



Southend-on-Sea Borough Council

**Agenda
Item**

Report of the Director of Technical & Environmental Services

to

Development Control Committee

On

24th July 2002

Report prepared by : Planning Officers

Report on Planning Applications

A Part 1 Public 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	- Environment Agency
EPOA	- Essex Planning Officers Association
ESRSP	- Essex and Southend Replacement Structure Plan
PPG	- Planning Policy Guidance Note

Eastwood Park Ward

SOS/02/00559/ADV (Application for advertisement consent)

ERECT ONE FREESTANDING PART INTERNALLY ILLUMINATED TOTEM SIGN 9M X 2.295M

Big Yellow Company, Airborne Close, Leigh on Sea

Big Yellow Property Company

RPS

1 The Proposal

- 1.1 To erect a freestanding gantry sign at the bottom of the slope on the southern boundary of the site. The sign would measure 9m high by 2.25m wide and would be angled slightly towards the carriageway. The majority of the sign would be non illuminated with only the "Big Yellow" logo internally lit and hooded neon strips running down the side of the sign which will reflect light back onto it.
- 1.2 The applicants have submitted a supporting statement which is summarised as follows:
- 1.2. *"the latest application is a direct result of the Inspectors comments and represents an alternative, less intrusive form of totem sign. The bottom half of the sign has been coloured grey in order to reduce the overall impact of the sign and to create the impression that the sign is 4m in height rather than 9m. This is in response to the Council's suggestion that the ground level beneath the sign be raised to allow the overall height of the sign to be reduced. The applicants feel that to colour the bottom half of the sign grey is a more simple solution which gives a similar end result."*

2 Location and Description

- 2.1 The site is situated on the north side of the Arterial road and comprises a large warehouse and turning area. The property was recently refurbished and re-clad in yellow and is trading as the Big Yellow Property Company which specialises in self-storage.
- 2.2 The land to the front of the site rises steeply from the level of the site to that of the adjacent carriageway.

3 Development Plan

- 3.1 Borough Local Plan Policy; C8 (Advertisements).

4 Planning History

- 4.1 Lengthy site history but the following is relevant to the current application
- 4.2 2001 – Advertisement consent refused to display fascia signs F and G and totem sign for reasons relating to the signs being detrimental to visual amenity resulting in clutter, as a result of the size, position and location of the signs. (Other fascia signs were granted consent as part of this application) SOS/01/00232/ADV. Appeal, signs F&G allowed and totem sign dismissed.

5 Internal Consultation

- 5.1 Design Comment – No objections.
- 5.2 Highway Comment – No objections.

6 Publicity

6.1 None – one letter of objection received from Cllr Walker relating to the following issues:

- ◆ Adverts not required as the building itself is sufficient as advertising
- ◆ Any further intrusion would draw the attention of drivers and therefore be dangerous
- ◆ Users of the building already know its location
- ◆ Any further advertising on site superfluous

7 Appraisal

7.1 The only issues which can be taken into account with regards to an application for advertisement consent are visual amenity and highway safety. The “need” for the sign is not a relevant consideration.

7.2 The previously refused totem sign was 6m in height with a height above the A127 of approx. 4m and comprised a square sign located on top of a pole. The sign was to be located in the same position as that now proposed

7.3 In dismissing the subsequent appeal, the Inspector concluded that to passers by, the totem sign would appear initially as a substantial isolated commercial structure and then would be seen in conjunction with the wall mounted signs and the result would be clutter and advertisement excess bearing in mind the size of the sign. He also concluded that another less obtrusive sign may not be objectionable.

7.4 The proposed sign is located in the same position as that previously considered and is actually 3m taller. The lower part of the sign has been coloured grey in order to reduce its visual impact, however some 4.4m will be coloured and partially illuminated and will project above the ground level of the adjacent carriageway. Notwithstanding the overall reduction in width of the sign from that which was previously considered the visual impact will be greater.

7.5 The plans as submitted are therefore unacceptable.

7.6 The applicant has been requested to reduce the overall height of the sign, to a maximum of 5m and the yellow coloured area reduced in height to a maximum of 2m.

7.7 There are no highway safety objections to the sign.

8 Recommendation

Members are recommended to REFUSE ADVERTISEMENT CONSENT for the following reason:

- 01 The proposed sign by reason of its size, siting and relationship with existing signage would result in clutter and advertisement excess to the detriment of the visual amenities of the area and contrary to Policy C8 of the BLP**

Blenheim Park Ward

SOS/02/00714/FUL (Application for planning permission)

RETAIN USE OF LIGHT INDUSTRIAL PREMISES (CLASS B1) AS GENERAL INDUSTRIAL (CLASS B2)

1-15 Cricketfield Grove, Leigh on Sea

G Newton

Welton Bremner Partnership

1 The Proposal

- 1.1 To retain the existing unauthorised use of the premises which is a Class B2 use currently in use for car repairs. The authorised use of the premises is a Class B1 Business or Light Industrial Use.

2 Location and Description

- 2.1 The building occupies a site close to the junction with London Road. The building has a rather run down appearance. The application site comprises one of the industrial units and has access onto Cricketfield Grove. A roller shutter door has been installed to give access to the application premises. A small hardsurfaced area lies to the front of the building. There are bollards present along the front of the majority of this area, which is partially used for car parking.
- 2.2 A car sales lot lies opposite the site and there are car repair uses to the rear of the site and to the north. Cricketfield Grove and the area to the north of the London Road frontage is almost entirely residential.

3 Development Plan

- 3.1 BLP Policies E4 (Industry and Warehousing), E5 (Non Residential Uses Located Close to Housing), C11 (New Buildings, Extensions and Alterations), T11 (Parking), T8 (Traffic Management and Highway Safety), Interim Policy Guidance (Providing and Safeguarding Employment Land).
- 3.2 ESRSP Policies CS1 (Achieving Sustainable Urban Regeneration), CS3 (Encouraging Economic Success), CS4 (Sustainable New Development), BE1 (Urban Intensification), BIW1 (Employment Land Provision), BIW4 (Safeguarding Employment Land), T12 (Vehicle Parking).
- 3.3 PPG1, PPG4, PPG25

4 Planning History

- 4.1 1999 – planning permission granted to retain roller shutter door (retrospective) (SOS/99/0117).
- 4.2 February 2002 – planning permission granted to form vehicular access onto Cricketfield Grove SOS/02/00033/FUL. This permission has not yet been taken up.

5 External Consultation

- 5.1 Leigh Town Council – oppose: B2 use inappropriate so close to residential area, does not conform to classes use order 1988 (sic) in respect of distance between property and residences.

6 Internal Consultation

- 6.1 Highway Comment – No objection.
- 6.2 Environmental Health Comment – The introduction of further general industrial use in close proximity to residential accommodation should be opposed. Complaints have been received in

relation to motor repair work in this area, referring to: i) noise from car repairs and late working to 2am. ii) Noise from deliveries late at night iii) Odour. The complaints have not yet been substantiated by this section.

7 Publicity

7.1 Neighbour notification – 32 letters of objection have been received relating to:

- ◆ Already eight vehicle workshops in immediate area.
- ◆ Existing parking problem in Cricketfield Grove
- ◆ Occupiers of application using paint spraying ,oxycetellin bottles and very noisy grinding machines. Hazardous in residential area and should be restricted to commercial areas.
- ◆ Fumes
- ◆ Pavement access blocked by occupiers of units forcing pedestrians to walk in road.
- ◆ Hours of work. Banging, grinding, compressors heard working well into evening, sometimes into early hours of morning

8 Appraisal

8.1 The main issues to be taken into account are the impact of the proposed development on neighbours and implications for parking.

8.2 Policy E5 of the Borough Local Plan requires that in order to safeguard the character and amenities of residential streets, proposals (including changes of use) to establish, or continue a business within or adjoining a housing area will normally only be permitted where the proposal respects the character of the locality and would not:- i) adversely affect residential amenity in terms of appearance, overlooking, noise, smell, traffic or other activity. ii) result in undue clustering of such uses within a residential street.

8.3 The lawful use of the premises is for B1 Business purposes. Light Industrial uses which fall within this category do not, by definition, result in detriment to the amenities of an area by reason of noise, vibration, smell fumes, smoke, soot, ash, dust or grit. It is unlikely that the use of the premises for B2 purposes i.e. the car repairs use that is currently taking place, has, as the volume and content of the letters of objection from local residents confirms, resulted in undue levels of noise and disturbance to nearby residential properties. It is considered that the proposal results in loss of amenity and harm to the occupiers of those premises, contrary to the provision of Policy E5 of the Borough Local Plan. This harm could not be mitigated by the use of conditions to restrict hours of working or noise pollution.

