling. In addition a bay window would encroach upon the frontage to the site leading to a smaller off street parking area. Therefore the bay window isn't considered a requirement and the design of the front elevation is acceptable.
- 8.7. There are no objections to the alterations to the external elevations of the single storey rear elevation or to the formation of a mono-pitched roof.
- 8.8. It is recognised that the proposed parking layout does not meet guidelines but the layout is no worse than that previously agreed, and therefore no objections are raised on that basis.

9 Recommendation

Members are recommended to GRANT PLANNING PERMISSION as subject to the following conditions:

- 01 Start within five years**
 - 02 Material samples to be submitted**
 - 03 No additional windows other than those shown**
 - 04 Obscure glazing to the side window of the dwelling**
 - 05 Parking provided and to be retained**
 - 06 Landscaping details to be agreed**
 - 07 Approved landscaping to be carried out in within 12 months**
 - 08 PD restriction**
-

St Lukes Ward

SOS/05/00305/FUL (Application for planning permission)

ERECT SINGLE STOREY REAR EXTENSION TO BE USED AS TWO SELF-CONTAINED HOLIDAY UNITS FOR THE DISABLED, FORM VEHICULAR ACCESS ONTO LAWN AVENUE AND LAY OUT PARKING TO REAR

230 Bournemouth Park Road, Southend-on-Sea

Mr A Marchant

Mr D M Grew

1 The Proposal

- 1.1. Permission is sought to erect a single storey extension to the rear of the application property to form two bedsit units, to be let out on a temporary bases as holiday accommodation for disabled people. The design has been amended slightly from the original plan submitted, to reduce the roof slope and overall height. The extension would run for 12.5m beyond the main rear wall of the house.
- 1.2. The applicant has submitted various supporting documents with the application, and a statement summarised as follows:
 - 1.2.1. *“Main objective is to provide facilities to accommodate people that need easy access when catering for their holidays or breaks, with wheelchair facilities and adhering to DDA requirements. All facilities will be on the ground floor with paved areas outside to be step free. The local tourism board agreed that accommodation with these facilities is in short supply in the Southend area, and I feel that there is a lack of facilities with good access that reduces peoples’ ability to enjoy independence when on holiday. The units will be available throughout the year allowing for people to have the facilities for holidays or short breaks.”*
- 1.3. The applicant has also confirmed that parking arrangements will comply with the Disability Discrimination Act, and that a 6ft fence will be erected along the northern boundary, replacing the existing 1.5m fence.
- 1.4. A letter from Tourism for All has been submitted, stating support for the application, *“You will be helping to make Southend more accessible for all and helping to support local shops and services by encouraging disabled people and their families to stay who would otherwise be unable to do so. We would support you on the basis of the Tourism for All principle of making accommodation provision inclusive for visitors”*.
- 1.5. A further letter has been submitted from Sir Teddy Taylor MP offering full support to this ‘exciting proposal’ subject to planning considerations.
- 1.6. The applicant has sent out a survey to relevant organisations in the area seeking support and advice on the proposal. Five ‘support replies’ have been submitted, from Scope, Southend Blind Welfare Organisations, Break charity, MACA and the Handicapped Aid Trust, three of which refer to a lack of facilities, or no knowledge of any such facilities in Southend.

2 Location and Description

- 2.1. The application property is a two storey detached dwelling located on the north-eastern corner of the junction of Bournemouth Park Road and Lawn Avenue. There are two flat roofed garages to the rear, with one wide vehicular access onto Lawn Avenue; one is attached to the rear of the dwelling, the other approx. 1m to the rear of that. There is a further small timber shed adjacent to the Lawn Avenue boundary, and a large concrete outhouse to the rear adjacent to the party boundary with no. 236 (the immediate neighbour to the north – there is no 232 or 234). This outhouse would be demolished under this scheme, and a mature apple tree in the garden would be removed.

- 2.2. The front of the property is currently laid out as a garden, however it is proposed to lay out parking for the main dwelling on a new hardstanding at the front. Highways have confirmed that quotes have been sought for two vehicular accesses, one for the disabled bays as shown, and one for parking at the front of the property. The front parking is not shown on the plan and has not been implemented yet, however planning permission is not required for this development.
- 2.3. No. 236 to the north has a detached shed adjacent to the party boundary, and a 3m deep single storey rear extension. No. 5 Lawn Avenue to the east is a semi-detached bungalow, with two windows in the facing flank, serving a hallway and a kitchen.
- 2.4. On the opposite side of Lawn Avenue is the rear garden to no. 228 Bournemouth Park Road, which has a double garage accessed from Lawn Avenue, and there is a further double garage adjacent to that, belonging to 6 Lawn Avenue.

3 Development Plan

- 3.1 ESRSP Policies: BE1 - Urban Intensification, LRT10 - Tourist Accommodation, LRT11 - Coastal Resort Towns, T3 - Promoting Accessibility.
- 3.2 BLP Policies: C11 (New Buildings, Extensions and Alterations), C14 (Trees, Planted Areas and Landscaping), H5 (Residential Design and Layout Considerations), L1 (Facilities for Tourism), L6 (Hotels and Guesthouses), L8 (Self-catering Accommodation), U5 (Access and Safety in the Built Environment), T8 (Traffic Maintenance and Highway Safety), T11 (Parking Standards), Appendix 4 (Design and Layout Guidelines for Housing).

4 Planning History

- 4.1 1955 – Garage deemed permitted development (11436)

5 External Consultation

- 5.1 Commission for Social Care Inspection – no response received.

6 Internal Consultation

- 6.1 Highway Comment – (comments on amended plan). There will be a loss of one parking space on-site resulting from the removal of the rear garage, and as the two new parking spaces will probably be used by the disabled people, then additional on-street parking is likely to occur in Lawn Avenue, which is unattractive from a highway point of view. The parking bays should be 3.2m wide by at least 4.8m long. The block plans scales to less than this but the written dimensions are correct
- 6.2 Design Comment – (comment on original plan). The elongated form is unacceptable and should be reduced in scale. Generally design approach is weak. Ramp for DDA? Concern over loss of amenity space and segregation of parking
- 6.3 Environmental Health Comment – no response received.

7 Publicity

- 7.1 Site Notice and Neighbour Notification – no response received

8 Appraisal

- 8.1 The main issues to be considered are the principle of the use, visual impact and design of the extension, parking, refuse and amenity space provision, and impact on residential amenities.
- 8.2 Policy L1 relates to provision of facilities for tourism generally, and encourages provision or improvement of tourist facilities where they enhance the resort's ability to attract and cater for visitors, increase local employment opportunities and provide for environmental improvements. Policy U5 seeks improvements in the design and layout of the built environment to provide safe and easy access for all members of the community. Policy C8 supports the provision of self-catering accommodation in the Central Seafront Area. Elsewhere proposals will be considered on their merits. A legal agreement may be required to control their use.

- 8.3 The information provided with the application suggests that there is a need for facilities that can provide holiday accommodation for people with access problems. This does not only include disabled people but also elderly people or those with other mobility problems. The accommodation proposed might fulfill their need but is located away from the main tourist areas. The applicant has stated that provision of these facilities is likely to attract visitors to Southend that previously would not have come here. It must be considered however whether the use is suitable in this location, having regard to the other considerations listed above. The use is in effect residential and so does not really fall to be considered against Policy E5 (Non-Residential Uses Located Close to Housing), but it is likely to attract some degree of extra activity.
- 8.4 The proposed extension would be 12.3m deep and 5.3m wide, sited along the Lawn Avenue frontage of the site, set back from the side building line of no. 230 by 0.25m and from the highway by 2m. The extension would have a hipped roof rising to a height of 4.2m, with the ridge level with a decorative horizontal feature on the main dwelling. It is proposed to have a separate entrance to the two units within the extension, this to be sited on the Lawn Avenue frontage, within a small projecting porch type structure, to have a gable end facing south. This would enter into a small lobby area from which the two units would be accessed.
- 8.5 Even allowing for the removal of the existing garages (one of which is detached) the rear extension would breach BLP Appendix 4 guidelines by a significant degree.
- 8.6 The extension would have limited visual impact from Bournemouth Park Road, being visible only at an angle, and set back from the road by 2m. The visual impact in Lawn Avenue would be much more significant, as the extension would be as high as the existing parapet to the front of the garages, and 2m higher than the existing shed, and would be more visible from the street as a section of boundary fence would be removed. There are design concerns about the elongated nature of the extension. Even if it was argued that the frontage would not appear dissimilar to the bungalows of Lawn Avenue, which have low roof heights and wide plots the generally open nature characteristic of the road junctions would be ended.
- 8.7 Two disabled parking bays are proposed to the east of the extension, to be accessed from Lawn Avenue via a new vehicular access. The amended plan shows the parking spaces to be 3.2m wide, however it scales as 2.4m wide, and it appears that the outlines of the spaces have not been amended correctly. Nevertheless, there is adequate space in this part of the site to have two parking spaces 3.2m wide and 4.8m deep, the minimum required for a disabled parking bay. These two parking spaces would serve the new holiday units, and given the small size of each unit, it is considered that one space per unit would be sufficient.
- 8.8 The applicant proposes to relocate parking for the main dwelling to the front of the property, and a new vehicular access is shown on the submitted plan. This access is not yet in place but enquiries to the relevant Highways section confirm that requests have been received for this and the access to the disabled bays. It is considered that some off street parking is still required separately to serve the main dwelling.
- 8.9 As the holiday units would be separate from the dwelling, a separate area for refuse storage would be necessary. No separate refuse storage provision is shown on the plans, however there are numerous places within the site that this could be achieved if necessary.
- 8.10 With regard to amenity space provision, it is proposed to have a landscaped area in the eastern part of the site, with a paved courtyard type area to the north of the proposed extension. The existing concrete shed adjacent to the northern boundary of the site would be removed under this proposal, increasing the area available. The amenity space to be provided at the rear would total about 180m², and would be shared by the existing dwelling and the two holiday units. The area for amenity space, although shared, would be fairly large, and is considered adequate to serve both uses, provided that the existing shed is removed first.
- 8.11 Four windows are proposed in the north elevation of the extension, two for bathrooms and the others for the main living room of the units. These would be 5.7m from the boundary with no. 236, which currently has a timber fence of varying heights. The applicant has indicated that he intends to erect a new 2m high fence to the party boundary. Subject to this height of fence, given the isolation from the boundary it is not considered that any significant overlooking of the garden of no. 236 would result from the proposal.

8.12 The proposal is seeking to provide special facilities for those with disabilities and some support has been expressed although there is no indication as to the likely level of take up of the units. The proposal represents a significant investment and has the effect of creating two additional residential units on the site albeit that they would only be occupied as holiday accommodation. An additional element of activity would be introduced and this together with the scale of the extension suggests an overdevelopment of the site.

9 Recommendation

Members are recommended to **REFUSE PLANNING PERMISSION** for the following reasons:

- 01 the proposed extension due to its scale, design and extent would result in an incongruous form of development which would be poorly related to the existing dwelling and the locality. This together with the additional activity generated by the proposed holiday units would constitute an overdevelopment of the site which would be detrimental to the amenities of the area and the occupiers of neighbouring properties.

Victoria Ward

SOS/05/00311/FUL (Application for full planning permission)

DEMOLISH PART OF COLLEGE BUILDING, REDEVELOP BUILDING FOR 119 FLATS (CLASS C3) AND USE PART OF GROUND FLOOR AS COLLEGE (CLASS D1), ERECT 3 STOREY DETACHED BLOCK OF 12 AFFORDABLE UNITS, ERECT REFUSE STORE/PLANT ROOM, LAY OUT ASSOCIATED CAR PARKING, AMENITY AREAS AND LANDSCAPING

South East Essex College Carnarvon Road, Southend On Sea

South East Essex College and Hollybrook Limited

FPD Savills

1 The Proposal

Site area	0.9 hectares
Height	3–7 storeys
No of units	131 units – 65 x 2 beds, 65 x 1 bed, 1 x 3 beds, including 26 affordable housing units
Parking	131 residential, 2 to serve college building (all above ground)
Cycle parking	65 for residential, 10 for college
Amenity space	19m ² per unit (including balcony on 7 th floor)
Density	137 dwellings per hectare.

1.1. Comparison between outline (permitted) and detailed (current) planning applications:

Scheme Detail	Detailed application (SOS/03/01325/FUL)	Revised Proposed Development	Difference
No. of dwellings	173	131	-42 dwellings
Amenity Space	15 m ² per unit	19 m ² per unit	+4 m ² per unit
Residential car parking spaces	173 accessed via Carnarvon Road	131 accessed via Carnarvon Road	-42 spaces No change to access
Residential cycle parking spaces	88	65	-23
Size of college building	616m ² new build	638m ² new build	+22 m ² new build
College car parking spaces	accessed via Carnarvon Road	accessed via Carnarvon Road	No change
College cycle parking spaces	10	10	No change
Servicing: residential and college	Dedicated bay via Great Eastern Avenue	Dedicated bay via Great Eastern Avenue	No change