8.4 Furthermore the use is one of several for car repairs in this part of Cricketfield Grove and would result in a concentration of such uses to the further detriment of the amenities of nearby residents.

8.5 There is no authorised off street parking associated with the unit. Vehicles do park parallel with the highway between the bollards to the front of the site and the building. There is no dropped kerb to the front of the premises at present but planning permission has recently been granted for a vehicular access. If used, this would further restrict the opportunity to park off street. By the very nature of the car repair use vehicles are attracted to the site. There are double yellow lines outside the site.

8.6 The Borough Local Plan parking requirement for service garages (of which the existing use is one) is at least five car parking spaces. Whilst noting the advice in PPG13 regarding reducing reliance on private cars, it is considered inevitable that a car repair use will attract cars to the site. The lack of suitable off street parking means that further on street parking is likely to occur in this already heavily parked street.

9 Recommendation

Members are recommended to

A: REFUSE PLANNING PERMISSION for the following reasons:

The existing Class B2 use by reason of associated noise and activity results in an unacceptable level of disturbance the detriment of the amenities of nearby residential properties and harms the character of this predominantly residential street and contrary to Policy E5 Borough Local Plan and BE1 and BE6 of the Essex and Southend Replacement Structure Plan.

The B2 use results in a demand for vehicle parking which cannot be properly accommodated on the site and would be likely to result on additional on street parking to the detriment of highway safety and contrary to Policies T11 and T8 of the Borough Local Plan and T8 and T12 of the Essex and Southend Replacement Structure Plan

B: AUTHORISE ENFORCEMENT ACTION TO CEASE USE OF PREMISES FOR B2 PURPOSES (CAR REPAIRS) FOR THE REASONS SET OUT IN (A)

Milton Ward

SOS/02/00655 (Notification of Proposed Works to Trees – Conservation Area Notification)

FELL TWO CHERRY TREES TO REAR

34 Park Road, Westcliff on Sea, Essex, SS0 7PE

Michelle Breindel

1 The Proposal

1.1 Notice has been given to fell two cherry trees to the rear of 34 Park Road within the Milton Conversation Area.

2 Location and Description

2.1 The proposal relates to trees within the curtilage of a two-storey mid terraced house located in the Milton Conservation Area along Park Road in a residential area. The trees are located at the rear of the house but are viewable from Park Lane and near the eastern boundary of the property. The branches of the trees overhang the neighbouring properties and are said by the owner to interfere with telegraph wires and take up too much room in the garden.

3 Development Plan

3.1 BLP Policies – C4 (Conservation Areas), C11 (New Buildings, Extensions and Alterations), C14 (Trees, Planted Areas and Alterations) and Appendix 2 (Design Guidelines for Conservation Areas)

4 Planning History

4.1 No recent relevant planning history.

5 External Consultation

5.1 The Milton Conservation Society – No Response received

6 Internal Consultation

6.1 Design Comment – The trees contribute to local amenity. No adequate justification has been given for their removal and they should therefore be retained. It would be acceptable to remove dead material, branches etc snagging the telephone wire and balancing their crowns.

6.2 Structural Engineer – Subsoil: Sandy or Silty Clay: medium shrinkability, Foundations: shallow D = 20m, Tree: Cherry H = 12, foundations not at risk, recommend pruning not removal.

6.3 DLCAS – Trees are Prunus sp, in a state of decline with dead wood, split limbs, decay and split-bark throughout the tree. Smallest tree is in poorest state; removal of all dead material would leave a poor specimen of little amenity value. If the tree were removed completely, the remaining tree would be very one-sided and would be likely suffer from gale damage. The trees have outgrown their location in the garden and encroach over the adjacent properties. Also a number of telephone cables run through the canopies of both trees. Surrounding gardens have a number of trees visible, therefore, if these two trees were to be removed, the loss of amenity value would be minimal. It is recommended that permission be granted to remove these two trees with a proviso that two replacement trees of a suitable species be planted in the garden.

7 Publicity

7.1 Press and Site Notice and Neighbourhood Notification – No Responses

8 Appraisal

8.1 The Borough Council seeks to preserve and enhance the character, appearance and relationship of trees to buildings within conservation areas. The proposed felling of trees would be a loss to the area. However the trees are overgrown with branches overhanging the neighbours to the north and branches causing problems to the telephone cables. The trees have some dead wood and split bark in places. DLCAS has recommended that the trees be felled and replaced with a species more appropriate to the location but having regard to the location and condition of the trees and the contribution they make to the character of the conservation area a TPO is not felt to be appropriate.

9 Recommendation

Members are recommended to raise No Objection

Informative

01 The owner is requested to provide replacement trees of appropriate species

Blenheim Ward

SOS/02/00585 (Application for Full Planning Permission)

DEMOLISH BUNGALOW AND ERECT TWO DETACHED DWELLINGHOUSES WITH INTEGRAL GARAGES, LAY OUT PARKING AND FORM VEHICULAR ACCESS ONTO BLENHEIM CRESCENT

48 Blenheim Crescent, Leigh on Sea SS9 3DT

Armour House Development Group Ltd

1 The Proposal

- 1.1 The application proposes the erection of two detached four bedroom houses following the demolition of the existing bungalow. An integral double garage would be provided to the front. Each house would have a main pitched roof, gabled to the side with a single storey projection to the rear to accommodate part of the living room and dining room. The entrance door would be located to the front elevation.

2 Location and Description

- 2.1 The existing bungalow is located on the eastern side of Blenheim Crescent towards the southern end between London Road and Manchester Drive. A bungalow occupies the site. The bungalow is rendered with plain clay roof tiles and the building line of the existing bungalow is in line with that of this side of the street as a whole. There is a detached single garage with enough space in front for two cars to the southern side of the plot.
- 2.2 The property to the north, number 50, is a detached bungalow with accommodation in the roofspace. To its southern side elevation it has two doors, one obscure glazed bathroom/WC window and a secondary kitchen window and door.
- 2.3 The property to the south, number 42, is a detached dwellinghouse with no sole or main sources of light to habitable rooms in its flank elevation. This house was granted planning permission in September 2000.
- 2.4 The street is characterised by bungalows or chalet bungalows and contains a few houses. Most development appears to be pre or inter war.

3 Development Plan

- 3.1 BLP Policies C11 (New Buildings, Extensions and Alterations), H5 (Residential Design and Layout Considerations), T11 (Parking Standards) and Appendix 4.

4 Planning History

- 4.1 1961 – Permitted development for a garage. (17373)

5 External Consultation

- 5.1 Leigh Town Council – Oppose: Over-development and contrary to Town Council policy on loss of bungalows

6 Internal Consultation

- 6.1 Design Comment – No objections except that two garage doors would be preferred over one double. Materials to be agreed
- 6.2 Highway Comment – to be reported.

7 Publicity

7.1 Site Notice and Neighbour Notification – Four replies, three objections on the following grounds:

- ◆ Over-development
- ◆ Overlooking
- ◆ Access to adjoining property
- ◆ Erosion of character
- ◆ Loss of light to front entrance door, bathroom and kitchen
- ◆ “In excess of the [rear] building line”
- ◆ Problems during construction

8 Appraisal

- 8.1 The principle of the demolition of bungalows and redevelopment of sites with detached two storey dwellings has already been accepted with the granting of planning permission for the adjoining houses. The main issues considered pertinent are the potential impact of the dwellings on the street scene, impact upon neighbours and provision of parking.
- 8.2 The style of the dwelling relates satisfactorily to the existing development within the street and is almost identical to the dwellings adjoining to the south, which were granted permission in 2000.
- 8.3 The dwellings maintain a one metre isolation distance to each side boundary. There are no sole or main sources of light in the flank elevations of the adjoining properties. The single storey rear projections and the two storey elements are within Appendix 4 guidelines.
- 8.4 Two garage spaces are provided on site which meet the EPOA standards.