- 1.2. The application proposes partial demolition of the existing college building (the north eastern corner) and substantial redevelopment of the existing building. The existing 5/6 storey building is proposed to be stripped back to the frame and substantially rebuilt. The existing two storey prefabricated extension which fronts Carnarvon Road will be demolished. The existing 'L' shaped building would be stepped up to 7 storeys (including a small basement area). The Carnarvon Road wing will be one storey higher, the top storey being stepped in, while the south projecting wing will be two storeys higher. The two storey existing college building to the rear of the site would be demolished and rebuilt to three storeys and used to accommodate 12 affordable housing units. The other affordable housing units are to be located in the main building.
- 1.3. Access to the parking area would be from the existing access onto Carnarvon Road and the service road to the west of the site. Servicing would remain to be carried out from the service access for both delivery vehicles and refuse collection vehicles.
- 1.4. An area of amenity space is proposed to be provided to the rear of the main building, and the applicant states that this area would be available to both residential and the public.
- 1.5. A supporting statement has been submitted with the application and is summarised as follows:
- 1.5.1. *It is a variation to the previous application submissions as set out below which were both resolved to grant:*
- 1.5.2. *SOS/03/00128/OUT, an outline application, this application was resolved to grant at Committee on 28th April 2003, subject to the signing of a Section 106 Agreement. This application was formally withdrawn by the applicant on 1 March 2004; and*
- 1.5.3. *SOS/03/01325/FUL, a full application, this application was resolved to grant at Committee on 10 December 2003, subject to the signing of a Section 106 agreement. This has been progressed, however the agreement remains unsigned.*
- 1.5.4. *The proposed development is in line with the design principles established by application reference SOS/03/01325/FUL. Since this resolution to grant, substantial structural investigations carried out on the existing building fabric have demonstrated the need to revise the scheme to address the constraints imposed by the existing building fabric. Changes to the structural frame of the existing building need to be kept to a minimum.*
- 1.6. *The detailed proposals have been revised as follows:*
- *The proposed extensions to the north and east (in the vicinity of Carnarvon Road and Crowborough Road) have been omitted.*
 - *The extension of the building wing to the south (towards the police station) has been omitted and replaced with a smaller scale free standing building proposed for residential use.*
 - *The provision of basement car parking, together with the associated ramps have also been omitted.*
- 1.6.1. *This detailed application seeks permission for the refurbishment of the existing College building incorporating a new external envelope. A new free standing residential building is proposed to the south of the south wing for residential use. The development will provide 131 residential units of which 26 units will be affordable, equating to a provision of 20%. South East Essex College will retain part of the ground floor of the south building equating to 638m² for education use, benefiting from disabled access. Appropriate parking and cycle parking for both uses is provided and will be accessed from Carnarvon Road as before. It is intended that the education facility is used for courses, examinations and public exhibition space at varying times throughout the day. Evening adult education courses will be taught at this location when adjacent public parking facilities, currently under used in the evenings, can be utilised. Servicing will be via a dedicated service bay off Great Eastern Avenue.*
- 1.6.2. *With regard to the affordable housing provision, the previous scheme established the principle with Southend-on-Sea Borough Council (April 2003), that the affordable housing will be allocated for the provision of key worker accommodation to qualifying South East Essex College staff. This accords with the wider objectives of the College's expansion strategy in partnership with the University of Essex. This College requirement remains a necessity of the new detailed application and the site's affordable housing provision.*

- 1.6.3. *The thrust and intention of national and local planning policies is to encourage greater use of public transport and reduce the reliance on the car by restrictive car parking policies. The development proposals endorse this principle by restricting parking numbers for both the residential and retained College use. As acknowledged by the Council and applicants, the site is highly accessible by foot, cycle, bus and train.*
- 1.6.4. *It is our view that there is no material public transport impact arising from the increased floorspace of a retained College facility at Carnarvon Road. Transport impact has already been assessed and quantified by both the approved new campus proposals at Luker Road and the detailed application approved by the Council in principle in December 2003.*
- 1.6.5. *With respect to contributions, the following significant contributions are proposed and remain constant (same as December 2003 proposals) despite the significant reduction in residential units:*
- *a contribution of £80,000 for transport improvements;*
 - *a contribution of £10,000 towards provision of a controlled parking zone;*
 - *a contribution of £23,000 towards installation of CCTV within the site.*
- 1.6.6. *The detailed permission granted in principle on 10 December 2003, demonstrated that Southend-on-Sea Borough Council considered that the application raised no objection in principle to all of the pertinent planning policy issues. In summary, we consider that each of these policy issues are again, satisfactorily addressed by the detailed application and therefore it is acceptable to the Council for the following reasons:*
- *there is no loss of education use arising from the proposals due to the new and enlarged Campus completed at Luker Road*
 - *the retained College use at Carnarvon Road will provide a fully integrated facility for South East Essex College use*
 - *the density of development maximises a sustainable site location to accord with national and local planning policy guidance*
 - *the affordable housing provision at 20% meets local policy objectives and will provide essential key worker housing for qualifying South East Essex College staff*
 - *the public open space contribution allows public access to the proposed residential amenity area. This provides a sustainable solution to the re-use of an existing building in an urban location conforming with national and local policies*
- 1.7. A design statement has also been submitted as part of the application and is briefly summarised below:
- 1.7.1. *Following investigations into the existing building fabric and structure by our clients and their advisors, together with appraisal of the issues associated with implementation of the previous proposals. It has been established that the scope of the remodelling and extension of the existing structure as previously envisaged is not sustainable and whilst the lightweight top floors previously proposed may be accommodated all other changes to the structural frame should be kept to a minimum, including wherever possible retention of existing lift shafts, stairs and their associated structural walls.*
- 1.7.2. *As a result of the scale and massing of the building in these areas is substantially reduced as reflected in the number of flats and associated parking facilities. Notwithstanding these changes the design principles previously established have been maintained, including:*
- *A completely new external envelope incorporating similar materials and high quality contemporary design*
 - *Car parking and cycle parking at the previously agreed standard*
 - *Introduction of extensively landscaped amenity areas*

- *Re-housing of the existing college facility within enlarged and purpose built accommodation on the ground floor of the southern wing addressing and overcoming the shortcomings of the existing building.*
 - *Incorporation of affordable housing in accordance with policy.*
- 1.7.3. *In summary the development of the design necessitated by the investigations into the existing building has been incorporated within the principles of the previous proposals. The scheme will provide a sustainable and high quality mixed use development incorporating improved college facilities and residential accommodation within an external envelope which address the shortcomings of the existing buildings significantly enhancing the site and surroundings.*
- 1.8. A supplementary transport statement has been provided and the conclusions of the report are listed below:
- 1.8.1. *The revised scheme of 131 dwellings will not have a detrimental effect on the adjacent highway network. Traffic flows will reduce when compared with the previously agreed applications.*
- 1.9. *Car parking provision is proposed at the previously agreed ratio of one space per dwelling. Cycle parking is proposed at previously agreed levels.*
- 1.10. *The existing provision of public transport services remains the same as stated in preceding RPS Transport reports. It is not proposed to reduce the level of contributions towards public transport improvements from the previously agreed level.*
- 1.11. *Residential access remains unchanged from the previously agreed schemes via the existing access points to Carnarvon Road.*
- 1.12. *The proposals reduce the level of development content compared with previously agreed schemes. There will be a reduction in the number of trips associated with the residential development.*
- 1.13. *Significant contributions are proposed and remain constant (same as December 2003 proposals). This is despite the significant reduction in residential units proposed and the corresponding reduced impact on the surrounding highway in terms of vehicle trips generated.*

2 Location and Description

- 2.1. The site is located to the north of the town centre adjacent to the Civic Centre, magistrate's court and Police station located on Victoria Avenue. There are residential properties to the north of the site, with the Civic Centre to the east, the Police Headquarters to the south and the local authority car park to the west with railway beyond.
- 2.2. The site accommodates college campus buildings which front Carnarvon Road and consist of a six storey building and a two storey conference facility. The buildings form an "L" Shape with the return wing of five storeys running parallel to the railway. A further single storey extension projects from the main Carnarvon Road wing into the rear amenity space. A two storey building completes the campus fronting on to the open space area. There is a forecourt car park and landscaped amenity area to the rear of the main buildings.

3 Development Plan

- 3.1. ESRSP Policies CS1 – Achieving Sustainable Urban Regeneration, CS3 – Encouraging Economic Success, CS4 – Sustainable New Development, BE1 – Urban Intensification, BE2 – Mixed Use Developments, BE5 – Planning Obligations, H1 – Distribution of Housing Provision, H2 – Housing Development – The Sequential Approach, H3 – Location of Residential Development, H4 – Development Form of New Residential Developments, H5 – Affordable Housing, T3 – Promoting Accessibility, T11 – Traffic Management, T12 – Vehicle Parking.

- 3.2. BLP Policies; E5 (Non Residential Uses Located Close to Housing), C11 (New Buildings, Extensions and Alterations), C14 (Trees Planted Areas and Landscaping), H1 (Housing Provision), H2 (Future Housing Needs), H5 (Residential Design and Layout Considerations), H7 (The Formation of Self Contained Flats), H12 (Environmental Improvement of Residential Areas), U1 (Infrastructure Provision), U8 (The Provision of New Education Facilities), T8 (Traffic Management and Highway Safety), T9 (Town Centre Parking (Off Street)), T10 (Town Centre Parking(On Street)), T11 (Parking Standards), T12 (Servicing Facilities) Interim Employment Land Policy. The site falls within the Central Business District within the BLP.

4 Planning History

- 4.1. The following applications are the most recent and relevant submissions in respect of this site and the college in general.
- 4.2. 1997 – planning permission granted to layout landscaping at front (SOS/97/0469).
- 4.3. 1999 – planning permission granted to erect 12m high flag pole to front elevation SOS/99/0155).
- 4.4. 2000 – planning permission granted to install emergency exit door and ramp to conference centre (SOS/00/0767).
- 4.5. 2002 – planning permission granted to erect a 4-8 storey plus basement college campus building, form vehicular access onto Elmer Approach and Luker Road, lay out basement car parking, (Phase 1 college development)(SOS/02/00500/FUL).
- 4.6. 2002 – planning permission granted to demolish cinema and erect part four/part six storey college campus building with vehicular access onto Luker Road (Phase 2 College development) (SOS/02/00501/FUL).
- 4.7. **April 2003 – outline application for demolition of part of college buildings, redevelop building for 160 flats, erect extension and new floor over part of building, lay out associated car parking, refurbish adult education building (outline) (SOS/03/00128/OUT) agreed in principle by Development Control Committee – delegated for approval to secure a S106 Agreement requiring 20% affordable housing, contribution for transport improvements, contribution towards provision of CPZ and a contribution towards installation of CCTV within the site. Not determined.**
- 4.8. **December 2003 – outline application for demolition of part of college buildings, redevelop building for 173 flats, erect extension and new floor over part of building, lay out associated car parking, refurbish adult education building (outline) (SOS/03/01325/FUL) agreed in principle by Development Control Committee – delegated for approval to secure a S106 Agreement requiring 20% affordable housing, contribution for transport improvements, contribution towards provision of CPZ and a contribution towards installation of CCTV within the site. Not determined.**

5 External Consultation

- 5.1. Network Rail – no objection.
- 5.2. Anglian Water – to be reported.
- 5.3. Essex and Suffolk Water – no objections.
- 5.4. Environment Agency – no further comments.

6 Internal Consultation

- 6.1. Education Comment (DELL) – education contributions are considered appropriate for the project due to the location. Contribution calculated to be £314,626.36
- 6.2. Design Comment – Some interesting and enlivening layers, details and forms to bring new life to a tired building. The contemporary approach is to be welcomed and is appropriate in relating to the existing structure. Materials will be of utmost importance and are to be agreed. Good sustainable architecture.

- 6.3. DLCAS Comment – to be reported.
- 6.4. Highways Comment – to be reported.
- 6.5. Environmental Health Comment – reply to be reported.
- 6.6. DSC (Housing) Comment – appreciate 20% affordable housing is being provided on this site however the reduction in numbers from the original application will result in the potential loss of 10 AHU's. The Housing Corporation have allocated grant funding to the 36 units and if they are not all provided the grant will have to be returned and lost to the Borough.

7 Publicity

- 7.1. Press notice, site notice and neighbour notification – one objection on the grounds of:
 - Lacking off street parking

8 Appraisal

- 8.1. As approval in principle has been accepted in December 2003 for 173 flats and an educational facility subject to a section 106 agreement, the main issue is whether the new proposal is generally in accordance with the previous proposal.
- 8.2. The proposed development is in line with the redevelopment principles established by application reference SOS/03/01325/FUL. Since this resolution to grant subject to a section 106 agreement, substantial structural investigations carried out on the existing building fabric have demonstrated the need to revise the scheme to address the constraints imposed by the existing building fabric. Changes to the structural frame of the existing building need to be kept to a minimum.
- 8.3. The detailed proposals have been revised as follows:
 - The proposed extensions to the north and east (in the vicinity of Carnarvon Road and Crowborough Road) have been omitted.
 - The extension of the building wing to the south (towards the police station) has been omitted and replaced with a smaller scale free standing building proposed for residential use.
 - The provision of basement car parking, together with the associated ramps have also been omitted.
- 8.4. The density of the residential development is in excess of the density guidelines of the Borough Local Plan (max 125 dwellings per hectare) this is partly explained by the height of the development, which is not addressed in the BLP density guidelines. Notwithstanding this, since the adoption of the current BLP, recent Government advice and directives have required high density development.
- 8.5. The development is one that is expected to attract some families with children and one of the main issues raised as a result of the revised scheme has been a request by the education department of a monetary contribution of over £300,000 for primary and secondary schools. The development is within the Westborough and Prittlewell schools catchment area which are considered to be at maximum capacity. Comments from the education department for the previous two applications indicated that the local schools had the capacity to take children from this development in future years. The applicant has also highlighted that an educational facility is being provided as part of the redevelopment at an estimated cost of £700,000. While it is recognised that new housing schemes will impact on the capacity of educational facilities and that contributions should be sought where necessary, given the history of recent comments raising no concerns and the reduction in the number of units on the site, it is not considered appropriate to seek a monetary contribution for educational purposes in this instance.
- 8.6. Policy H2 of the BLP requires that for the development of sites for 25 dwelling units or more a minimum of 20% affordable housing is required. As the proposed number of units has decreased on site, so too have the number of affordable housing units. While this may potentially result in the loss of some of the allocated grant which is regrettable, the proposal still complies with the provision of 20% affordable housing.

- 8.7. The affordable housing provision will need to be secured through the use of a section 106 Agreement. It will be necessary to ensure through the S106 Agreement that shared equity units remain permanently available to those in need of affordable housing.
- 8.8. With regard to the provision of Public Open Space, the layout is similar to the previous proposal and according to the applicants will be made available to the public as well as students and residents of the development.
- 8.9. The development as shown would result in the addition of a further floor on top of the main building, leading to the seven storey building in total. The building is an 'L' shape and the previous proposal indicated that the south projecting wing would be six storeys. The new proposal shows this wing as being seven storeys, however, this is not considered to result in any further impact on the amenity of neighbouring properties, nor detract from the appearance of the building. The length of this wing has also been reduced and replaced with a stand alone three storey building accommodating 12 affordable housing units. The previous proposal also sought to demolish the existing two storey conference facility in the north east corner of the site and extend the building into this area, however this has been removed from the current scheme. It is still proposed to demolish this building, however, it is now proposed to erect a low rise structure for refuse storage facilities and plant associated with the development. The overall design concept, being contemporary architecture, is similar to the previous proposal and no concerns are raised with this aspect.
- 8.10. Car parking and cycle parking for the residential component of the development have been reduced but maintain the previous ratios, being one space per unit for cars and 0.5 spaces per unit for bicycles. This is shown as being provided within a covered cycle store, albeit in a slightly different location to the previous proposal. Two car parking spaces are proposed to serve the remaining educational use, which also remains unchanged from the previous scheme. Given the overall reduction in the number of units the cycle and car parking provision has been adjusted accordingly and no concerns are raised.
- 8.11. A supplementary transport statement has been submitted for the revised scheme. Essentially the conclusions of the report are that traffic flows will reduce due to the reduction in the number of residential units when compared to the previously agreed applications. The use of the proposed development would not result in the generation of a significant level of activity in excess of the disturbance and activity already resulting from the existing development and therefore no objection is raised on this basis. The applicant has agreed to maintain the same monetary contributions through a section 106 agreement for transport improvements despite the reduction in the number of units.
- 8.12. Overall the amendments to the previous scheme are not considered to generate any greater impact on the amenity of the neighbouring residents and if anything, the visual impact of the proposal has been reduced due to a reduction in the overall massing of the building.
- 8.13. Turning to the details of the flats, the size of the proposed units and their relationship with each other is consistent with the previous proposal and it is therefore considered to provide a suitable level of amenity for the new occupants.
- 8.14. With respect to amenity space, the plans indicate that there is 3195m² on site. This however incorporates incidental landscaping and the useable space is closer to 2500m² (including balcony to 7th floor). Due to the reduction in the number of units the scheme now provides an average of 19m² of amenity space per unit which is slightly below Local Plan guidelines. Whilst the majority of the amenity space is communal space at ground floor level, the previous scheme was considered acceptable and therefore no objections are raised.

- 8.15. The applicants have offered to maintain the contribution towards the provision of CCTV within the site and this is welcomed, to help alleviate crime and disorder problems.

9 Recommendation

Members are recommended to **DELEGATE FOR APPROVAL** subject to completion of a deed of variation to the S106 Agreement requiring:

- ◆ provision of 20% affordable housing
- ◆ a contributions of £80,000 for transport improvements
- ◆ a contribution of £10,000 towards provision of a controlled parking zone
- ◆ a contribution of £23,000 towards installation of CCTV within the site

and subject to the following conditions:

- 01 Start within five years (C001)
- 02 Submission of materials
- 03 Parking/servicing/loading spaces to be provided
- 04 Parking/servicing/loading spaces to be retained
- 05 Cycle parking to be provided
- 06 Cycle parking to be retained
- 07 Boundary treatment details to be submitted and agreed
- 08 Landscaping scheme to be submitted (CJDL)
- 09 Landscaping to be carried out (CJAC)
- 10 Refuse storage arrangements to be approved (CKAE)
- 11 Scheme of acoustic insulation to be installed
- 12 Removal of permitted development rights – Part 24 Class A
- 13 Submit and implement construction phase management plan
- 14 Environment Agency conditions

Blenheim Park Ward

SOS/05/00322/FUL (Application for full planning permission)

DEMOLISH COMMERCIAL BUILDING, ERECT THREE STOREY BUILDING COMPRISING OFFICE WITH FOUR PARKING SPACES, CYCLE STORE AND REFUSE TO GROUND FLOOR, TWO SELF-CONTAINED FLATS AND ONE MAISONETTE TO FIRST AND SECOND FLOORS AND WIDEN VEHICULAR ACCESS ONTO CRICKETFIELD GROVE (AMENDED PROPOSAL)

1-15 Cricketfield Grove, Leigh-on-Sea, SS9 3EJ

Turnham And Hill Ltd

John Jackson Associates

1 The Proposal

- 1.1. Permission is sought to demolish an existing commercial building and erect a three-storey building with ground floor office space and four car parking spaces. Furthermore, the building would have two upper floors comprising of two self-contained flats and one maisonette and would also include the widening of the existing vehicular crossing to 9.9m wide.
- 1.2. The building provides three-storey accommodation. The maisonette is arranged over first and second floors whilst there is a flat on each of the first and second floors.
- 1.3. The four car parking spaces and secure cycle parking facilities are on the ground floor together with the commercial and residential refuse stores.
- 1.4. A general Class B1 office use is proposed on the ground floor.
- 1.5. This application follows the refusal of a previous scheme in July 2004 (SOS/04/01122/FUL).

1.6.	Site area (net)	260m ² (360m ²)
	% of street redeveloped	20.5% (not residential as existing)
	Parking	4 spaces (100% for flats and one for commercial)
	Cycle parking	Store shown on plan
	Amenity space	balconies only (18m ² + 9m ² 'garden room' for maisonette, 26m ² for first floor flat, 12m ² for second floor flat, guideline 25m ² per flat)
	Density	83 dph (guideline 75-100 dph)
	No of units	2 x 2 bd, 1 x 3 bed
	No of storeys (height)	3 (8.5m-9m)
	Refuse storage	Store shown on plan

1.7. The applicant has submitted a design statement to address the previous reasons for refusal as follows:

1.7.1. **Loss of employment floor space:** *the application site comprises garaging and storage that faces onto Cricketfield Grove. The amount of floor space on site extends to approximately 398m² and employed around 2 members of staff. The application proposes a modern B1/A2 use at ground floor level of 126m² net. At an average employee ratio of one employee per 32m² of floor space, the development anticipates to generate approximately four jobs, which will double the existing situation. Furthermore, the proposal introduces an additional commercial unit in the area. Policy E4 supports office development below 1000m². The development is considered to make an appropriate contribution.*

1.7.2. **Principle of Housing:** *the application is in full accordance with PPG3. Furthermore, the location is very central and would give occupiers access to a variety of uses which is sustainable in nature.*

1.7.3. **Character of the area:** *proposal represents a high quality contemporary design. The proposed building is not significantly higher. The scheme is more in keeping with the residential properties to the north of the application site.*

1.7.4. **Amenity space:** *BLP requires 25m² and this application proposes 22m². Latest guidance in PPG3 suggest that local authorities should look more flexibly on schemes in relation to certain matters like provision of amenity space. In any event, some of the terrace areas are significantly bigger than what might be termed 'balconies', thus offering an acceptable level of amenity for future occupiers.*

2 Location and Description

2.1. The application site is approximately 0.02 hectares in size and lies to the north of, and adjoins, London Road. The site lies within a built up area of Leigh-on-Sea within an identified 'Fringe Commercial Area' as designated in the Southend-on-Sea Borough Local Plan. There is limited car parking. Currently the site is capable of employing two people in workshop related activities.

2.2. The premises comprise a substantial two-storey garage/storage building with first floor storage and hard standing forecourt. The condition of the building is poor and would be of very limited attractiveness to business in its current condition.

2.3. In terms of the surroundings, the application site lies within a mixed-use area. To the north, northwest and northeast of the site are residential properties in Cricketfield Grove, Clove Road and Cheltenham Drive. To the west of the site, and abutting it, are further commercial premises fronting London Road. To the east, on the opposite side of Cricketfield Grove, lie a range of commercial premises such as shops and related facilities. On the southern side of London Road, lie further commercial premises comprising a car showroom with frontage open display including a part three-storey, part 1.5 storey building to the centre and east of the site.

2.4. London Road carries significant volumes of traffic and is accessible by a variety of means of transport other than the car.

3 Development Plan

3.1. ESRSP Policies CS1 - Achieving Sustainable Urban Regeneration, BE1 - Urban Intensification, BE2 - Mixed Use Developments, H3 - Location of Residential Development, BIW4 - Safeguarding Employment Land, BIW6 - Small Firms Location, EG4 - Energy Conservation, T3 - Promoting Accessibility, T6 - Walking and Cycling, T12 - Vehicle Parking.

- 3.2. BLP Policies C7 (Shop and Commercial Frontages and Fascias), C11 (New Buildings, Extensions and Alterations), H5 (Residential Design and Layout Considerations), H6 (Protecting Residential Character), H7 (The Formation of Self-Contained Flats), S6 (Fringe Commercial Areas), T8 (Traffic Management and Highway Safety), T11 (Parking Standards), T12 (Servicing Facilities), T13 (Cycling and Walking), E4 (Industry and Warehousing) and Appendix 4.
- 3.3. EPOA adopted Vehicle Parking Standards.

4 Planning History

- 4.1. 2002 – Retain use of light industrial premises (Class B1) as general industrial (Class B2) (Retrospective). Refused. 24.06.2002.
- 4.2. 2003 – Appeal to above refusal. Appeal upheld. [Ref. No. APP/D1590/C/02/1108358]. 04.08.2003
- 4.3. **2004 - Demolish commercial building, erect three storey building comprising office with four parking spaces, cycle store and refuse to ground floor, two self-contained flats and one maisonette to first and second floors and widen vehicular access onto Cricketfield Grove. Refused for the following reasons:**
- ◆ **The proposal by reason of its unresolved design, massing and elevational treatment, is visually intrusive, detrimental to the visual amenity of the area, adversely affecting the amenities of the area, contrary to PPG3 Article 63 as well as Policy CS1 and H5 of the Essex and Southend Replacement Structure Plan.**
 - ◆ **The proposal is unacceptable due to the deficiency in private amenity open space, resulting in a cramped form of development, detrimental to the amenities of future occupiers of the development, contrary to Policy H5 of the Borough Local Plan and Policy BE1 of the Essex and Southend Replacement Structure Plan.**
 - ◆ **The proposed mixed use is unacceptable in the absence of marketing information to indicate that a full commercial use is no longer viable at the site. This would lead to the loss of the majority of the site from commercial use in a Borough which suffers from a lack of commercial sites. This would be contrary to Policy E4 of the Borough Local Plan and BIW4 of the Essex and Southend Replacement Structure Plan.**

5 External Consultation

- 5.1. Leigh Town Council – No objection.

6 Internal Consultation

- 6.1. Design Comment – a few minor design changes have been made to previous scheme. Some concerns remain - Gap filled with parking is unattractive and heavily viewed from the public realm. The upper floors at best should be set back and the massing broken. The fenestration is monotonous and bland and the overall style is dated and inappropriate in such a prominent location.
- 6.2. Highway Comment – this proposal is deficient in on-site car parking spaces and is likely to lead to additional parking on street, which is unattractive from a highway point of view. However, the site benefits from being close to the A13 where there is good public transport facilities (bus route), and car ownership is not necessarily considered essential. Parking spaces should be 2.4m x 4.8m minimum.

7 Publicity

- 7.1. Site Notice and Neighbour notification – letters not objecting have been received from occupiers of No 29 Kathleen Drive and 26 Cricketfield Grove.

8 Appraisal

- 8.1. The considerations are design, impact on the street scene, impact on neighbours and parking implications.

Policy:

- 8.2. According to PPG3 the Government is committed to maximise the re-use of previously developed land and empty properties and the conversion of non-residential buildings for housing, in order both to promote regeneration and minimise the amount of greenfield land being taken for development.
- 8.3. In January 2005 amendments to PPG3 were issued. The new paragraph, 42a, has been inserted into PPG3 which seeks to place the onus on local planning authorities to justify the retention of employment land at the expense of new housing proposals.
- 8.4. According to Policy H7 of the Borough Local Plan: "...purpose-built schemes should avoid over intensive development" and Policy H5 states that such a development should be appropriate in its setting by respecting neighbouring development, existing residential amenities and the overall character of the locality. The design should be of a high standard.
- 8.5. Furthermore, Policy C11 requires that the design of new buildings and extensions should create a satisfactory relationship with their surroundings in respect of form, scale, massing, height, elevational design and materials.
- 8.6. On 4th October 2001 the Borough Council adopted interim development control guidance stating that all employment land will be safeguarded from development or change of use to other land uses, and such development or change of use will only be permitted in exceptional circumstances. Such circumstances require that:
- 1) the site has given rise to or has the potential to give rise to complaint, or redevelopment would have significant townscape benefits and
 - 2) evidence is provided to demonstrate that the premises are not suitable for business purposes due to environmental factors, and
 - 3) consideration has been given to redevelopment for other employment purposes that would be compatible with the locality and the policies of the BLP, and
 - 4) consideration has been given to mixed use development and then to other job creating uses that would be compatible with the local environment, and
 - 5) convincing evidence has been presented to demonstrate that the site has been appropriately marketed for employment purposes in suitable locations and at a realistic price for the lawful or permitted use, and that long-term vacancy exists, normally of 12 months or more.
- 8.7. Policy BIW4 of the Structure Plan accords generally with this view and Southend is included as a Priority Area for Economic Regeneration and is within Thames Gateway.

Principle:

- 8.8. One of the previous reasons for refusal related to the loss of employment land as a result of the development (SOS/04/01122/FUL). The applicant has provided a statement to try to address this loss. In 8.4 above, point 4 relates to mixed use development which would create jobs. The existing building employs two people where the proposed development could double this figure. The introduction of the business use on the ground floor would mitigate the loss of employment land by introducing a specialist use. The proposed development would therefore lead to a loss of some employment land, but would create an upgraded alternative. This is considered acceptable and in keeping with Policies H6, S6 and E4 of the Borough Local Plan.

Design:

- 8.9 The proposed design is an improvement from the previously refused scheme. It is a contemporary modern design with a considerable amount of glazing, render and cedar boarding to give the development a simple and clean appearance to the Cricketfield Grove frontage. Most of the fenestration is concentrated on the Cricketfield Grove frontage with no windows in the southern elevation and only a balcony opening in the northern elevation. The west elevation, looking over the rear of the commercial units fronting London Road, contains a number of windows, mainly at second floor level, only one which serves a habitable room (bedroom 2 of the maisonette). This is considered acceptable. Details of the exact materials and windows could be controlled by condition.
- 8.10 The proposed development is marginally higher than the existing building and sits on the same footprint. Therefore, the impact on neighbouring properties should be the same as the existing building, however this will be further scrutinised below.
- 8.11 The northern elevation is, at its nearest point 2.8m (not 3.5 according to the design statement) from the southern flank of No 1a Cricketfield Grove. It is not a residential property and therefore there is no need to protect its amenity.
- 8.12 The proposed balconies, sited more than 2m away from the boundaries, comply with Policy C11 and Appendix 4 of the BLP and would therefore not lead to loss of residential amenity of neighbouring properties.
- 8.13 According to Appendix 4 of the BLP provision of private amenity space of 25m²/unit will be sought. The proposed development proposes between 12m² and 26m² per unit which is a shortfall of the required standard for one of the flats. Whether this provision is considered acceptable for a development of this nature, the location of the proposed development is in close proximity of Chalkwell Park and Blenheim Park, which would act as additional recreation and open space provision for the development. Hence. The proposal is considered acceptable and in keeping with Policies C11 and H5 of the BLP.
- 8.14 The design creates voids on the road frontage with Cricketfield Grove which is normally resisted, however in this case the clever use of materials would mitigate this problem in a functional way with the glazing and in reducing the depth from the previously refused proposal. The parking spaces are set away from the London Road frontage and it is therefore less dominant in the street elevation. Furthermore, this proposal also introduces a small landscaping scheme and it is considered an improvement on the existing situation and would act as a screen from the public realm.
- 8.15 Turning to the living accommodation, the room sizes are considered acceptable and in keeping with the requirements of Appendix 4 of the BLP.
- 8.16 The provision of covered bin and cycle stores are considered acceptable and in keeping with the requirements of Appendix 4 of the BLP.
- 8.17 To summarise, the proposed design is an improvement on the previous scheme and most of the issues have been addressed in this amended proposal, especially the dark voids on the road frontage. The design is considered acceptable and in keeping with Policies C11, C7 and H5 of the Borough Local Plan. Furthermore, amenity space close to BLP requirements is achieved, and although the standard is 25m², the proposal is considered acceptable and in keeping with BLP Policies.
- 8.18 The proposed development is considered acceptable and would not lead to the loss of residential amenity of neighbouring properties and would be an attractive feature in visual term in the street scene. The development is in accordance with Policies C11 and H5 of the BLP.