9 Recommendation

Members are recommended to **GRANT PERMISSION** subject to the following Conditions:

- 01 start within five years (C001)**
- 02 garage and parking spaces to be provided**
- 03 garages and parking spaces to be retained**
- 04 landscaping to be submitted and carried out**
- 05 permitted development restriction**
- 06 materials to be submitted**
- 07 boundary treatment**

Victoria Ward

SOS/02/00565/FUL

ERECT PART SINGLE/PART TWO STOREY WAREHOUSE (1506M²) WITH ANCILLARY OFFICES AND CAR PARKING AND TURNING AREA AT THE REAR WITH VEHICULAR ACCESS ONTO COOPERS WAY

Land Adj Estuary Housing Association, Coopers Way, Southend on Sea

Robert Leonard Estates

D R Mears

1 The Proposal

- 1.1. The proposals involve the development of this vacant site with a part single storey, part two storey building, with a gross floorspace of 1506 sqm an overall height of 8.5m. The majority of the building (some 1396 sq m) would be used for storage purposes with 110 sq m of office space provided in the two storey part of the building.
- 1.2. Access is proposed onto Coopers Way at the front western side of the building to forecourt

parking servicing and vehicle turning area, cycle storage and disabled parking is indicated on the submitted plan.

- 1.3. The main building would be sited 8m minimum from the northern boundary of the site, a minimum 1.6m from the southern boundary, 19.8m from the western boundary and 6.3m minimum from the Sutton Road frontage of the site.
- 1.4. A new electricity sub-station is proposed in the south eastern corner of the site.
- 1.5. New planting is indicated to the embankment and the Sutton Road perimeter consolidating the existing trees and hedgerow.
- 1.6. The building would appear to be of steel frame construction clad externally with blue engineering brickwork, white and silver profiled sheeting with dark blue coloured eaves detail, glazed sections and steel roller shutter access doors to loading/unloading areas.

2 Location and Description

- 2.1. The application relates to a 0.297 hectare (0.73 acre) vacant site in the north east corner of this private industrial estate located close to the northern boundary of the borough. This particular site is situated fronting Sutton Road and immediately adjoining the landscaped mound and in the north east corner of a larger area with few remaining sites undeveloped between Journeymans Way, one of the main estate spine roads, and Sutton Road. Access to the site is by way of Coopers Way an internal access road.
- 2.2. There is open agricultural land to the north beyond the sparsely planted earth mound. There are newly built industrial/warehouse units to the west and further to the south there are office, industrial and warehouse premises. The site contains an existing electricity sub-station which would need to be relocated and there is sparse planting to the Sutton Road frontage of the site. On the opposite side of Sutton Road at this point are terraced and semi-detached two storey cottages.
- 2.3. A public footpath runs along the Borough boundary on the northern edge of the site on the mound.

3 Development Plan

- 3.1. ESRSP Core Strategy Policies CS4 – Sustainable New Development, CS1 – Achieving Sustainable Urban Regeneration, CS2 – Protecting the Natural and Built Environment, CS3 – Encouraging Economic Success and general policies BE1 – Urban Intensification, BIW1 – Employment Land Provision, BIW2 – Ensuring Land Availability, BIW3 – Business Development – The Sequential Approach, BIW4 – Safeguarding Employment Land, BIW5 – Business Location, BIW6 – Small Firms Location, T12 – Vehicle Parking.
- 3.2. BLP Policies E1 (Employment Promotion), E4 (Industry and Warehousing), C11 (New Buildings, Extensions and Alterations), C14 (Trees, Planted Areas and Landscaping), T11 (Parking Standards) and T12 (Servicing Facilities).
- 3.3. Proposals Map identifies this within an area of Industry and Warehousing where Policy E4 applies.

4 Planning History

- 4.1. 1973 – permission granted by the Secretary of State for the Environment for the laying out of 20.24 hectares (50 acres) of former farm land as an industrial estate by the construction of roads and sewers as a departure from the approved Development Plan.
- 4.2. July 1974 – permission for an estate layout (SOS/397/74/D).
- 4.3. October 1975 – permission for estate layout and a Section 52 Agreement relating inter alia to the provision of landscaped embankment and additional (50ft) planting strip (SOS/96/74/D).
- 4.4. July 1984 – outline permission for an amended proposal to site an ice stadium on a site adjoining the Borough boundary including the application site with all access from Journeymans Way (SOS/84/0534/O).

- 4.5. February 1989 – permission given to layout larger site including the application site with access roads and five blocks comprising a total of 13661m² gross floor area for use as offices and light industrial premises (Class B1) General Industry (b2) and Warehousing (B8) with parking, servicing and turning areas and landscaping (SOS/88/2122).
- 4.6. July 1989 – alternative scheme for the layout of the larger site with access road and five blocks comprising a total of 13278m² gross floor area for use as offices, light industrial premises (Class B1), general industry (B2) and warehousing (B8) with parking, servicing and turning areas and landscaping (SOS/89/0851).
- 4.7. November 1989 – amended proposal in respect of three blocks comprising Block A (2660m²), located at the roundabout junction and two identical blocks, C and D, each of 1938m² fronting onto the proposed internal access road further to the west together with various associated parking/service areas, given permission and these three blocks have been built as Phase 1 of a two Phase development for this larger area of land fronting Chandlers Way and Sutton Road and the internal access road (SOS/89/1619).
- 4.8. November 1992 – outline permission for public house and restaurant with parking (SOS/92/0752). This permission for the application site has since expired.
- 4.9. January 1995 – permission for single storey (7.4m high) industrial building with a gross floor area of 1072m² including ancillary offices (354m²) and sited 11m+ from the northern boundary to the landscaped embankment with parking between the building and the embankment land off Journeymans Way for Kestrel Printing Limited. This permission (SOS/94/0360) was amended by application SOS/95/0388 and implemented and intrudes slightly onto the building preclusion strip.
- 4.10. September 1995 – 6. Permission for an extension of 434m² to a cold storage and processing building (8.8m high) with a gross floor area of 2340m² and sited 6.6m from the southern slope of the embankment with this area between building and mound to be landscaped. This permission has been implemented (SOS/95/0694), with an encroachment into the building preclusion strip in the order of between 8m and 12.5m at 7 Coopers Way for Wilkinson Foods Limited.
- 4.11. March 1997 – permission for a rear extension of 647m² of a research building 9m high and 675m² floor area and sited 8m from the embankment with space between laid out for parking and access. This permission has been implemented (SOS/97/0014) and encroaches into the building preclusion strip in the order of 7m.
- 4.12. October 2000 – **Application site** permission given for the erection of a part single/part two storey building (1405m²) 9.4m high comprising four industrial units with parking for 22 cars and vehicular access onto Coopers Way (SOS/98/01114/FUL). This permission was subject to a further Section 106 Agreement relating to replanting on the existing bund and retention of the new landscape strip in perpetuity as it involved car parking in the 15m strip reserved for planting (see para 4.3) along the northern boundary of the site.
- 4.13. **March 2002 – permission refused to erect part single/part two storey warehouse (1664 sqm) with ancillary offices and car parking and turning area at the rear with vehicular access into Coopers Way.** The application was refused because the building encroached upon the landscape buffer zone at the northern boundary of the site, inadequate space to achieve suitable landscaping and resulting unsatisfactory relationship of building with surroundings.

5 External Consultation

- 5.1. Rochford DC – views to be reported.
- 5.2. EA – views to be reported.
- 5.3. Eastern Electricity – views to be reported.
- 5.4. Anglian Water – No objections in principle.

6 Internal Consultation

- 6.1. Design Comment – Sutton Road elevation very bland and in need of significant improvement. Archaeological monitoring and programme of works needed (as previous).
- 6.2. Highway Comment – The parking and turning layout should be workable, no objection.
- 6.3. Environmental Comment – to be reported.

7 Publicity

- 7.1. Press and Site Notice and neighbour notification – no response.