Highway implications:

- 8.19 According to the EPOA adopted Vehicle Parking Standards a business unit (Class B1) requires a minimum parking standard of one space/30m². Furthermore, the requirement for a residential unit is one space/unit in areas easily accessible by means other than the car and in easy reach of amenities.

- 8.20 The proposed development proposes four spaces in total for both uses, which does not meet the requirements of the adopted EPOA vehicle parking standards and Policy T11 of the BLP. According to this standard, seven spaces should be provided. However, with the location of the property in relation to public transport facilities, the town centre and current provision of 2-4 spaces, the proposed parking quota is considered acceptable given that the spaces meet the minimum requirement of 2.4m x 4.8m per space and commercial parking standards are maxima.
- 8.21 The parking provision is considered acceptable and in keeping with Policies T8 and T11 of the BLP.

9 Recommendation

Members are recommended to GRANT PLANNING PERMISSION subject to the following conditions:

- 01. Commence within five years**
- 02. Provision of parking spaces**
- 03. Retain parking**
- 04. samples of materials to be submitted and approved**
- 05. No windows other than those shown**

Chalkwell Ward

SOS/05/00327/FUL (Application for full planning permission)

DEMOLISH NURSING HOME ERECT THREE STOREY BUILDING WITH ROOF ACCOMMODATION TO FORM 14 SELF-CONTAINED FLATS WITH 14 PARKING SPACES, ALTER VEHICULAR ACCESS TO THE HIGHWAY, LAY OUT AMENITY AREAS AND SECTION OF NEW WALL TO BOUNDARY WITH SEYMOUR ROAD (AMENDED PROPOSAL)

59 Kings Road, Westcliff-on-Sea, SS0 8LT

William Verry Ltd

Russ Drage Architects

1 The Proposal

- 1.1. Revised planning application for redevelopment of the site with flats, following refusal of SOS/04/01567/FUL, which is currently the subject of an appeal. The original application was for 16 flats and was refused due to overdevelopment of the site, detrimental to the character and amenities of the area and detrimental to the amenities of the adjoining property to the west.
- 1.2. The revised application is now for a 14-unit development. The design has been altered to show a building much more traditional in appearance, three storeys high with dormer windows to the east and north elevations, and amended fenestration. The ridge height is 11.8m at the front of the site (Kings Road) stepping down to 9.2m at the rear. The proposed materials for this scheme are a brick plinth with render above, and plain clay tiles for the roof. Overall the highest point of the ridge of this scheme is 20cm higher than the existing highest point of the ridge of Seymour House.

	Current scheme	Previous Scheme
Site Area Gross (Net)	1585m ² (900m ²)	1585m ² (900m ²)
Max Height	11.8m ridge	11.5m (flat roof)
Number of units	2 x 1 bed 12 x 2 bed	2 x 1 bed 14 x 2 bed
	Total 14 units	Total 16 units
Parking	14 spaces (100%)	16 spaces (100%)
Cycle parking	5 spaces	5 spaces
Amenity space	70m ² (5m ² per unit) at ground level	57m ² (3.5m ² per unit)
Density Gross (Net)	88 p/h (156 p/h)	101 p/h (178 p/h)

- 1.3. The applicant's agent writes:
 - 1.3.1. *The main adjustments to the scheme outlined as follows:*
 - 1.3.2. *The number of apartments has been reduced from 16 to 14. This has resulted in a mainly three storey building although one apartment is within the roof void. This has resulted in a reduction in the number of car spaces required, therefore the parking stacker unit has been removed. The building now has a pitched, tiled roof, with an eaves level approximately 4.3m lower than the previous parapet on the Kings Road frontage. The lower eaves level on Kings Road also means the windows come through the eaves so as to emphasise the reduction in scale.*
 - 1.3.3. *In addition to being reduced from 4 storeys to effectively 2½ storeys, the front elevation has also been set back between 2.1m and 2.9m so it does not project beyond the façade of the adjoining building.*
 - 1.3.4. *The overall footprint of the building has been reduced by 43.2m², which has resulted in an increase in the soft landscaped area. The building now has a total of 318m² external landscape.*
 - 1.3.5. *The revised proposals adopt a more traditional 'Arts and Crafts' style, a very different but nonetheless appropriate approach, which is in considerable contrast to the rather more contemporary treatment of the original proposals.*

2 Location and Description

- 2.1. The site is located on the north west corner of Kings Road and Seymour Road. On the site there is currently Seymour House, a two storey building with roof accommodation used as a nursing home.
- 2.2. Surrounding the site is residential development, this includes 'Kingsmeade' on the opposite corner of this junction, a four storey block of 30 old persons sheltered flats, given permission in 1987 (and completed in 1989).
- 2.3. To the north are residential dwellings in Seymour Road, the closest one of these to the application site is number 3 Seymour Road, a two storey detached house with no protected windows facing the application site.
- 2.4. To the west of the site are dwellings, the adjoining one of which has no protected windows in the side elevation, and to the south on the opposite side of Kings Road are other residential dwellings.

3 Development Plan

- 3.1. ESRSP Policy BE1 - Urban Intensification.
- 3.2. BLP Policies C11 (New Buildings, Extensions and Alterations), H5 (Residential Design and Layout Considerations), H6 (Protecting Residential Character), H7 (The Formation of Self-Contained Flats), Appendix 4.
- 3.3. EPOA adopted Vehicle Parking Standards.

4 Planning History

- 4.1. January 2005 – permission refused to demolish nursing home and erect flat roofed, part three/part four storey block of 16 self-contained flats, with 16 off-street parking spaces including four in a stacker unit, alter vehicular accesses to the highway, lay out amenity areas and sections of new wall to boundary with Seymour Road (SOS/04/01567/FUL).
- 4.2. The reason for refusal: **The proposal constitutes overdevelopment detrimental to the character and amenities of the area and to the amenities of the adjoining property to the west having regard to the number of units, the level of parking provision and private amenity space, the bulk of the building and its design and the projection of the building beyond the rear of the adjoining property to the west. The proposal would therefore be contrary to Borough Local Plan Policies C11, H5 and T11 and Essex and Southend Replacement Structure Plan Policy BE1. (Appeal pending).**

5 External Consultation

5.1. None undertaken.

6 Internal Consultation

- 6.1. Design Comment – The apparent scale has been reduced to Kings Road and an ‘Arts & Crafts’ language applied which connects with the immediate context. The form to Seymour Road is elongated and grand, although this has been layered to reduce impact. All entrances would be preferred if located within easy view of the public realm. Landscaping and materials will be of utmost importance and need to be agreed.
- 6.2. Highway Comment – The redundant crossing in Seymour Road should be reinstated back to footway construction to match existing. The bin store should incorporate a facility for recycling. The parking layout and bay sizes appear satisfactory. The vehicle crossings are satisfactory.
- 6.3. Environmental Health – to be reported.
- 6.4. Director of Education – Financial contributions have been requested due to the high pressure on the education infrastructure due to extensive building in this area of town. The calculation has produced a figure of £66,738.92. The local primary school is oversubscribed. Other nearby primary schools are full except one. All secondary schools except one are full and under pressure due to high numbers throughout the borough (the recent college expansion has made room in the post-16 arena). (no specific contribution identified for earlier application).

7 Publicity

- 7.1. Neighbour notification – 53 letters of objection and a petition of 26 names received. The objections are in the following categories:
- ◆ overlooking
 - ◆ traffic
 - ◆ parking
 - ◆ demolishing old building
 - ◆ do not like design
 - ◆ height
 - ◆ overdevelopment
 - ◆ strain on infrastructure and services
 - ◆ building line
 - ◆ protect residents quality of life/do not want character of area spoiled
 - ◆ disruption caused by construction
 - ◆ do not want to set precedent to other builders
 - ◆ loss of care home
 - ◆ loss of light
 - ◆ lack of amenity space
 - ◆ design does not show a lift

8 Appraisal

- 8.1. The main consideration here is whether the Council’s previous concerns about the development have been overcome by the revised application.
- 8.2. The design was previously found to be objectionable, and felt to be out of character with the surrounding area. Following the rejection of the first set of plans, a revised design has been prepared, which it is considered is more in keeping with the local architecture. The more traditional appearance is felt to integrate satisfactorily with the area, appearing a more sympathetic and thought-out approach than the previous one.

- 8.3. The bulk, height, depth and overall massing of the previous proposal were of concern. Of particular objection was the impact of the development on the adjoining property to the west. The previously proposed building was 34.5m deep, which was found to be unacceptable. The revised application decreases this to under 33m, and it must also be taken into account that the bulk and scale of the building are now less than the previous scheme, and the rear projecting element is now only two-storey, rather than three as was the case before. The building has also been set back from the Kings Road frontage by 2m so that it lines up with no 61a Kings Road. This means that it is 0.5m closer to the northern boundary.
- 8.4. With respect to the design along the western boundary the same stepped approach as before has been adopted and this means that daylighting and privacy guidelines are met.
- 8.5. Part of the concerns relating to the level of parking provision (which was 100%) and more especially the need to have a stacking arrangement to achieve the provision. By reducing the number of units it has been possible dispense with this arrangement although provision is still 100%. A secure cycle parking area has been provided.
- 8.6. The area of communal private space for residents (which was 3.5m² per unit) has only been increased marginally, to 5m² per dwelling, which well below the guideline figure of 25m² per flat,
- 8.7. In summary the applicant has sought to address the previous reason for refusal by deleting two units and reducing the footprint (marginally) and bulk of the building. The density is within guidelines) it has also been set back to line up with no 61a and the design is more traditional in character. The parking provision is achieved with a conventional arrangement but the amenity space provision is still well below guidelines. However, in view of the policy advise in PPG3 - Housing, it is questionable whether this in itself would warrant rejecting the proposal.
- 8.8. In the event that the scheme is approved there has been a request that there by a contribution towards upgrading education facilities in the area. The applicant has indicated that he is prepared to make a contribution by way of a unilateral undertaking (Section 106).

9 Recommendation

Members are recommended to GRANT PLANNING PERMISSION subject to receipt of a Section 106 Unilateral Undertaking relating to:

- ◆ **Contribution towards education facilities and**

Subject to the following conditions:

- 01. Commence within five years**
- 02. Materials to be agreed**
- 03. Obscure glazing to windows in west side elevation above ground floor level**
- 04. Parking to be provided**
- 05. Parking to be retained**
- 06. Landscaping scheme to be implemented as per plan**
- 07. Redundant vehicle crossings (or parts of) to be removed**
- 08. Refuse storage to be provided as per plan and provision made for storage of recycled materials**
- 09. Visibility splays restriction**
- 10. Cycle parking to be provided and retained.**

Leigh Ward

SOS/05/00339/FUL (Application for full planning permission)

DEMOLISH CAR SHOWROOM AND WORKSHOPS, ERECT PART THREE/PART FOUR STOREY BUILDING TO FORM PRIMARY HEALTH CARE CENTRE INCLUDING THREE DOCTORS' SURGERIES, LAY OUT PARKING SPACES, CYCLE PARKING, REFUSE STORE AND FORM VEHICULAR ACCESSES ONTO LONDON ROAD AND MARGUERITE DRIVE (AMENDED PROPOSAL)

918 London Road, Leigh-on-Sea SS9 3NG

Cottis House Ltd

E&M Design Partnership

1 The Proposal

- 1.1. Full application for the redevelopment of the site with a health care centre over mostly three storeys but with a feature corner 'turret' which has the appearance of an extra storey on this corner. The building is generally 'L' shaped, fronting Marguerite Drive and London Road. Vehicular access into the site is from a 5.2m wide access off London Road and out via a 4.2m wide access to Marguerite Drive. The building comes to within 1m from the site boundary to the north and east sides and 1.7m from the west side boundary, with the staircase structure at ground floor level on the boundary.
- 1.2. The building comprises treatment/consulting rooms, receptions, waiting areas, stores, surgeries, meeting room, offices, ancillary rooms, minor operations room, toilets, 'group rooms', a clinic, a mental health room, records store, x-ray room, audiology assessment, chiropody and dentistry areas, education room and showers.
- 1.3. The roof plan shows shallow pitched roofs over the majority of the building, with flat areas. The main entrance is on the corner at the junction, with ramps up to the door.
- 1.4. The car park at the side and rear shows 27 spaces and a patient drop-off and collection point. A cycle store is located in the south west corner of the site.
- 1.5. Windows are indicated in all elevations, secondary light sources in some cases.
- 1.6. Amenity terraces are shown at the rear at second floor level.
- 1.7. The applicants have submitted a supporting statement:
 - 1.7.1. *The way health care is delivered has changed. Southend Primary Care Trust is responsible for the health needs of 176,000 people and believes patients and users should be able to access a wider range of services more easily. Many existing premises are old, too costly to maintain or too small to deliver the range of services. This would be a purpose-built premises to deliver modern facilities in pleasant surroundings. The Trust carried out public consultation and a majority were in favour of the proposal. In granting the previous permission, the LPA recognised that the site presents an opportunity for the redevelopment of a potentially inappropriate use to a neighbouring residential location. The scheme will provide Primary Care services to the general public of Leigh and surrounding areas and will consolidate three GP practices which will relocate and replace Leigh Clinic to provide other needed complementary health services, in line with nationally agreed targets. Minor operations, health education, dentistry, anti-natal care and other services appropriate to a community care centre will be provided. The hours of use are still being considered.*
 - 1.7.2. *The building proposed is in a similar position to the three storey building approved. Parking will be allocated and boundary treatment will ensure the privacy and security of residents. The scheme creates a landmark feature within the London Road street scene. The plans show the comparison with the previous approval, which has not fundamentally changed so as to maintain a satisfactory relationship with the surrounding area. The opportunity has been taken to introduce a more exciting design to enhance the visual amenities of the area and make a valuable positive contribution to regeneration of the area.*