8 Appraisal

- 8.1. No objections have previously been raised to the principle of the development of this particular site for employment generating purposes. The main consideration therefore is whether this revised proposal overcomes the previous reason of refusal relating to design, parking, servicing and landscaping.
- 8.2. Part of the site consists of the 15m strip of land along the northern boundary, adjoining the bund or mound, required to be kept free of buildings and reserved for planting by the requirements of a Section 52 (now 106) Agreement attached to an earlier grant of planning permission for the larger part of the estate. Previously approved schemes on other land within this part of the industrial estate have been agreed on the basis that significant parking and access including the main estate road would be provided within the additional tree planting area and elsewhere the estate road runs within this building preclusion strip south of the embankment. It had previously been maintained free of buildings. However Members have granted planning permission for buildings on land adjoining to the west where the buildings project into the building preclusion strip (see relevant history).
- 8.3. The revised scheme shows the building maintaining a minimum of 8m from the northern boundary of the site, projecting into the strip by 7m. Parking would be provided immediately adjacent to the northern flank of the building. The remainder of the land between the building and bund would be used as parking circulation space. The amount of land on the site taken up by parking, turning and building space is not substantially less than the previous scheme.
- 8.4. The impact of the development on the preclusion strip would be less than that previously refused and is comparable to other development which has been granted to further to the west. However the development would have a significantly greater impact than those approved to the west as it is located on a far more prominent site adjacent to Sutton Road. The visual impact of the proposed scheme is also significantly greater than that which was previously approved in October 2000. More extensive planting on or adjacent to the mound is proposed, and had been required as part of the previous permission. However this in itself is not considered sufficient to overcome previous reasons of refusal and the proposed development would remain unacceptable in terms of its impact on the character of the area.
- 8.5. There is only a limited amount of industrial land in the Borough remaining undeveloped. The basic issue therefore is whether the potential benefits of this warehouse development justifies the abandonment of a long standing principle guiding the development of this area and the harm referred to above. Planning permission has previously been granted on the site for a suitable employment generating development. It is considered that harm caused by the proposal outweighs the benefits to be achieved by developing the site in this way for employment purposes.
- 8.6. The design of the building is considered to be bland and unsatisfactory and although this was not a reason for refusal previously, adds weight to concerns regarding the visual impact of the building.
- 8.7. Adequate provision based on current Borough Local Plan standards is made for on site car parking and parking of small and medium sized delivery vehicles. The parking and turning layout is considered to be workable.
- 8.8. In summary it is considered that the proposal would be unduly dominant when viewed from the adjoining Green Belt land and Sutton Road.

9 Recommendation

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

- 01** The proposed building would encroach into the landscape buffer zone leaving inadequate space to mitigate the visual impact of the proposal which consequently would appear overly dominant when viewed from Sutton Road and the surrounding Green Belt land contrary to Policies C11 and C14 of the Borough Local Plan.

West Leigh Ward

SOS/02/00770/FUL (Application for Full Planning Permission)

DEMOLISH DWELLING AND ERECT A TWO STOREY DWELLINGHOUSE WITH INTEGRAL GARAGE (Amended Proposal)

20 Percy Road, Leigh on Sea

Mr R Humphries

R J Scott Associates

1 The Proposal

- 1.1. The application proposes an amendment to a previously approved proposal involving the demolition of the chalet and the erection of a four bedroomed detached two storey house with single integral garage and one forecourt/part canopied parking space in front. **The amended aspect of the scheme is that the front of the garage has been moved forward to 5.08m from the back edge of the pavement. It will have an electronically operated door. The approved scheme had the door set back 6.1m from the pavement so involving a larger 'car port' type element on the front. As a result, the rear utility room is also larger in floorspace.**
- 1.2. *The applicant has pointed out that with the electronically operated door, a car will be able to be driven directly into the garage without having to stop on the highway.*
- 1.3. The property is shown to be under a half hipped roof, with a front gable projection and bonnets over the first floor windows. A canopy roof is shown at the front over the entrance door, carrying round to a pitched roof over the part integral garage.
- 1.4. Facing brickwork is proposed to the walls with concrete tiles for the roof, screen boundary fencing and block paviours to the forecourt with parking on the driveway and in the garage, accessed via the existing vehicular access.
- 1.5. Main windows face the front and rear with non-habitable room/secondary side windows.

2 Location and Description

- 2.1. Chalet style dwelling with an attached garage, located on the east side of Percy Road, south of the junction with London Road.
- 2.2. The character of the street is residential with a very varied mix of dwelling types and designs in the vicinity.

- 2.3. The adjoining bungalow to the south has secondary and non-habitable room windows on the side facing the site.
- 2.4. A garage lies to the rear of the site and the garden of 20 projects eastwards towards the rear of 61 Westleigh Avenue.

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.
- 3.2. BLP Policies C11 (New Buildings, Extensions and Alterations), H1 (Distribution of Housing Provision), H5 (Residential Design and Layout Considerations) and T11 (Parking Standards) Appendix 4 and 8.
- 3.3. EPOA parking standards 2001

4 Planning History

- 4.1. 1978 – permission granted for single storey rear extension and two storey side extension (SOS./789/77).
- 4.2. 1978 – permission granted for single storey front and rear extension and dormer window at rear (SOS/478/78).
- 4.3. March 2002 – permission granted to demolish dwelling and erect a two storey dwellinghouse with integral garage (SOS/01/01366/FUL).

5 External Consultation

- 5.1. Leigh Town Council – reply to be reported.

6 Internal Consultation

- 6.1. Design Comment – no further comments.
- 6.2. Highways Comment – reply to be reported.

7 Publicity

- 7.1. Site notice and neighbour notification – no representations received to date.

8 Appraisal

- 8.1. As previously reported to the Development Control Committee on 6th February 2002, this property is not Listed and its loss is not objectionable in principle, the replacement does not affect amenities and is of a satisfactory design, with the appropriate parking facilities.
- 8.2. The position of the garage door would allow smaller vehicles to stand in front of the driveway clear of the highway but longer vehicles would potentially overhang the pavement. The insistence on the proposed electronically operated door to prevent the drivers of vehicles from having to wait outside the garage to operate the door manually is recognised as an acceptable solution to this problem.

9 Recommendation

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

- 01 start within five years (C001)**
- 02 submit materials (CEAR)**
- 03 parking provided (CAYN)**

- 04 parking retained (CAAF)
- 05 obscure glazing to side windows
- 06 electronically operated garage door installed and retained

Informative

- 01 access for disabled people

Thorpe Ward

SOS/02/00679/FUL (Application for Full Planning Permission)

INSTALL FIVE ROLLER SHUTTERS TO SHOPFRONT

185 Woodgrange Drive, Southend on Sea, Essex, SS1 2SF

First Quench Retailing

Ivy Consulting

1 The Proposal

- 1.1 The application proposes the installation of five roller shutters to the shopfront for extra security. The shutter housing would be hidden behind the roller blind. The shutters would be perforated steel defender roller shutters which when closed are intended to protect the shopfront and give the appearance of special lighting to the outside passer-by. The shutters are manufactured from 75 mm perforated galvanised steel lathe interlocked and end-riveted with nylon locks. There is an option of polyester powder coating with colour of choice.

2 Location and Description

- 2.1 The property is located on the north west corner of Woodgrange Drive and Kensington Road. The property is occupied as an Off Licence/Wine Merchant and has vacant floorspace at first floor level. It is located within a small parade of shops with residential properties nearby. The shutters would be installed on the east, south-east and southern elevations of the shop. The building is brick built with concrete architectural features above the first floor level. The property also has two column structures with architectural decoration on the south-eastern corner of the building. The neighbouring property to the north is car mechanics garage, to the east across Kensington Road there is a newsagent and bookmakers, to the west is a hairdressers and across Woodgrange Drive to the south as a parade of shops

3 Development Plan

- 3.1 PPG1 General Policy and Principles
- 3.2 ESRSP Policies BE1 (Urban Intensification)
- 3.3 BLP Policies C11 (New buildings, Extensions and Alterations) and C7 (Shop and Commercial Frontages and Fascias), Planning Advice Note 6 (Security Shutters)
- 3.4 The site is designated on the BLP Proposals Map as Secondary Shopping Frontage (S5, S6, S7 and E3)

4 Planning History

- 4.1 1984 – Permission granted to form new shopfront
- 4.2 1985 – Consent granted to install illuminated fascia sign
- 4.3 1986 – Permission refused to use first floor residential accommodation as offices

5 External Consultation

5.1 None undertaken

6 Internal Consultation

6.1 Design Comment – No objections

6.2 Highway Comment – No highway objections

7 Publicity

7.1 Neighbour notification – No replies

8 Appraisal

8.1 The main issue considered is the visual impact of the shutters, the housing and visual appearance of the premises.

8.2 PPG1 states that design and appearance of new buildings and their curtilages has a significant effect on the character and quality of an area and they define public spaces, streets and vistas. They are matters of proper public interest. The appearance of proposed development and its relationship to its surroundings are therefore material considerations in determining planning applications and appeals. Such considerations relate to the design of the buildings and to urban design. Urban design includes the relationship between buildings and streets, the nature and quality of the public domain itself.

8.3 The Essex and Southend on Sea Replacement Structure Plan Policy BE1 states that the environmental quality of existing urban areas will be maintained and improved as attractive places in which live work and visit. New development in all urban areas, which results in over-development, unsympathetic change and loss of amenity, will not be permitted.

8.4 BLP Policy C7 states that proposals for shop fronts and fascias will be required to respect the scale and design of the buildings in which they are situated and enhance the appearance of the area.

8.5 BLP Policy C11 states that alterations to existing buildings should be designed to create a satisfactory relationship with their surroundings in respect of form, scale, massing, height, elevation design and materials. Where appropriate they should contribute to and enhance public pedestrian areas.

8.6 The shutters would be perforated steel defender roller shutters which when closed protect the shopfront. The shutters are manufactured from 75mm perforated galvanised steel lathe interlocked and end-riveted with neat nylon locks. The shutters would be perforated steel defender roller shutters which when closed protects shopfront and gives the appearance of special lighting to the outside passer-by. The Borough Council would not allow solid shutters as they create a 'dead' frontage and are inappropriate. These shutters are intended to be back lit and during hours of darkness would allow passers-by to see the shop window displays. The shutter housing would be hidden behind the roller blind housing on the southern and eastern elevations. The shutter housing case would be 0.3 metres squared. The area the shutters would cover 2.8 metres by 2.72 metres on the southern and eastern elevations with the shutter housing another 0.3 metres above. On the south-eastern elevation the shutters would measure 1.4 metres by 2.84 metres with the shutter housing another 0.3 metres above.

8.7 Planning Advice Note 6 states that shutter housing should be located behind the fascia board. The proposed shutters would be located under the existing roller blind housing. This would effectively conceal the shutters when not in use, however, If they were constructed behind the fascia board they would be viewable from the sides.

8.8 The shutters, although perforated, would appear as solid steel roller shutters particularly if they would be operated during hours of daylight. Lighting of the shop windows could create a view through the shutters via their perforations. However, the view of such an installation from an oblique angle or the failure to operate shop window lighting would seriously reduce the effect of the perforated design resulting in a hostile and unattractive view of solid security shutters. Having particular regard to the corner location of this property and the fact that window lighting would be curtailed because of window advertising the proposal is considered to be inappropriate

in design and harmful to the visual amenities of the locality.

9 Recommendation

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

When in use, the proposed shutters would by reason of their design and prominent siting on this corner property result in a hostile, unattractive appearance to the detriment of the character and visual amenities of the locality. As such the proposal would be contrary to Policies C7 and C11 of the Borough Local Plan.

Westborough Ward

SOS/02/00606/FUL (Application for full planning permission)

**USE PART GROUND FLOOR RESIDENTIAL ACCOMMODATION AS SHOP (CLASS A1)
ANCILLARY TO ADJOINING PREMISES NO. 308**

306-308 Westborough Road, Westcliff-on-Sea

Nick News

New World Designers

1 The Proposal

- 1.1 To change the use of part of the ground floor of the house at 306, Westborough Road from residential to retail as an extension to the existing shop at 308, Westborough Road. This would be achieved by removing most of the party and partition walls to provide a 27m² extension to the customer area and sales floorspace.
- 1.2 The residential accommodation to be retained on the ground floor of No. 306 includes an entrance hall, dining area and kitchen, whilst the first floor would include a living room, two bedrooms and bathroom.

2 Location and Description

- 2.1 The application site is on the south side of Westborough Road between Fleetwood and Ronald Park Avenues. It contains a two-storey house with a walled front garden which adjoins the existing shop which is on the south-east corner of the junction of Westborough Road and Fleetwood Avenue. The existing shop at 308 is a general store comprising newsagent, grocer, tobacconist, stationer and off-licence. There is a maisonette above, accessed from Fleetwood Avenue, and a storage building is situated at the rear.
- 2.2 There are shops on the south-west and north-west corners of the Westborough/Fleetwood junction and the whole of the frontage between Fleetwood and Hildaville is defined as a Secondary Shopping Frontage in the local plan. The property on the opposite corner in Westborough Road has been converted from a shop to residential. To the east of the site is a large clothing factory, the side wall of which flanks the whole of the rear garden of the application site.

3 Development Plan

- 3.1 The premises are situated in an area of no notation on the Local Plan Proposals Map.
- 3.2 Borough Local Plan Policies: H3 (Retention of Small Family Houses), H4 (Preservation of Residential Uses), H5 (Residential Design and Layout Considerations); C11 (New Buildings, Extensions and Alterations).
- 3.3 ESRSP Plan Policy BE1 – Urban Intensification.

4 Planning History

- 4.1 8783 – Use stable as workshop for light industry (r/o 306) – Refused 3.8.54.
- 4.2 9021 – Reverse position of access and erect building for store (r/o 306) – Approved 13.9.54.

4.3 21560 – Erect single storey warehouse, single and two storey extension to factory, provide car park and loading space and use house as offices (302-8) – Refused 22.8.60.

5 External Consultation

5.1 None.

6 Internal Consultation

6.1 Environmental Health Comment – No objection – request submission of a scheme of acoustic insulation between the retail and residential uses.

6.2 Highway Comment – This proposal is likely to generate an increased incidence of short-term on-street parking which is unattractive from the highway point of view.

7 Publicity

7.1 Site notice and neighbour notification – four letters of objection have been received from residents in Westborough Road, Fleetwood Avenue and Hildaville Drive on the following grounds:

- ◆ Lack of need – similar shops opposite;
- ◆ Many empty shops in the area;
- ◆ Increased traffic and parking congestion;
- ◆ Delivery vehicle problems;
- ◆ Visually detrimental;
- ◆ Will lead to more youths drinking and smoking in the street;

8 Appraisal

8.1 The main issues to be taken into account are housing and shopping policies, the impact of the proposed development on the street scene, any impact on neighbours and implications for traffic, parking and servicing.

8.2 This application is against the current trend in this area, where numerous applications have been made in recent years for the conversion of shops to residential.

- 8.3 The house subject of this proposal has a floor area as extended of 108m². Local Plan Policy H3 states that permission will normally be refused for the redevelopment or conversion of properties having a gross floor area as originally constructed of 125m² or less. Policy H4 states that permission will not, except in special circumstances, be granted for the change from residential use (either by redevelopment or conversion) of a building which can, with or without adaptation, be used for residential purposes of any kind. Certain exceptions are listed and the policy states that any such relaxation will be subject to each case being considered on its individual merits, having regard to other material factors including the quality of the existing accommodation, access arrangements, the level of activity proposed, the desirability of maintaining a residential character to the area and the requirements of Policy H3.
- 8.4 Although this proposal is contrary to a number of aspects of these policies, it is considered that the application may be supported since it will assist a successful local enterprise and result in the creation of two extra jobs. It will not result in the total loss of the residential accommodation, since the majority is being retained, and the quality of the residential environment is compromised by the location, being sandwiched between the existing shop and the two storey factory premises on the eastern boundary, which dominates and overshadows the rear garden.
- 8.5 As far as the Highway Comment is concerned, in view of the fact that a shop already exists at No. 308, Westborough Road, any increase in traffic, servicing and waiting times is likely to be marginal and insufficient to justify refusing the application on traffic grounds. Any increase in anti-social behaviour due to the proposal may also be difficult to substantiate. Whilst there are similar enterprises in the locality, it is not the function of planning to inhibit competition. On balance therefore, it is considered that subject to certain safeguards, the proposal can be supported.

9 Recommendation

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

- 01 Start within five years (C001) (D007)
- 02 Scheme of acoustic insulation between retail and residential uses to be submitted.
- 03 New retail floorspace only to be occupied in conjunction with the existing retail premises at 308, Westborough Road and not as separate unit.
- 04 A 1.8m high close boarded fence or wall to be erected between rear gardens if remaining residential accommodation occupied other than by shop employees

Milton Ward

SOS/02/00540/FUL (Application for full planning permission)

CONVERT FIRST AND SECOND FLOOR MAISONETTE INTO TWO SELF-CONTAINED FLATS AND LAY OUT ONE PARKING SPACE TO FRONT WITH VEHICULAR ACCESS ONTO PRESTON ROAD

16a Preston Road, Westcliff on Sea SS0 7NB

Regis Group plc

1 The Proposal

- 1.1 To convert the first floor and roofspace maisonette accommodation into two self-contained flats – one bedroomed in the roofspace and two bedroomed on the first floor.
- 1.2 One parking space will be laid over on the front garden, together with a driveway to it, served by a new vehicular access onto Preston Road.