- 1.7.3. *The previous scheme included 41 on-site parking spaces, 18 of which were for the flats then envisaged, leaving 23 spaces for the approved medical facilities. The current scheme proposes 41 on-site spaces, solely for the medical services, 13 of these spaces are intended for short-term visitors, including four spaces for the disabled. Currently there are no dedicated visitor spaces at any of the three GP practices and off-street parking for 11 cars is available at Leigh Clinic. Given the good public transport links from London Road, the Council previously accepted a shortfall in parking. Many visitors will use public transport or be dropped off at the centre. Not all the Doctors, nurses and staff will be present at the same time. It is felt that adequate on-site parking is proposed and the proposal will remove the previous conflict from commercial.*
- 1.7.4. *The Council's policies to protect employment are taken into account – this proposal has the capacity to generate more jobs than the approved scheme. Furthermore, the loss of existing employment generating use has already been approved. Approximately 96 staff are expected to be based at the centre, of which about 10 will be new posts, with the remaining 86 being relocated from elsewhere. Occupancy of approximately 50% of the staff is expected at any one time.*
- 1.7.5. *The scheme would therefore be of much greater benefit to the community, is well designed, generates employment and provides a sustainable development, making best use of valuable resources, driving towards delivering a modern up-to-date health care service. The building will make a valuable contribution to the regeneration of the area.*
- 1.8. Southend Primary Care Trust have also written:
- 1.8.1. *The Trust aims to improve the health of residents in the Borough and the way services are provided. It has developed a Strategic Service Development Plan that identifies that over the next 10 years the PCT will develop modern buildings in suitable locations large enough to provide a wide range of health care facilities. The Trust believes, after looking at options that the development of new primary care centres throughout the borough is the way forward to build a truly modern health service for the 21st century. This approach will be of considerable benefit to the community, providing a wider range of services in more convenient locations.*
- 1.8.2. *The need to provide an adequate level of parking is one of the issues to emerge from the public consultation. It should be recognised that the provision proposed is in excess of the combined provision currently at the four sites that will be relocating. Furthermore, the parking difficulties historically associated with the activities of Dragon Motors can be taken into account. The overall situation is expected to improve, particularly taking account that the site is very well served by public transport. The Trust's transport strategy looks comprehensively at all transport related issues and by introducing a wide range of co-ordinated measures, will offer benefits to both staff and users of the centre. This will reduce need for car parking, enhance travel awareness and encourage sustainable travel behaviour, to assist the reduction of pollution and congestion and give potential for reduced travel costs for employer and employee. The Trust considers this proposal will make an important contribution towards ensuring that the patient experience as well as the care received, is of the highest standard, as part of the comprehensive effort to deliver a better health service for Southend.*

2 Location and Description

- 2.1. The site consists of an existing car showrooms located on the south side of London Road forming a boundary and corner site with Marguerite Drive. To the west boundary is Chalkwell Park Drive with a detached unit in use as a veterinary surgery between.
- 2.2. The surrounding area is characterised by mixed commercial at ground floor with a dominating element of car sales. Residential accommodation is interspersed with houses and flats in the adjoining streets.

3 Development Plan

- 3.1. ESRSP Policies CS1 - Achieving Sustainable Urban Regeneration, CS4 - Sustainable New Development, BIW2 - Ensuring Land Availability, BIW4 - Safeguarding Employment Land, BE1 - Urban Intensification.

3.2. BLP Policies C11 (New Buildings, Extensions and Alterations), H5 (Residential Design and Layout Considerations), E1 (Employment Promotion), E4 (Industry and Warehousing), S6 (Fringe Commercial Areas), U6 (Non-Residential Health Care Facilities), T8 (Traffic Management and Highway Safety). Fringe Commercial Area.

3.3. EPOA vehicle parking standards

3.4. Interim employment land policy.

4 Planning History

4.1. **December 2003 – planning permission granted to demolish car showroom and workshops, erect three storey building comprising doctor’s surgery, pharmacy and 18 self-contained flats, lay out parking spaces, cycle parking, refuse store and form vehicular accesses onto London Road and Marguerite Drive (SOS/03/01406/FUL).**

5 External Consultation

5.1. Environment Agency – to be reported.

5.2. Leigh Town Council – no objection.

5.3. Anglian Water – no objections – suggest condition re foul and surface water drainage to be submitted.

5.4. EDF energy – to be reported.

6 Internal Consultation

6.1. Highway Comment – shortfall in the number of on-site parking spaces, likely to lead to additional on-street parking. However, the location is close to public transport facilities and visitors may chose to use public transport. Redundant vehicle crossings need to be reinstated to footway construction at the applicant’s expense. The parking bay sizes and general layout is satisfactory.

6.2. Design Comment – central element to London Road and Marguerite Drive requires resolution and de-scaling to reinforce the entrance hierarchy. (This has been communicated to the applicant and the plans have been amended accordingly).

6.3. Environmental Health Comment – to be reported.

7 Publicity

7.1. Press and site notice and neighbour notification – one letter of objection on the following grounds:

- ◆ overlooking from south facing windows into back gardens of Chalkwell Park Drive – windows should be obscure glazed.

8 Appraisal

8.1. The issues to be considered here are the differences from the approved scheme and the material issues arising therefrom, the impact on residential amenity and the streetscene, parking and access considerations, refuse storage, the impact of the use on the Fringe Commercial Area and the loss of the existing use.

8.2. There are no flats in this scheme and a purely ‘community’ health use is proposed. If local representations in the past regarding the lack of doctors’/dentists’ places are an accurate indicator (coupled with the lack of any significant objections to this scheme), the local community will benefit considerably from this development. It should be borne in mind however, that this is an amalgamation of other surgeries and facilities and not an entirely new facility. Planning permission will be required to change the use of/redevelop the redundant premises to other uses.

- 8.3. Detailed design changes are proposed compared to the approved scheme. Generally the scheme is no higher than previously, except the junction corner element, which will have no detrimental impact on adjoining neighbours. The footprint is also very similar although marginally closer to 121 Marguerite Drive (retaining 1m gap) and 1.4m closer to No 133 Chalkwell Park Drive. The use adjacent to No 121 will still be refuse store, stairs and parking at ground floor level and parking and a cycle store are still shown adjoining No 133. The vehicular egress is shown approximately 0.5m closer to No 121 but this is not envisaged as being detrimental to residential amenities.
- 8.4. The first floor adjoining No 121 would be parts of the health centre proper, rather than the staircase adjoining the flats. The windows can be obscure glazed as before and environmental health comments are awaited regarding the need or otherwise for noise attenuation. Regarding the relationship with No 133, bedrooms and living rooms were proposed previously facing No 133, now nurse's rooms are proposed, 11.5m from the boundary with No 133. This complies with guidelines. Similar considerations apply at second floor level – the relationship with 121 can be controlled by conditions. In respect of the relationship with No 133, the windows are closer than in the approved scheme and would fail to comply with guidelines. These are secondary light sources however so could be high level/obscure glazed.
- 8.5. Balconies were shown on the approved plans and are again shown on the south elevation, albeit in a slightly different position. These will not result in any additional detriment to residential amenity.
- 8.6. 40 parking spaces were proposed before. 41 are shown now. The nature of the use has changed and no flats are now proposed. The parking standard for a medical centre is one space per full time staff and two per consulting room. This is a maximum standard. 96 staff are envisaged, with 50% being expected to be at the site at any one time – 48. The standard for the consulting rooms would then cater for the visitors to the site – seven rooms are specifically referred to as consulting rooms although other rooms would be used by visitors and without exact details of how the facility would be used, it is impossible to know how many visitors would be on site at any one time. At a conservative estimate, therefore, a minimum of 62 parking spaces would be needed if all staff are full time. Clearly the parking provision falls well below the suggested standard. However, as these standards are maxima, a provision up-to that level must be considered. As the site is on London Road, close to public transport links and the fact that the facility will, for the large part, serve the local catchment area, the proposed level of parking is considered to be reasonable. To encourage additional on-site parking would undermine the aims of the current policy to discourage car-borne passengers. A reduced level of parking provision was accepted on the previous scheme and the residential use of the site (a use that arguably requires a higher level of on-site provision for occupiers) is no longer proposed.
- 8.7. In terms of residential amenity therefore, the changes to the scheme are acceptable or can be controlled by condition.
- 8.8. The design of the facility is contemporary and interesting. This is considered to be a worthy addition to the streetscenes in both London Road and Marguerite Drive. The building can also be viewed across the car park of the Vet Clinic, on Chalkwell Park Drive (as could the previous scheme). This part of the building is still of sufficient quality not to be detrimental to that streetscene.
- 8.9. Parking is dealt with above in paragraph 8.6 above. Cycle facilities are shown to supplement this. Access positions are similar to the approved scheme, still with a one-way circulation – this could, as before, be controlled by condition. Access and manoeuvring are therefore acceptable. The same applies to refuse storage which is similar to before, within a reasonable distance from the highway.
- 8.10. Landscaping is minimal though it is can, as before, be controlled by condition

- 8.11. The loss of the car showrooms use has been accepted on the recent, still valid permission. The current scheme is an improvement on that as a total 'employment generating use' is now proposed rather than part residential/part medical centre.
- 8.12. The uses are an acceptable complimentary use in this Fringe Commercial area.

9 Recommendation

Members are recommended to **GRANT PLANNING PERMISSION** subject to conditions:

- 01 Start within five years
- 02 Samples of materials
- 03 Samples of roofing materials
- 04 Details of windows and other joinery to be submitted
- 05 No windows other than those shown
- 06 Specified windows to be high level/obscure glazed
- 07 Parking spaces to be provided
- 08 Parking spaces to be retained
- 09 One-way traffic circulation
- 10 Closure of redundant vehicular accesses
- 11 Details of wall along southern boundary to be submitted and implemented
- 12 Landscaping details
- 13 Landscaping implemented

St Laurence Ward

SOS/05/00342/FUL (Application for full planning permission)

DEMOLISH GARAGE AND ERECT SINGLE STOREY SIDE EXTENSION TO FORM ANNEXE FOR RELATIVE

11 Oakengrange Drive, Southend-on-Sea, SS2 6RB

Mr & Mrs R Moakes

This application is made by an employee of the Council.

1 The Proposal

- 1.1 Permission is sought for a side extension to the existing bungalow to provide an additional room with an en-suite shower room. The proposed extension would occupy a triangular-shaped area at the side of the property, 4.7m wide at the front of the bungalow, tapering to 2.6m wide at a depth of 6.1m.
- 1.2 The proposed materials for the external walls are off white render for the front and rear elevations and facing brickwork to the boundary.
- 1.3 The applicant has submitted information to show that the relation is in receipt of Disability Living Allowance.

2 Location and Description

- 2.1. The property is a semi-detached bungalow on the north side of Oakengrange Drive. The attached neighbour is to the west, and to the east is another semi-detached bungalow with a protected window to a bedroom in the side elevation. The property has an existing single storey rear extension. There is currently a garage to the side of the property, with a driveway in front.

3 Development Plan

- 3.1 ESRSP Policies – BE1 (Urban Intensification)

- 3.1 BLP Policies C11 (New Buildings, Extensions and Alterations), H5 (Residential Design and Layout Considerations), Appendix 4.

4 Planning History

- 4.1 1949 – permission given for garage.
4.2 1973 – permission given for single storey rear extension.

5 External Consultation

- 5.1 Southend Airport – to be reported.

6 Internal Consultation

- 6.1 Design Comment – No objections in principle to a single storey side extension, however, the proposed scheme is poorly designed and poorly integrated with the existing building. The design would be significantly improved if it were set back, squared off, and the materials, roof form and windows matched existing.

7 Publicity

- 7.1 Neighbour notification – no representations received.

8 Appraisal

- 8.1 It is considered that the issues with this application are the design and appearance of the proposed extension, and its effect on the living conditions of adjoining occupiers.
- 8.2 It is felt that the design could be improved by setting the extension back from the front wall of the dwelling, in order for it to appear less dominant. Amended plans have been requested to this effect and are anticipated in time to be presented at the meeting. The other design issues relating to windows, roof etc. are noted but it is not felt that these are significantly detrimental to the appearance of the building.
- 8.3 In terms of the living conditions of adjoining occupiers, there is a protected window to a bedroom in the side elevation of the adjoining property at 13 Oakengrange Drive. It has been found, however, that a 45° line from this window would not be infringed by the proposed extension, and that adequate outlook would be maintained, so it is not considered that any harm to the living conditions and amenities of the occupiers of No.13 would result from the proposed development.
- 8.4 The information submitted relating to disability is noted, although government policy is consistent that the material, more general planning considerations will seldom be outweighed by the personal circumstances of applicant(s). The recommendation for approval has therefore been formulated with this in mind but in this instance it was felt that the development was acceptable in its own right, notwithstanding the information submitted by the applicant. A condition to safeguard against a separate unit of accommodation being created.