2 Location and Description

- 2.1 The application relates to a two storey semi detached property located on the east side of Preston Road, south of the junction with Canewdon Road.
- 2.2 The property is currently divided into one flat on the ground floor and a vacant maisonette on the upper two floors. There are a number of properties converted into flats/HMOs in this road and only 1, 3, 9, 15 and 21 opposite and 6 and 14 on this side of the street remain in single family dwellinghouse use in this part of Preston Road.
- 2.3 The road suffers from severe parking stress, exacerbated by the proximity to the railway station and Hamlet Court Road shopping facilities.

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.
- 3.2 BLP Policies C11 (New Buildings, Extensions and Alterations), C14 (Trees, Planted Areas and Landscaping), H1 (Housing Provision), H5 (Residential Design and Layout Considerations), H6 (Protecting Residential Character), H7 (The Formation of Self-Contained Flats), T11 (Parking Standards).

4 Planning History

- 4.1 1966 – approval of erection of a three storey block of six flats and eight garages at rear (O/44/66).
- 4.2 1966 – approval of vehicular access (D/563/66).
- 4.3 1969 – approval of conversion of house into two self-contained flats (D/336/69).
- 4.4 1971 – approval of double garage at rear (D/140/71).
- 4.5 July 2000 – approval of conversion of second and third floor maisonette into two self-contained flats and lay out three parking spaces at rear (SOS/00/00602/FUL).

5 Internal Consultation

- 5.1 Highway Comment – no objections but it is disappointing that the opportunity is not taken to provide two spaces.
- 5.2 Environmental Health Comment – no objection.

6 Publicity

- 6.1 Neighbour notification – four objections (together with concern from Councillor J Garston) on the following grounds:
- ◆ Already saturated with multiple occupied premises and this proposal would increase occupation further.
 - ◆ One parking space inadequate and likely to increase parking in an already congested road and roadside space would be lost
 - ◆ No access exists, just a path – need to remove a garden wall, shrubs and trees one third of the garden belongs to 16. (This aspect has been taken up with the applicant).

7 Appraisal

- 7.1 Council policy accepts that all current and future housing needs throughout the plan period will be met only by the development of committed land, small sites and recycled urban land within the existing built up area of the Borough. The provision of low cost accommodation suitable for small households and those in housing need is positively encouraged and the Council accepts the conversion of premises into self-contained flats has made a significant contribution to the Town's housing stock in the past and will continue to do so. The principle therefore of the further conversion of this large unit into smaller flats is considered acceptable subject to normal design criteria being met and to no adverse effects on neighbouring units or the wider locality.
- 7.2 The proposal satisfies current design guidelines in that internal layout and minimum room sizes are met. No additional loss of privacy would occur for neighbouring premises.
- 7.3 The loss of the former single family dwellinghouse to flatted accommodation has already taken place and the current lawful use is two flats, including roofspace accommodation. The provision of another flat will therefore not affect the proportion of single family dwellinghouses in the street block. Whilst it is accepted that the use will be potentially more intensive, it is not considered that this one extra unit would cause detriment, e.g. disturbance, such as to render the scheme fundamentally unacceptable.
- 7.4 A street tree would be lost by this proposal however a replacement tree could be provided close by, the scheme does provide the required parking facilities on a site well served by nearby public transport and retains a good proportion of the front garden as planted area and a large section of front boundary wall. Amended plans are expected to relocate the parking and access to the other side of the front garden.
- 7.5 Additional traffic movements on site would cause infrequent and what are considered to be acceptable traffic movements for the ground floor flat.
- 7.6 Amenity space provision is not indicated but lack of such a facility is not considered to render the proposal unacceptable.

8 Recommendation

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

- 01 start within five years (C001)**
- 02 provide parking**
- 03 retain parking**
- 04 retain boundary treatment and forecourt planting**

Informative – negotiate replacement street tree

Victoria Ward

SOS/02/00635/OUT (Application for outline planning permission)

ERECT BLOCK OF FLATS AND LAY OUT PARKING SPACES AND AMENITY AREA WITH VEHICULAR ACCESS ONTO GUILDFORD ROAD

Land adjacent to Guildford Court, Guildford Road, Southend on Sea

C G Property

Nathaniel Lichfield and Partners

1 The Proposal

- 1.1 The application is in outline form with only siting and means of access submitted for determination. The plans submitted with the application are indicative only and the applicant has stressed that the detailed design of the scheme has not been finalised. The indicative plans show a four storey pitched roof block of 21 two bedroom flats. Parking for 21 cars would be provided at the rear with ramped access to the side of the flat block through to Guildford Road. A terrace of some 300m² is shown to the rear steps down to the car park area. Patio areas are shown to the ground floor with balcony areas to the rear at first and second floor.

Site Area	0.16 hectare
Height	4 storey (indicative)
No of Units	21 units indicated as being two bedroom (indicative)
Amenity Space	300m ² (14m ² per unit) plus balconies and patios (indicative)
Parking	21 spaces i.e. 100% (indicative)
Density	112 dwellings per ha and 45 dwellings per acre (indicative)

- 1.2 The applicants have submitted the following information in support of their application, which is summarised below.

The proposals respect the surrounding buildings in design terms, in particular the adjacent Guildford Court block. There would be no vehicular access to the Co-op car park. The site is currently used as a private car park accessed from Guildford Road. It is free and not restricted to Co-op customers only.

The main issues raised by the application are the loss of car parking and the development of the site for residential use. The Local Plan is somewhat out of date. Policy T11 refers to parking. However national guidance contained within PPG6 and PPG13 supersedes the plan in this respect and encourages reduced levels of parking and advises that developers should not be required to provide more parking spaces than they wish other than where exceptional circumstances exists, such as where there are significant implications for road safety. The Store Manager confirms that the car parking area, which forms the application site, is to the rear of the area is generally used as long stay commuter car parking. Experience has shown that there is sufficient car parking for the store in the main car park. Operationally the Co-op does not need this additional land, which will ensure that development of the application site will not the lead to pressure for additional on street car parking and therefore will not affect highway safety.

It is also important to note that it is a private car park. Its loss would not lead to the loss of a public car park. The Co-op finds that car park difficult to manage at present. The remaining spaces will however be managed as a short stay car park improving its operation to the benefit of the store. Given National policy seeks a reduction on car parking and less reliance of the private car we consider that the loss of car parking on the site fully complies with relevant planning and transportation policy.

Appropriateness of Residential Development: Policy H1 of the Borough Local Plan identifies that current and future housing needs will be met by the development of committed land small sites and recycled urban land within the existing urban built up area. We understand the Council is currently preparing an Urban Capacity study, which

encourages development of housing on previously developed land. In locational terms the site is suitable for residential development, it is situated within a residential area and would be re using brownfield land. It is a suitable windfall site under PPG3.

2 Location and Description

- 2.1 The site is currently in use as part of the car park the Co-op store fronting Sutton Road. The northern part of the site fronts Guildford Road and is at road level. The southern part of the site is considerably lower and ground level fall to the south and west. There is a variation of a between approximately 1m and 2m between the two areas.
- 2.2 To the north of the site are two storey terraced houses. To the west is a three storey block of flats. To the east is the remaining Co op car park and the Co op store, itself of considerable height, and to the south is a mix of two and three storey housing and flats.

3 Development Plan

- 3.1 ESRSP Policies CS1 – Achieving Sustainable Urban Regeneration, 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, BIW4 – Safeguarding Employment Land, T12 – Vehicle Parking.
- 3.2 BLP Policies C11 (New Buildings, Extensions and Alterations), H1 (Housing Provision), H2 (Future Housing Needs), H5 (Residential Design and Layout Considerations), H7 (The Formation of Self-Contained Flats), E5 (Non-Residential Uses Located Close to Housing) and T11 (Parking Standards).
- 3.3 PPG1: PPG13: (Transportation), PPG3: (Housing)

4 Relevant Planning History

- 4.1 1974 – planning permission granted for change of use to motor car distribution depot
- 4.2 1975 – planning permission granted for change of use of part of second floor to offices
- 4.3 1977 – planning permission granted for demolition of existing building formation of customer car park ancillary to adjoining Discount and Trading Centre erection of new boundary wall SOS/162/77
- 4.4 1982 – planning permission granted for continued use of land as customers car park SOS/209/82. The use was restricted to use by car and lights vans only.

5 External Consultation

- 5.1 Eastern Electricity – reply to be reported
- 5.2 Anglian Water – reply to be reported

6 Internal Consultation

- 6.1 Design Comment – Archaeological conditions requested
- 6.2 Highway Comment – the parking area generally appears to be satisfactory. The ramp gradients should not exceed 8% provided it is not intended for refuse bins.
- 6.3 Environmental Health Comment – No objection. Request assessment of possible site contamination as previous industrial use. Request informatives re ventilation to habitable rooms and minimising disturbance during construction.

7 Publicity

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

8 Appraisal

- 8.1 The main issues to be taken into account are the suitability of the site for residential redevelopment impact of the proposed development in the streetscene, impact on neighbours and implications for parking both for the proposed development and for the existing Co-op store.
- 8.2 It is recognised that although the site is part of the wider Co-op site, it is not in an employment generating use, and has not been for many years. It is not the type of site therefore that the Council are seeking to retain for employment uses.
- 8.3 The site is not proposed for any particular use on the Borough Local Plan Proposals Map. It is located within an area that is generally in residential use and the use of the site for residential purposes is considered acceptable in principle.
- 8.4 However the application site is currently part of the car park for the adjacent Co-op store. Although at the time of the officer's site visit the car park was not fully utilised it is important to establish that the use of the applicant site for housing will not result in a shortfall of customer parking to serve the Co- op. The applicant has been asked to prepare a car parking survey and this is expected before the meeting. It is not considered that an objection could be raised to the loss of the apparent "overspill" use of the car park by commuters, as the car park is not a public facility and is under the control of the Co-op.
- 8.5 The application is in outline form with only siting and means of access submitted for approval. The applicant has stressed that the plans are indicative only and details have not been finalised. There is no objection to the proposed vehicular access subject to maximum gradients being adhered to. There is no objection in principle to a residential development in the location indicated.
- 8.6 With regard to the indicative details both national and structure plan policy guidance encourages the more intensive use and redevelopment of sites within the urban area for housing purposes with higher densities being generally supported.
- 8.7 With regard to parking provision planning policy at all levels supports moves to reduce reliance on the private motor car especially where there are alternative modes of transport available to occupiers and visitors of the proposed flats. The site is located in close proximity to the town centre and public transport facilities. It would be possible to provide cycle parking facilities as part of a detailed submission. It is therefore considered that in accordance with the advice given in PPG3 – Housing, 21 parking spaces are adequate to meet the needs of 21 flats in this close to town centre location. It is considered that there is sufficient space within the site to accommodate 21 car parking spaces in an acceptable manner.
- 8.8 The indicative plans show 300m² of amenity space (14m² per unit) plus balconies and patios. PPG3 sets out the Governments policies with regard to Housing. It emphasises the need to adopt positive policies giving priority to re-using previously developed land within urban areas taking amore flexible approach with regard to amenity space. It is therefore considered that the provision shown would be sufficient to serve the needs of 21 flats although it is less than BLP guidelines.
- 8.9 Turning to the impact on neighbouring residents. The residential property to the west is a three storey block of flats. The access to the car park for the proposed development runs alongside that building and its rear amenity space. The ground level on the application side reduces significantly to the south. The neighbouring flatted development remains at a higher level. Thus it is not anticipated that the activity associated with the access and use of the parking area would lead to undue disturbance to the flatted development.
- 8.10 The neighbouring flatted development has only secondary windows or windows serving non habitable rooms along its flank. A distance of some 7.6m could be maintained between the buildings. Therefore no undue overlooking or loss of light would occur to the adjacent flats. Overlooking distance guidelines are readily met to the rear of the proposed development.
- 8.11 Indicative plans show the development to be four storey's high. The applicants have been asked to provide a streetscene elevation relating the proposed building to the adjacent flats and Co-op store. Although there are three storey flats adjacent and it is acknowledged that the Co-op building is substantial there is concern that the height of building as indicated would appear dominant and out of keeping in the street and would be overdominant in relation to the two

storey dwellings opposite. Therefore an informative is required to this affect and it is possible that a lesser number of units, and/or a lower building would be required.

9 Recommendation

Subject to receipt and consideration of a parking survey and a street elevation, Members are recommended to GRANT OUTLINE PLANNING PERMISSION subject also to the following conditions:

- 01 Reserved matters to be submitted within three years (C005)
- 02 Details of reserved matters
- 03 Submission of materials (CEAR)
- 04 Provision of parking
- 05 Retention of parking (CAAF)
- 06 Submission of landscaping scheme (CJDL)
- 07 Implementation of landscaping scheme (CJAC)
- 08 Boundary treatment installed concurrently with dwelling (CHGU)
- 09 Refuse store to be provided (CKAF)
- 10 Access to be afforded for archaeological monitoring (CZY5)
- 11 Prior Notification for archaeological monitoring (CZY6)
- 12 Decontamination (CZYL)
- 13 Details of levels to be submitted (CZYR)
- 14 Ramp gradients

Information: Height of Development - 3 storeys may be inappropriate

Chalkwell Ward

SOS/02/00346/FUL (Application for planning permission)

DEMOLISH 25-27 CHALKWELL ESPLANADE AND OUTBUILDINGS, ERECT PART 2/3/4 STOREY BLOCK OF EIGHT FLATS, FORM VEHICULAR ACCESS TO GARAGES, LAY OUT PARKING IN SEMI-BASEMENT

25-27 Chalkwell Esplanade Westcliff on Sea

Elmore Contractors Limited

Moss Prime Coombs

Consideration of this application was deferred at the meeting on 26th June 2002 so that the applicant could be requested to reduce the bulk of the proposed building. Revised plans are expected before the meeting.

1 The Proposal

Site area	0.162 hectares gross (0.4a)
Height	Two, three and four storey with semi basement
No of units	8 flats, 1 x 3 bed plus study, 6 x 2 bed plus study, 1 x two bed duplex
Parking	16 parking spaces (200%)
Amenity Space	roof terraces plus 672 sq.m. rear garden (84 sq.m. per flat)
Density	50 d.p.h gross (20 dpa)

- 1.1 The application proposes to demolish the existing buildings comprising Lulworth Court and the adjacent dwelling and to erect a block of eight flats. The development varies between two, three and four storey. Car parking would be provided in a semi basement area and would accommodate eight garages and eight parking spaces. Access to this basement area would be from the front from a centrally located ramp. The basement also includes storage area and refuse storage. The flats would mainly be two bedrooms with study, the penthouse, three

bedrooms with study. Terraces would be created for all floors, the largest being at third floor. A raised landscaped area would be provided to the front of the dwelling.

- 1.2 The development is a very contemporary design, with a nautical feel, which would be emphasised by the use of materials and the design of the roof.
- 1.3 The materials proposed are, zinc sheet roof and fascias, timber soffits and hyperbolic paraboloid roof, white fabric sunshade to penthouse. Walls would be clad in white fibre cement rainscreening and columns clad in stainless steel. Windows and door frames are proposed as polyester coated aluminium clad. Stainless Steel handrailing, treated timber decking over asphalt would be provided for terracing.

2 Location and Description

- 2.1 The site comprises two curtilages and three buildings between two and three storeys high located on the northern side of Chalkwell Esplanade centrally between Crowstone Avenue and Chalkwell Avenue. No 25 comprises Lulworth Court, the former hotel which provided holiday accommodation with a large degree of care, for the disabled. There are a large number of outbuildings to the rear of Lulworth Court and the original buildings have been extended to the rear. The front of the site is hard surfaced.
- 2.2 No 27 is five flats with parking and garages at the rear and parking at the front.
- 2.3 The adjacent properties are both in residential use, that to the west is three storey and to the east is two storey. Most of the dwellings in this stretch of Chalkwell Esplanade are as originally constructed and are domestic in scale. Past Crowstone Avenue to the east more redevelopment has taken place with large flatted blocks having been erected and granted planning permission. Most properties along this road have balconies.

3 Development Plan

- 3.1 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) and T11 (Parking Standards), T8 (Traffic Management and Highway Safety), L7 (Retention of Hotel and Guest House Use) Appendices 4, 8.
- 3.2 Structure Plan Policies BE1 – Urban Intensification, T12 – Vehicle Parking, H1 – Distribution of Housing Provision, H2 – Housing Development – The Sequential Approach.