9 Recommendation

Members are recommended to GRANT PLANNING PERMISSION subject to the receipt of satisfactory revised plans and subject to the following conditions:

- 01. Commence within five years**
02. Materials to match existing
03. Annexe to be ancillary to dwelling

Blenheim Park Ward

SOS/05/00359/FUL

INSTALL ROLLER SHUTTERS TO FRONT ELEVATION

326-328 Bridgwater Drive, Westcliff-on-Sea, SS0 0EZ

Mr S & Mr K Patel

1 The Proposal

- 1.1. To install two solid roller shutters to the front elevation of the retail unit facing Bridgwater Drive.
- 1.2. The applicant has submitted a supporting statement which is summarised as follows
 - 1.2.1. *Solid shutters are required due to frequent breaking of shopfront glass and as a small retailer replacements are expensive.*
 - 1.2.2. *This regular trouble causes stress and anxiety, to avoid this a solid shutter is necessary. The ones in the Council guidelines are not appropriate.*
 - 1.2.3. *In the local area there are many shops which have been granted permission for solid shutters.*
- 1.3. The applicants have submitted a petition in support of their application with 76 names. The petition reads
 - 1.3.1. *"We are preparing a petition so that we can upgrade our store by installing shutters. We therefore need your signature to support us."*
- 1.4. A copy of a letter from Essex Police has been submitted and states
 - 1.4.1. *"The premises has had problems with criminal activity and ... there could be potential for further damage to be caused to the windows of your shop. In this event I would fully support your application for the solid type shutters you have a preference to. The type of shutter you wish to have would give better protection to the windows of your shop than other types of shutter. A solid shutter would mean that items could not be inserted through the shutter in any attempt to damage the shop windows."*

2 Location and Description

- 2.1. The application site is a detached building with a double fronted retail unit at ground floor and residential accommodation above. The windows are full height glazed windows with an internal window treatment which prevents views into the shop.
- 2.2. To the south are semi-detached units, one in use as an A1 and one in use as an A5 takeaway. Neither have security shutters.
- 2.3. To the north are an A1 retail unit and an A2 estate agents, neither of these properties have security shutters.
- 2.4. All of the units have off street parking with access to Bridgwater Drive.

3 Development Plan

- 3.1. ESRSP Policy BE1 - Urban Intensification.
- 3.2. BLP Policy C11 (New Buildings, Extensions and Alterations).
- 3.3. Reference is made to Planning Advice Note 6: Security Shutters.

4 Planning History

- 4.1. None relevant.

5 External Consultation

- 5.1. None undertaken.

6 Internal Consultation

- 6.1. Design Comment – no objections in principle, but the shutter should be of the punched lath or grille variety and the housing should be installed behind the existing fascia.

7 Publicity

- 7.1. Neighbours notified of application, no responses.

8 Appraisal

- 8.1. The considerations are design, impact on the street scene and whether there are special circumstances that would overrule design guidance.
- 8.2. It is normally required that roller shutters comply with Policy C11 of the Borough Local Plan, and to this end a Planning Advice Note has been published with specific advice and guidance. In the Planning Advice Note it states that “roller shutters often have a detrimental affect on townscape, creating ‘dead’ frontages, attracting graffiti and flyposting, and generally destroying the appearance of an area.” This guidance has been informed by design principles and with reference to the Borough Local Plan and it is generally accepted that solid roller shutters create an unacceptable appearance within the street scene. The shutters proposed do not comply with the Council’s guidance but the applicants submit that their circumstances are sufficient to override the design considerations.
- 8.3. The impact on the street scene would be detrimental, the applicants assert that “many shops” in the local area have been given permission for solid roller shutters. An investigation into permissions granted in the area since the adoption of the current Local Plan show that no solid shutters have received permission. Were this application to be granted permission it would become difficult for the Council to resist similar proposals which may result in a gradual worsening of the appearance of shopping parades and retail units throughout Southend.
- 8.4. The applicants have submitted that the amount of damage which has been caused to their property in the past is sufficient that they now require a solid shutter and that no other style of shutter will afford them adequate protection. It is a general design principle that the use of solid shutters is not encouraged as it creates a dead frontage and reduces levels of passive surveillance. A recent appeal decision on a micro-perforated shutter at 19 West Road in Westcliff-on-Sea resulted in the Council’s decision to refuse permission being upheld on the grounds that the shutter would create a dead frontage and result in a visually intrusive appearance.
- 8.5. While the applicants’ reason for requesting permission for a solid shutter is understood and while the Council’s guidance can be set aside in light of special circumstances it is considered in this case that the circumstances are not sufficient to overcome the visual impact of the proposal and the unfortunate precedent that would be set.

9 Recommendation

Members are recommended to REFUSE PLANNING PERMISSION for the following reason:

- 01 The proposed roller shutter by reason of its solid appearance would result in the creation of a ‘dead’ frontage detrimental to visual amenity and the wider street scene contrary to Policy BE1 of the Essex and Southend-on-Sea Replacement Structure Plan and Policy C11 of the Borough Local Plan.**

West Leigh

SOS/05/00387/FUL (Application for full planning permission)

ERECT EXTENSION TO SOUTH EAST SIDE ELEVATION WITH DORMER WINDOWS TO FRONT AND REAR, TWO STOREY REAR EXTENSION, DORMER TO NORTH WEST SIDE ELEVATION AND PORCH TO FRONT

59 Vardon Drive, Leigh-on-Sea, SS9 3SP

Mrs Reece

The Livemore Partnership

Application called in by Cllr Lamb objects as is turning a chalet into a house.

1 The Proposal

- 1.1. The application seeks permission for the extension of the property to the south east side elevation and to the rear, a dormer to the north west side elevation and a porch to the front. This application is effectively a renewal of SOS/99/0036, the five year implementation period of which expired on 7th June 2004.

2 Location and Description

- 2.1. The property is a chalet bungalow on the north side of Vardon Drive. The property to the west is a similar chalet bungalow, which has a dormer window to the east elevation (a bedroom), and to the east is a bungalow with no flank windows.

3 Development Plan

- 3.1. ESRSP Policies – BE1 (Urban Intensification).
- 3.2. BLP Policies C11 (New Buildings, Extensions and Alterations), H5 (Residential Design and Layout Considerations), Appendix 4

4 Planning History

- 4.1. 1999 – permission granted for entrance porch at front, single storey side extension and part single/part two storey rear extension and dormer to side elevation (SOS/99/0036).
- 4.2. **2004 – permission refused for porch at front, two storey side extension, two storey rear extension, detached garage to rear and dormer to side (amended proposal) (SOS/04/01175/FUL).**
- 4.3. **The reason for refusal: The proposed side extension would not retain sufficient isolation from the side boundary and would contribute to an appearance of terracing of properties, detrimental to the street scene and the visual amenities of the area, contrary to Policy C11 of the Borough Local Plan.**

5 External Consultation

- 5.1. Leigh Town Council – Oppose: Contrary to BLP Policy C11 with the height, elevation and massing not creating a satisfactory relationship with neighbouring properties. It overshadows the building next door and would be overdominant. Contrary to BLP Policy H5, not respecting neighbouring properties by being less than 1m from the boundary. The roof design does not match the existing building and there could be a setback of the extension. Secondary windows and bathroom windows should be 10.7m from the boundary. The Town Council were not happy with the quality of the plans.
- 5.2. Environment Agency – Standard response for domestic extensions in Flood Zone 3.

6 Internal Consultation

- 6.1. Design Comment – The proposed scheme is trying to get too much extra accommodation which has resulted in an awkward and unresolved design. A better option was illustrated in earlier comments, which involved extending the existing gable out in the same roof form, and adding dormer windows to the front and rear.
- 6.2. Highway Comment – No objections.

7 Publicity

- 7.1. Neighbour notification – one letter of support and three objections received, including from Councillor Lamb and West Leigh Residents Association:
 - Councillor Lamb is concerned that there is no significant change from the last application which was refused. The proposal is still trying to turn a chalet bungalow into a house.
- 7.2. The residents are concerned that
 - the plans were of very poor quality
 - the description was not clear
 - overdevelopment of the site
 - too close to the boundary
 - overlooking from side windows
 - out of character with the other properties

8 Appraisal

- 8.1. It is considered that the issues with this application are the design and impact on the streetscene, the effect on adjoining occupiers' living conditions and how the proposal compares to previous submissions. There is no particular objection to the porch, roof extension to the west on the rear extension.
- 8.2. The recent application was rejected because of its insufficient isolation from the side boundary. The ground floor the size of the eastern extension which was 0.4m from the boundary and the first floor overhung and was actually on the boundary. With this application, the proposed extension is 2.65m wide which would take up all the available space between the existing flank wall and the boundary.
- 8.3. It must also be taken into account that permission was granted for this development in 1999. When compared with the refused scheme the extension is much less deep in terms of the floorspace created at first floor. The 2004 scheme created a nursery/study and bedroom extension that extended for over 11m whereas the current proposal is for a bathroom and bedroom extension of just over 4m in depth.
- 8.4. The plans are the same as those that were approved in 1999 (consent now expired). However, it has now been noted that there are inconsistencies between the plans and it is not clear how the extension will relate to the existing dwelling. The 1999 permission is a material consideration and was granted on the basis of the inconsistent plans. However, the Council now has before it a fresh application and needs to determine that on its merits. The applicant has been invited to clarify the position or submit amended plans. In view of the Council's most recent decision regarding the application of the guidelines and taking into account the previous approval and the information received with the application it is not considered that the concerns of the Council have been fully addressed.

- 8.5. The proposed dormer with windows to a bathroom and secondary light source to a bedroom can be obscure glazed so is not felt to present a privacy problem, and the 2.5m deep rear extension is not deemed harmful or overpowering to the amenities of the adjoining properties.

9 Recommendation

Members are recommended to **REFUSE PLANNING PERMISSION** for the following reason:

- 01 On the basis of the information submitted the proposed side extension would due to its location and bulk not retain sufficient isolation from the side boundary and would contribute to an appearance of terracing of properties, detrimental to the street scene and the visual amenities of the area, contrary to Policy C11 of the Borough Local Plan.

Milton Ward

SOS/05/00415/FUL

CONVERT FIRST AND SECOND FLOORS INTO FOUR SELF-CONTAINED FLATS

45-47 Alexandra Street, Southend-on-Sea, SS1 1BW

South East Essex Christian Hospice

Mr Mike Warner

The application has been called in by Councillor Waite.

1 The Proposal

Site area 0.0484 hectares (net), 0.0540 (gross)
No of units 4 units – 2 x 2 beds, 2 x 1 bed
Parking 0 spaces
Cycle parking 0 spaces
Amenity space none available
Density 74 dwellings per hectare.

- 1.1. Full planning permission is sought to convert the first and second floors to form four self contained flats. It is proposed to create two 2 bedroom flats and two 1 bedroom flats.
- 1.2. Access to the flats will be via an existing entry at ground floor level located between nos. 45 and 47.
- 1.3. There are no proposed changes to the external elevations.

2 Location and Description

- 2.1. The application site comprises the first and second floor levels of a three storey mid terraced property located on the southern side of Alexandra Road. The building is brick built with sliding sash windows and is one of a number of Victorian style properties within the terrace. There is no off street parking on site.
- 2.2. Building records indicate the property was constructed in 1887 and appears to have undergone extensions at ground floor level to the rear. The ground floor unit is currently occupied by charity shops associated with the Christian Hospice. It is indicated that the upper floors are ancillary space to the shops, however they are mostly vacant.
- 2.3. There is a three storey office block located immediately to the west of the application site and a restaurant immediately to the east at ground floor level. The restaurant has associated living accommodation at first floor level. Immediately opposite the site is an outdoor public car park which operates a pay and display system. There are self contained flats located at first and second floor levels at nos. 26-36 Alexandra Street.

3 Development Plan

- 3.1. ESRSP Policies BE1 - Urban Intensification, BE2 - Mixed Use Developments, CS3 - Encouraging Economic Success, TCR3 - Town Centres.
- 3.2. BLP Policies E1 (Employment Promotion), E3 (Secondary Offices), E5 (Non-Residential Uses Located Close to Housing), S2 (Southend Town Centre), T11 (Parking Standards), H5 (Residential Design and Layout Considerations), H7 (The Formation of Self-Contained Flats), Appendix 4 – Design and Layout Guidelines for Housing.
- 3.3. Designated as secondary offices and an area of Townscape Merit on the (Town Centre Inset) Proposals Map 1994.
- 3.4. PPG 3(Housing), PPG 6 (Town Centres and Retail Developments).
- 3.5. Essex Planning Officers Association Vehicle Parking Standards 2001.

4 Planning History

- 4.1. 1967 – Planning permission granted for staff cycle store (D/222/67).
- 4.2. 1990 – Planning permission granted to use printers (class A1) as employment agency (class B1) (SOS/90/0883).
- 4.3. 1992 – Planning permission granted to install new shopfront (SOS/92/0161).
- 4.4. 1998 – Planning permission granted to form new entrance door to front elevation (SOS/98/0213).

5 External Consultation

- 5.1. None.

6 Internal Consultation

- 6.1. Highway Comment – as there is no off street parking available then any car parking would need to be elsewhere. However, the car parking in the area is generally controlled by existing traffic regulation orders (ie: double yellow lines) and designated pay and display car bays, therefore the impact on street parking would be considered insignificant. The location does however, benefit from being close to the Town Centre and public car parks and also public transport facilities whereby car ownership may not be necessarily essential.
- 6.2. Environmental Health Comment – to be reported.
- 6.3. Property Services – The Council owns the adjoining property at 49 Alexandra Street which is used for commercial purposes – The Central Housing office. The applicant must satisfy themselves that their development provides adequate noise insulation between 47 and 49 Alexandra Street.

7 Publicity

- 7.1. Site and neighbour notification. No replies received.

8 Appraisal

- 8.1. The main planning considerations are the appropriateness of a residential use in this location, layout of the proposed flats, impact on the amenity of potential future occupiers and parking implications.

- 8.2. The principle of a residential use at first and second floor levels is considered appropriate as a contribution to the provision of lower cost housing, particularly with respect to conversions of existing buildings. This is further supported by paragraph 41 of PPG 3 (Housing) which encourages the use of floor space above ground level commercial uses for residential purposes, particularly in town centres. PPG6 (Town Centres and Retail Developments) also seeks to encourage a mixture of uses within town centres, particularly residential, which adds to the vitality of such centres. The proposed flats are in an ideal location to provide a suitable form of low cost accommodation for students of the university. A Housing Needs survey for Southend Borough Council completed in 2003 identified *that the Council expects increased demand for accommodation to result from the development of the new Essex University Campus in the town over the next 4-5 years*. The report also indicates *projections show that the most significant growth is for one-person households, so assumptions can be made that there will be an increasing need for smaller-sized accommodation*. It is considered that the proposed conversion satisfies this requirement.
- 8.3. While the site is designated as being suitable for secondary offices, the applicant indicates that the upper floors are ancillary to the shops and are largely vacant at present. The proposal would therefore not result in a loss of employment floorspace as defined in policy E4.
- 8.4. With respect to the proposed layout of the self contained flats and the amenity of potential future occupiers, it is considered that the room sizes are adequate and that necessary penetration of natural light and ventilation can be achieved due to the existing fenestration of the property. It is noted that there is extract ducting to the rear of the adjacent property in association with the restaurant. However, this is located 10m from the rear of the first and second floors levels and while some cooking smells are likely to be present, it is not considered to be to the detriment of the amenities of future residents. The proposal is therefore not considered to warrant refusal on these grounds.
- 8.5. With respect to private amenity space, Local Plan guidelines indicate that a minimum of 25m² is required for new self contained flats and a 'reasonable' amount for conversion schemes. Due to the physical restraints of the site, there is no provision for a private garden or amenity space on site. PPG3 seeks flexibility in the application of such guidelines and the site is within a short walk of public recreational areas such as Prittlewell Square, the cliffs and the seafront. It is therefore considered reasonable to allow a relaxation for the provision of outdoor amenity space in this instance.
- 8.6. With respect to parking, no off street parking is available due to the physical constraints of the site. It has been indicated that the space to be converted is currently ancillary to the retail shops at ground floor but is largely vacant and underutilised. The Local Plan indicates that this area is suitable for secondary offices and therefore using the EPOA vehicle parking standards, the maximum requirement for off street parking for an A2 (professional services) or B1 (offices) use would be eight and six spaces respectively. Due to the site being located within the town centre with good accessibility to public transport and public car parks, the maximum requirement for each residential flat would be one off street car parking space. The proposed residential use is therefore not considered to create a worse situation with respect to increased traffic congestion and therefore does not warrant refusal on these grounds.
- 8.7. The agent has been asked to confirm a suitable location for refuse storage and this will be confirmed in writing.
- 8.8. The proposal is considered to be in line with central Government guidance on housing, particularly in town centres. It is considered by providing residential accommodation within the town centre it will add to its vitality and liveability. Accordingly the proposal is recommended for approval.

9 Recommendation

MEMBERS ARE RECOMMENDED TO GRANT PLANNING PERMISSION subject to the following condition(s):

- 01. Start within five years**
- 02. Details of refuse storage to be agreed**
- 03. Insulation to be carried out between flats**

Thorpe Ward

SOS/05/00496/FUL (Application for planning permission)

ERECT REPLACEMENT CONSERVATORY AT REAR

68 Thorpe Hall Avenue, Thorpe Bay, Southend-on-Sea

Mr I Robertson

Key Architectural

The applicant is a Councillor.

1 The Proposal

- 1.1. Planning permission is sought for the erection of a replacement conservatory at the rear of a dwelling located at 68 Thorpe Hall Avenue, Thorpe Bay. The proposal involves demolition of the existing black framed glass conservatory located off the south-east corner of the ground floor. The new conservatory will be slightly larger than the former conservatory with a symmetrical design and spire.
- 1.2. The proposed extension will be located in the south-east of the dwelling where the current conservatory stands. The current conservatory measures 3m wide x 4.5m long with a height of 2.5m slanted down to the side boundary. The new conservatory will be slightly larger than the existing measuring 3.4m x 6m and height to the tope of the spire at 3.2m. The existing conservatory is fully clear glazing; the proposed conservatory has a low brick wall with clear glazing above.

2 Location and Description

- 2.1. The site is located on the corner of Johnstone Road and Thorpe Hall Avenue, and comprises a two storey detached dwelling of rendered façade and dark tiled roof. The site measures 50m long x 20m wide.
- 2.2. The property is located opposite the Thorpe Hall Golf Course on the west. The locality is predominantly low density with detached dwellings existing to the south, east and north.

3 Development Plan

- 3.1. ESRSP Policy BE1 - Urban Intensification.

- 3.2. BLP Policies C11 (New Buildings, Extensions and Alterations), H5 (Residential Design and Layout Considerations), Appendix 4 (Design and Layout Guidelines for Housing).

4 Planning History

- 4.1. April 1985 – erect conservatory at rear and form two vehicular accesses – Approved.
- 4.2. November 1989 – erect part single and part two storey side extension and two storey rear extension – refused.
- 4.3. July 1990 – erect part single and part two storey side extension and two storey rear extension – Approved.

5 External Consultation

- 5.1. No comments received.

6 Internal Consultation

- 6.1. Design Comment – no comments.
- 6.2. Highway Comment – no comments.

7 Publicity

- 7.1. Neighbour notification – no response.

8 Appraisal

- 8.1. The proposal to replace the existing structure with a slightly larger conservatory is minor in context and is unlikely to generate any significant impacts. The main issues are the impact on the design of the dwelling, character and any impact to the neighbours.
- 8.2. The conservatory is located on the south-eastern corner of the dwelling. The proposed addition measures 3.4m wide x 6m long with a hipped roof and height to the top of the spire of 3.2m. The conservatory will be sited 4m from the side boundary.
- 8.3. The conservatory lies 3m beyond the rear building line of the neighbouring property. This property is not correctly drawn on the submitted plan and has a single storey addition to the rear. The conservatory will not have an adverse impact by overshadowing or overlooking.
- 8.4. Substantial mature planting lies along the boundary with No 66, preventing overlooking. Notwithstanding this, the existing structure is fully glazed to ground level.
- 8.5. The proposed extension is in keeping with the character of the dwelling through the use of complementary materials including brick work and framed glass to match the existing dwelling. The angled features of the conservatory will fit in with the existing dwelling design.

9 Recommendation

Members are recommended to GRANT PLANNING PERMISSION subject to the following condition:

- 01 start within five years.**

St Lukes Ward

SOS/05/00513/FUL (Application for full planning permission)

CONSTRUCT LINK ROAD ACROSS FOSSETTS FARM TO SERVE EXISTING AND FUTURE DEVELOPMENTS WITHIN THE VICINITY AND ON FOSSETTS FARM FOLLOWING APPLICATION REFERENCE NUMBER SOS/02/00070/FUL (AMENDED PROPOSAL)

Part Of Fossetts Farm Fronting Fossetts Way, Rear Of Wellesley Hospital, Fossetts Way, Southend On Sea

Lansbury Retail Limited

Boreham Consulting Engineers

1 The Proposal

1.1. This application, which is made by Lansbury Retail Limited, is a full planning application seeking an amendment to the application approved in 2004. The application proposes the construction of a road, to connect the existing Fossetts Way on the Eastern Avenue, extending northwards through Fossetts Farm, adjacent to the Green Lane, turning in a westerly direction, broadly parallel with the Borough Boundary, before connecting with the existing roundabout on Sutton Road. In total the road would extend approximately 1300m of which approximately 1100m would be new building beyond the access to Waitrose supermarket.

1.2. The application does not include landscaping details or a proposed balancing pond as submitted with the original application.

1.3. The difference between this application and that previously granted permission is as follows:

The Southern Section of Fossetts Way: this previously showed two lanes in either direction, it has been amended to avoid third party land and stay within the confines of the existing adopted highway and now has one lane each way with a queuing right turn lane at the roundabout.

East/West alignment: The footway on the northern side has been added along its entire length to accommodate the proposed Diagnostic Treatment Centre. The larger roundabout at the north west corner has been shown in accordance with safety audit comments.

1.4. This application is accompanied by a letter and revised TA. The contents of which are summarised below:

1.4.1. *The implications of the current scheme on the current applications/proposals are as follows:*

Delancy Land: The indicative access has been removed from the drawing to allow future applications to dictate the position of the access.

DTC – The DTC junction is not part of the revised application as it is provided for under their own application, this application allows the DTC access to be implemented.

B&Q – no change necessary

Smaller retail units – No change necessary as per approved application (2005)

Waitrose/BUPA – Consented access is maintained.

Pizza Hut – no change (if proceeds).

College Site – The college application comprises the road junction required for their use and this revision to the consented link road does not change the ability for Prospect Road junction to be incorporated.

1.5. *The submitted traffic/highway analysis shows that the scheme can accommodate existing, proposed and indicative further development flows without the need for further works beyond those identified on the drawings.*

2 Location and Description

- 2.1. The application site forms part of land commonly referred to as Fossetts Farm, which in total, measures over 30 hectares (75 acres). An extensive area of land outside of but adjoining the application site is identified as being within the applicant's ownership. The site proposed for development is located adjacent to the boundary with neighbouring Rochford District Council.
- 2.2. The application site is bounded by existing and committed developments. To the south, on land fronting Fossetts Way stands a site of 1.1 hectares (2.7 acres), on which planning permission exists for the construction of a bulky goods retail warehouse unit. To west of the site, lies a Waitrose petrol filling station, which is associated with the Waitrose food and home store, located further south. The Wellesley Hospital is situated immediately to east of the site. The remaining area of Fossetts Farm is at present predominantly open, but planning permission exist for a vocational training college, diagnostic and treatment centre, and non food retail units adjacent to the applications site.
- 2.3. Access into the application site is provided by way of Fossetts Way via the Fossetts Way roundabout on Eastern Avenue (A1159). Eastern Avenue is a dual carriageway road at this point, and forms part of Southend's principal distributor route. Public footpath 178 also crosses the site.
- 2.4. The site lies to the north and east of a SAM and Green Lane.

3 Development Plan

- 3.1. The original Fossetts Farm proposals were assessed against Government planning policy, in particular, PPG1, PPG13, and RPG9. In addition, in considering the environmental impact of the proposed development, consideration was given to the advice contained within PPG2, PPG15, PPG24 and PPG 25.
- 3.2. ESRSP policies TCR2 Retail and Town Centre Development – The Sequential Approach, TCR4 – Retail Developments, NR1 – Landscape Conservation, HC5/HC6 Archaeological sites, BC5 Planning Obligations, T3/T6/T12 (Transport and Accessibility) BIW1 and BIW3 (Business, Industry and Warehousing).
- 3.3. BLP Policies G1a, C1 (Ancient Monuments and Archaeology); C11 (New Buildings, Extensions and Alterations), C14 (Trees, Planted Areas and Landscaping), S1 (New Shopping Developments), S2 (Southend Town Centre), S3 (Large Shopping Development), U5 (Access and Safety in Built Environment), T11 (Parking Standards), T12 (Servicing Facilities) T13 (Cycling and Walking) .
- 3.4. The BLP was adopted in March 1994, although more recently two Alterations to the Plan have been adopted, namely in October 1997 and March 1999. The latter relates solely to land at Fossetts Farm, including the application site. The BLP was modified to take specific account of Fossetts Farm, and in summary, land including the application site was removed from the Green Belt and re-designated 'safeguarded land'. The Replacement Local Plan Issues Report, published in March 2001, addresses the application site and Fossetts Farm within a specific policy (page 17), and it is anticipated that this will follow through into an interim policy within the forthcoming Local Plan Review.
- 3.5. The Waitrose food store, Waitrose extension site, and the Fossetts Way site all fall within the policy 5e area of the adopted BLP. Proposal 5e identified the requirement for a new food store within Southend and specifically allocated the land adjoining the application site for such purposes.

4 Planning History

- 4.1. The context of the application site's planning history is provided by the evolution of the Local Plan. The Fossetts Farm land, including the application site, was originally reserved as Green Belt and part cemetery use. However, in September 1994, following an application by Swan Hill Developments Limited, a judgement in the High Court quashed the Local Plan, in so far as the allocation of Fossetts Farm.

- 4.2. Following the High Court decision, an alteration to the Local Plan relating specifically to Fossetts Farm was produced by the Borough Council (Second Alteration), which was subject to further consultation and a Public Inquiry. The Inquiry Inspector concluded that the inclusion of Fossetts Farm within the Green Belt was unnecessary. As a result, the Inspector recommended that the land be designated as 'safeguarded land'. The Inspector concluded that the site could be suitable for a variety of options, but that no development should be permitted that would prejudice or limit options for comprehensive redevelopment. The Borough Council accepted the Inspector's recommendations, and through the Second Alteration to the Local Plan, effectively restricted any form of development prior to 2001.
- 4.3. More recently, both the application site and the wider Fossetts Farm area have been the subject of a planning application proposing the development of a new football stadium (16,000 seat capacity), an 80 bedroom hotel and leisure development (21,400m²). The application, which was submitted by Southend United Football Club (SUFC) on 10 July 2000, has not been determined pending the submission of further information from the applicants.
- 4.4. 1993 - full planning permission was granted for the erection of a retail superstore (82,750ft² 7690m²) and petrol filling station, layout 831 parking spaces and service bay and layout roundabout and access off Eastern Avenue – land to west and north of Wellesley Hospital, Eastern Avenue, Southend on Sea subject to conditions (SOS/93/0475). (This application for the now established Waitrose Store). The detailed proposal indicated the works involved in the alteration of the highway to provide the roundabout junction Eastern Avenue, Fossetts Way and access to the proposed superstore and interim hospital access and in addition the line of the then proposed bypass was shown passing through this current application site).
- 4.5. 2000 – outline planning permission was refused for the erection of a 2,183m² (23,500 ft²) retail store for unspecified non food retail (Class A1) purpose. June 2001 - the application was granted planning permission on appeal (SOS/00/00860/OUT).
- 4.6. 2003 – planning permission granted to vary condition 01 on planning permission 00/00860/OUT which required development of non-food retail warehouse unit to begin within five years to allow a further two years for the submission of reserved matters and to allow development to commence within seven years of 25th June 2001(03/01453/FUL)
- 4.7. **2003 - planning permission was granted to construct a link road (SOS/03/00884/FUL).**
- 4.8. Current application - Erect workshop based business park and offices, form access onto proposed link road and lay out parking (03/01596/OUT)
- 4.9. 2003 - Lay out road, construct diagnostic and treatment centre comprising single, two and three storey buildings and lay out 400 parking spaces (03/01710/FUL) Application was considered invalid.
- 4.10. 2004 planning permission was granted following a Public Inquiry for a 14,808 sq. m retail warehouse with associated access road with roundabout at junction onto Fossett's Way, builders yard, garden centre, parking for 585 cars at front and service yard and sub-station at rear (02/00070/FUL) and (SOS 02/00071/FUL). This proposal was subject to A S106 agreement. The S106 required (amongst other things) that a link road, connecting Sutton Road and Fossett's Way, be completed prior to occupation of the retail warehouse.
- 4.11. March 2005 – planning permission granted to erect Vocational Training College Comprising Part two/Part three Storey Building And Lay Out Parking Area, Landscaping And Service Yard, With Access And Egress Onto New Link Road, Land East Of Fossetts Farm, East Of Scheduled Ancient Monument And North Of Fossetts Way, Southend On Sea SOS/05/00070/FUL
- 4.12. April 2005 – planning permission granted to erect non-food retail warehouse (2360m²) comprising two units, lay out parking, service areas and landscaping and form vehicular access onto Fossetts Way (04/01785/FUL).
- 4.13. Current application – erect single storey building (297m²) to be used as restaurant (Class A3), lay out car parking, cycle parking, service and delivery area and refuse store and form access onto link road SOS/04/01793/FUL.

- 4.14. Current application – Drainage works to provide a surface water attenuation pond to serve the north/south section of the link road and proposed adjoining developments, with associated drainage connections SOS/05/00536/FUL.

5 External Consultation

- 5.1. Environment Agency – awaited.

6 Internal Consultation

- 6.1. Highway Comment – The modelling demonstrates that the revised carriageway width of the southern section should make little difference to traffic flows. The reduction in road width will obviously result in the inability of the carriageway to respond to congestion and problems as well as the original four lane design. It is not clear whether the additional footway on the north side of the east/west link is intended to be a joint cycle/footway.

7 Publicity

- 7.1. Neighbour notification, and notices site and press notices: no response.

8 Appraisal

- 8.1. Permission has previously been granted for link road on the Fossetts Farm site and thus the principle of such a development has already been agreed. It has also been established that the development would assist the comprehensive redevelopment of the remainder of the Fossetts Farm site. Thus the main issues to be considered are the impact of the proposed changes on highway capacity and highway safety, how the proposals relate to future development within the wider Fossetts Farm area, whether there would be any additional environmental impact and whether any further mitigation measures are therefore required.
- 8.2. The development previously granted consent proposed a four lane carriageway, extending northwards from Eastern Avenue to the proposed second mini roundabout. It is now proposed to reduce the width of the carriageway at its southernmost part essentially resulting in a two lane carriageway, widening to three lanes at the junction with Eastern Avenue. The carriageway would retain right hand turn lanes as required. The applicants have submitted revised traffic modelling details with the application; this is essentially an update of the previous TA and also makes allowance for development on the site which has already been granted consent, together with the additional development accounted for in the original TA. The modelling demonstrates that notwithstanding the fact that the reduction in road width will obviously result in the inability of the carriageway to respond to congestion and problems as well as the original four lane design, the revised carriageway width of the southern section should make little difference to traffic flows. Thus no objection is raised to the revised scheme on highway grounds. Clarification has been sought with regard to the provision of cycle pedestrian routes on the northern section of the road, findings will be reported.
- 8.3. The details of the revised design have been developed to ensure that there is no detrimental impact on access to development that has already been approved. It will not prejudice the installation of additional access as required for any future development. Thus officers are satisfied that the proposals would not have any detrimental impact on future development within the wider Fossetts Farm area.
- 8.4. With regard to the environmental impact of the revised road proposal, essentially this is not significantly different to the approved scheme. However no landscaping details have been submitted with the application and previous drainage ponds have been deleted. Thus the requirement for suitable landscaping and drainage detail needs to be addressed by the use of appropriate conditions.

- 8.5. Furthermore since planning permission was granted for the original link road, further reptile surveys have been carried out in the vicinity of the link road route in association with other proposed/approved development. Recent surveys have indicated the presence of protected lizards reptiles within the adjacent DTC site. This increases the probability of the application site supporting lizard. Therefore it is considered that prior to the proposed development terrestrial Herpetofauna surveys should be undertaken at a suitable time of year (April to June) to indicate presence/absence of Herpetofauna on the site and, if located, to establish population sizes and suitable mitigation methods or details of translocation. Thus an additional condition is required to ensure this issue is properly addressed.

9 Recommendation

Members are recommended to **GRANT PLANNING PERMISSION** subject first the completion of a variation to the previous S106 Agreement for SOS/03/00884/FUL which required inter alia:

- A construction management plan and construction traffic routing agreement
- The execution of detailed highway construction matters

and subject to following conditions:

- 01 start within five years (C001)
- 02 details of levels to be submitted
- 03 landscaping details including replacement habitat and green lane enhancement to be submitted, approved and implemented
- 04 Details of lighting to be submitted
- 05 No work to commence prior to submission and approval of a detailed drainage strategy, the strategy to be implemented in accordance with details to have been previously agreed and concurrently with the construction of the Link Road.
- 06 Archaeological investigation programme to be implemented
- 07 Noise insulation measures to be implemented within six months of the road opening to public access.
- 08 Herpetofauna (Reptile) surveys and mitigation measures to be carried out/submitted and relevant mitigation measures carried out in accordance with details to be agreed.
- 09 drainage details to be submitted, approved and implemented

Victoria Ward

SOS/05/00527/FUL (Application for full planning permission)

ERECT 51 DETACHED GARAGES ADJACENT TO STATIC CARAVANS

East Beach Caravan Site, Blackgate Road, Shoeburyness, Southend-on-Sea

Tingdene (MJ) Ltd

David Goldman

Application has been "called in" by Councillors Rayner and Cole.

1 The Proposal

- 1.1. The application proposes to erect 51 detached garages adjacent to static caravans.
- 1.2. 50 of the 51 garages are proposed to be located on the southern part of the east beach caravan site, with one to be located adjacent to the warden's home on the area north of the railway line.
- 1.3. The proposed detached garages will be approximately 2.7m wide x 2.3m high x 6.1m long. The proposed detached garages are of simple design with a shallow pitched roof. It is proposed they be constructed with prefabricated materials comprising concrete panel walls, steel roof tiles and galvanised steel doors.

2 Location and Description

- 2.1. The site is located adjacent to East Beach Shoeburyness and has been in operation as a caravan site for touring vans for a number of years. Immediately east and south of the site is an area of public open space and beyond this is the Thames Estuary. To the west and north of the site are residential properties. A railway line also runs through the site, although is infrequently used. At present the site is divided into two sections by the railway line with static holiday vans being located on the northern part of the site. The southern section of the site is currently vacant.
- 2.2. At the meeting of the Council's Licensing Committee on 24th January 2005 the committee resolved to approve the variation to the conditions attached to the site licence for the East Beach Caravan Park.
- 2.3. The effect of the approved variations in the Site Licence conditions is to:
 - a) permit the location of 50 park home units within the south site to be occupied on an **all year round basis**, to include the provision of parking spaces for park home occupants and visitors;
 - b) permit an increase of seasonally occupied static caravans (*between the second Saturday in March and the end of October*) within the North site from 13 to 15, together with the location of a site warden's unit to be occupied on an all year round basis, such units to be located as shown on the submitted site layout plan;
 - c) reduce the number of seasonal touring units to 35 (a "touring unit" is defined as a touring caravan or a tent pitch).

3 Development Plan

- 3.1. ESRSP Policies BE1 - Urban Intensification, H1 - Distribution of Housing Provision, H2 - Housing Development - The Sequential Approach, H3 - Location of Residential Development, H4 - Development Form of New Residential Developments, H5 - Affordable Housing, T11 - Traffic Management, T12 - Vehicle Parking.
- 3.2. BLP Policies C11 (New Buildings, Extensions and Alterations), C14 (Trees, Planted Areas and Landscaping), H1 (Housing Provision), H2 (Future Housing Needs), L9 (Caravan and Camping Accommodation), H5 (Residential Design and Layout Considerations), T8 (Traffic Management and Highway Safety), T11 (Parking Standards).

4 Planning History

- 4.1. 1963 – no objections to a caravan and camping site (26674).
- 4.2. April 1970 – permission granted for extension of caravan site (D/175/70).
- 4.3. November 1970 – consent to use caravan and camping site as caravan and camping site (D/1226/70). No condition to restrict use for seasonal occupation.
- 4.4. 1972 – permission granted for detailed layout of caravan site extension (D/750/72).
- 4.5. 1978 – permission refused for extension of caravan park and camping site for the parking of 60 additional caravans, erection of toilet block and 2m high chain link fencing around perimeter.
- 4.6. 1993 – permission refused to layout land (east of East Beach Caravan Park), as caravan and camping site and erect ancillary toilet block (outline).
- 4.7. 1999 – application withdrawn to demolish toilet blocks and use holiday Caravan Park as residential mobile home park (SOS/99/0367).

5 External Consultation

- 5.1. Environment Agency – discussion with the agency regarding the application and they advised that a simple FRA would be required but the proposal was not considered to be a major issue with respect to flood risk.

6 Internal Consultation

- 6.1. Design Comment – the proposed garages would have a detrimental effect on the open character of the site and the open space adjacent. In addition the detailed design of the garage and the materials are very poor.
- 6.2. Leisure Comment (DLCAS) – no comments.
- 6.3. Environmental Health – no objections.
- 6.4. Highway Comment – no objections from a highway point of view.
- 6.5. Property Services Comment – to be reported.

7 Publicity

- 7.1. Site notice and neighbour notification (**notification period expires on 17th May 2005**) – six submissions were received, one advised of no objections and five objections (included one objection from the Shoebury Residents Association) on the grounds of:
 - ◆ Loss of a tourist/leisure facility
 - ◆ Increase in noise pollution
 - ◆ Increase in the number of permanent structures on site
 - ◆ Spoil the outlook of East Beach

8 Appraisal

- 8.1. The main planning issues with respect to this application are the visual appearance of the proposed garages, their size and provision with respect to vehicle parking standards and potential flood risk.
- 8.2. Firstly, it must be noted that the principle of allowing 50 mobile home units on the southern section of the East Beach Caravan Site has been approved by the Council's Licensing Committee and the use of the land for this purpose has an unrestricted planning permission. Therefore this application relates only to the proposed garages in association with the mobile homes.
- 8.3. While it is recognised that the proposed garages associated with the mobile homes will have a permanent visual impact and add to the urban nature of the site, it is not considered that this will be to the further detriment of the locality due to the variation in licensing conditions allowing permanently occupied mobile homes to be located on the southern part of this site. The garages are reasonably low rise in their nature and will be set back from the front 'building line' of the mobile homes. Concerns have been raised with respect to the proposed materials and it will therefore be a condition that they be agreed prior to commencement of construction.
- 8.4. The dimensions of the proposed garages meet the guidelines for garage standards as per the EPOA vehicle parking standards. One vehicle space per mobile home is considered adequate in this instance.
- 8.5. With respect to flood risk, part of the site is located within a potential flood risk area according to the Environment Agency's flood maps. The applicant was made aware of the requirement for a simple flood risk assessment (FRA), however the need to mitigate potential floor risk of the proposed garages is minimal, as they will not serve as a form of habitable accommodation. The applicant has advised they will respond with a simple FRA.
- 8.6. In an attempt to soften the visual impact of the urban nature of the site it is considered appropriate to request a landscaping scheme as a condition of the development.

- 8.7. As the principle of the site being used as a mobile home park has been established the proposal to incorporate garages associated with these homes is considered reasonable and therefore the proposal is recommended for approval.

9 Recommendation

Members are recommended to **GRANT PLANNING PERMISSION** subject to the following conditions:

- 01 start within five years
- 02 materials to be agreed
- 03 parking to be provided
- 04 parking to be retained
- 05 landscaping scheme to be submitted
- 06 landscaping to be carried out
- 07 shall not be used as habitable accommodation

Leigh Ward

SOS/05/00568/BC3 (Borough Council Application)

ERECT 2.4M HIGH PALISADE RAILINGS TO PARTS OF NORTH, EAST AND SOUTH BOUNDARIES

Leigh North Street Schools, Leigh-on-Sea, SS9 1QE

Southend Borough Council

North Street Schools

1 The Proposal

- 1.1. Permission is sought for the erection of new fencing to a height of 2.4m (7'10"). The parts of the boundary affected are the sections to Pall Mall, Canonsleigh Crescent, North Street, and the section of boundary to the North Street public car park i.e. all the boundaries onto public land, not private property. The proposed fence is of metal construction, painted green.

2 Location and Description

- 2.1. The site has three road frontages and one boundary to a public car park, as identified above. The boundaries to North Street and Canonsleigh Crescent have railings to approximately eye level and the boundary to Pall Mall is a chain link fence of about 2m in height. There is also a hedge to a height above eye level inside the Pall Mall boundary. The frontages to North Street and Pall Mall are covered by Keep Clear road markings but Canonsleigh Crescent has unrestricted parking.

3 Development Plan

- 3.1. ESRSP Policies – none relevant.
- 3.2. BLP Policies C11 (New Buildings, Extensions and Alterations), H5 (Residential Design and Layout Considerations).

4 Planning History

- 4.1. Extensive planning history of alterations, additions etc, the most recent of which are:
- 4.2. 2004 – permission given for swimming pool cover (04/00303/FUL)
- 4.3. 2003 – permission given for single storey infill extension to north west elevation (03/00741/BC3)
- 4.4. 2002 – permission given for timber storage shed to east elevation (02/01350/BC3)

- 4.5. 2002 – permission given for single storey rear extension to create new toilet block (02/00829/BC3)
- 4.6. 2002 – permission given for retention of single storey extension fronting Canonsleigh Crescent (amended proposal) (02/00463/BC3)
- 4.7. 2002 – permission given for single storey rear extension (01/01263/BC3)

5 External Consultation

- 5.1. Leigh Town Council – to be reported

6 Internal Consultation

- 6.1. Design Comment – to be reported.
- 6.2. Property Comment – to be reported.

7 Publicity

- 7.1. Neighbour notification – no representations received at time of writing.

8 Appraisal

- 8.1. It is considered that the issues here are the visual impact of the proposed new railings, and the effect of the new railings on any adjoining residential properties.
- 8.2. Whilst a little utilitarian and ‘fortress-like’ in appearance, there is clearly a need for increased security at the site. Subject to favourable Design comments (which are anticipated in time for the meeting) and no objections from the Property Division, then there is not felt to be any reason to refuse planning permission.
- 8.3. In respect of the effect on adjoining occupiers’ living conditions, it is not felt that the proposed new fencing is radically different to that which already exists, albeit taller. The proposed design is still ‘open’ in nature and would not, it is considered, affect any adjoining residents in terms of obtrusiveness or daylighting. The application proposes new fencing only along sections of boundary to public land, not residential properties, so any neighbour impact is kept to a minimum.
- 8.4. Overall, the proposal is felt to be acceptable.

9 Recommendation

Members are recommended to GRANT PLANNING PERMISSION subject to favourable design comments and subject to the following conditions:

01 Commence within five years

02 Colour to be agreed and implemented

Background Papers

- (i) Planning applications and supporting documents and plans
- (ii) Application worksheets and supporting papers
- (iii) Non-exempt contents of property files
- (iv) Consultation and publicity responses
- (v) Borough Local Plan
- (vi) Relevant PPGs, DCPNs and Circulars

NB Other letters and papers not taken into account in preparing this report but received subsequently will be reported to the Committee either orally or in a supplementary report.