4 Planning History

- 4.1 The site has an extensive history including permission in 1948 for the use of **Lulworth Court** as a hotel. (13).
- 4.2 1958 – approval of use as a nursing home (17310).
- 4.3 1963 – approval of demolition of chalet and erection of accommodation for staff (26705).
- 4.4 Various approvals for extensions, alterations and vehicular access 1963-1983, 1985, and 1992.
- 4.5 At **27 Chalkwell Esplanade** 1986 planning permission granted for extensions and conversion into five flats with parking (SOS/86/0578).
- 4.6 1988 – approval of second floor extension and extended roof and front balcony (SOS/87/1988).
- 4.7 1998 – planning permission granted to erect two story infill extension, alter front and rear elevations and form balcony at first floor level, erect dormer window to side of 25, form balustrade, external staircase and “place of safety” balcony at rear for fire escape purposes; layout landscaping at front and rear and use 27 as accommodation ancillary to Lulworth Court Hotel. This application was never taken up (SOS/98/0352).

5 External Consultation

- 5.1 Environment Agency – No objection in principle but makes comments - the protection of the

water environment.

6 Internal Consultation

- 6.1 Design Comment – Scheme too bulky. The bulk should be reduced to better reflect the form of the existing building.
- 6.2 Highway Comment – Ramp should be designed in accordance with guidance. Ramp appears to be 1:12 (8%) should be 4% for the first 5m and sightlines at the top must not be obstructed by retaining walls. Refuse facilities should accord with waste management guide. Conditions should be imposed.
- 6.3 Environmental Health Comment – No objection - request informative re minimising nuisance during construction.

7 Publicity

- 7.1 Press notice, site notice and neighbour notification – six letters of objection relating to the following issues:
- ◆ Height of building
 - ◆ Loss of sunlight and daylight
 - ◆ Out of keeping with existing development in street
 - ◆ Noise and nuisance generated by occupation of the flats and in particular car parking
 - ◆ Lack of sufficient parking, leading to on street parking.
 - ◆ Reducing distance between buildings and the boundary
 - ◆ Loss of sea view
 - ◆ Overdevelopment
 - ◆ If planning permission granted conditions should require: obscure glazing, screening to terraces and 2m high boundary wall erected to No 21.

8 Appraisal

- 8.1 The main issues to be taken into account are the loss of existing hotel accommodation, impact of the proposed development on the streetscene, impact on neighbours and any implications for parking.
- 8.2 Although approved as a hotel in 1948, Lulworth Court was subsequently given for use as a nursing home. Having regard to the specialist nature of accommodation that was provided there it is felt that the use was “sui generis”. The site is not within a Visitor Accommodation Area. Policy L7 seeks to retain hotels and guest houses within Visitor Accommodation Areas and the Central Seafront Area. As this property lies outside those areas and does not strictly comprise a hotel use, no objection is raised in principle to its loss.
- 8.3 Policy H7 of the BLP seeks to protect the residential character of an area. As the majority of the site is in non residential use the loss of the units per se is not considered to adversely affect the residential character of the street. Permission to use No. 25 as part of Lulworth Court is still valid.
- 8.4 The proposed building is significantly more bulky than the existing dwellings. At its highest point it is some 4m higher than the highest point of No. 27 Chalkwell Esplanade. In addition the existing buildings have steep hipped roofs, which reduces their visual bulk considerably. The design of the proposals is articulated and attempts have been made to reduce bulk, and to respect the adjoining properties by reducing the height of the development adjacent to the site boundaries.
- 8.5 Although the streetscene between Chalkwell Avenue is characterised by large dwellings, these remain of a domestic scale and the resulting character of this part of Chalkwell Esplanade is quite different from the development to the east. This is notwithstanding the presence of Crowstone Nursing Home at the junction with Crowstone Avenue. Thus the proposed development as a result of its height and massing is considered to be out of keeping with the scale of adjoining development and the character of Chalkwell Esplanade at this point.
- 8.6 The design of the building in itself is however considered to be interesting and innovative and no objections are raised to the introduction of a contemporary building in this location as with No.

35 The Leas. It should be noted that the overall height of the proposed building is similar to that recently approved at No. 35 The Leas although the density of development is much lower, and below the BLP guideline density for a three storey block (75-100dph). However, No. 35 The Leas is on a road junction – the relationship of the proposed block to its immediate neighbour – was not considered to be out of keeping. Admirals Court is a higher building and the density of the development there is greater than proposed here.

8.7 The comparative details of the three schemes are

<i>This Proposal</i>	<i>35 The Leas</i>	<i>Admirals Court</i>	
Site Area	0.162	0.165	0.396
Height	2-4, max	max 4 storey	max 8 storey
16.5m(main point approx 14m)	approx 15.3	approx 21m	
Number of Units	8	24	29
Density	50dph gross	104dph gross	approx 73dpa net
Parking	16	34 spaces	57 spaces
Spaces per flat	2	1.3	1.96

8.8 Parking is provided within a semi basement area below the main bulk of the building. A total of 16 parking spaces would be provided in accordance with Borough Council Guidelines. Some residents have raised concerns relating to noise and disturbance emanating from the car park. However given its semi basement location and containment within the proposed building and distance some 19.2m to the south of properties in Second Avenue, it is unlikely that this would occur. The use of boundaries walls would also help address this problem if considered to be necessary. The level of parking provision is at the maximum currently sought and considerably greater than has been recently agreed at 35 The Leas.

8.9 The proposed access ramp does not appear to meet BLP guidelines in that the gradient is too steep for the first 5m. This is likely to be able to be addressed through revised plans if necessary.

8.10 Turning to the impact on neighbours, No 21 is a two storey house located to the east of the application sited approximately 2.5m from the boundary with 25. A substantial garage is located in the rear garden, approximately 4m high. The existing two storey extension to the rear of No 25 projects some 2m to the rear of the garage. No 21 has two main habitable room windows on the side boundary. These serve a dining room at first floor and bedroom/study at ground floor. A roof terrace has been created over a rear extension. The proposed development meets BLP guidelines in respect of both main side windows to No 21. Terraces are proposed to the new flats. These would need to be screened in order to prevent overlooking of the adjacent windows, garden and roof terrace of no 21. Habitable room windows in the side elevation of the building would need to be obscure glazed to prevent overlooking.

8.11 Turning to the impact on No 29, this property is set approximately 2m away from the boundary with No 27. It is currently in use as four flats. There are main habitable room windows to the side serving kitchens and living rooms and a number of obscure glazed windows. The proposed building would not have a significantly greater impact on terms of loss of light that the existing three storey dwelling. Due to the relationship between the properties screening may be required to the proposed terraces to prevent overlooking.

8.12 It is considered that the bulk of the building when viewed from the adjoining properties to the side will not be significantly greater than that of the development that exists.

8.13 The development meets overlooking distances to the rear.

9 Recommendation

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

- 01 The proposed development would be out of character with the area due to its height, scale and massing and as such would be contrary to Policies H6, H5 and C11 of the BLP.

Milton Ward

SOS/02/00731/FUL (Application for Full Planning Permission)

ERECT GLAZED CANOPIED SINGLE STOREY EXTENSION TO WEST ELEVATION; REFURBISH TICKET AGENCY TO NORTH ELEVATION; ERECT WROUGHT IRON RAILINGS AND GATES; REPLACE SIX WINDOWS ON SOUTH AND WEST ELEVATIONS WITH TIMBER SASH WINDOWS, BLOCK TWO WINDOWS (AMENDED SCHEME)

Palace Hotel, Pier Hill, Southend on Sea

Stylus Sports Ltd

John Jacob Studios

1 The Proposal

1.1 The proposals involve the following:

- existing former ticket agency extension on north side to be refurbished with lead clad ribbed main roof and two decorative wrought iron pediment features with glazing below set within a steel frame to match those above the entrance doors on this side of the building. Two new double entrance doors, one providing an entrance to the Palace Hotel as at present and the other to provide a new entrance to the 'Deluxe Club'; cast iron columns either side of the doors and at each end;
- A canopied extension to the west end of the building to provide an extended lounge to the bingo club, with the same materials and style as that referred to above;
- Wrought iron railings to front of both extensions;
- New 3m high wrought iron gates with piers to be erected at the north east corner of the building to enclose the parking area;
- Six aluminium windows on the south and west elevations at first floor level to be replaced with timber sash windows;
- Unattractive area at ground level on south-west corner to be replaced with feature panels;
- Two windows on north side to be blocked in and rendered and some trees/shrubs to be planted between the hotel wall and balustrade.

1.2 Signs are shown on the plans and these will be the subject of a separate application for advertisement consent. A neon strip is shown along the north and south elevations just below first floor cill level but this does not require planning permission.

1.3 Members will recall that a similar proposal was approved at the Palace last year. The Agent explains that the reason for reapplying is that Deluxe Clubs (who run the bingo club) has leased the former Ticket Agency giving an opportunity to refurbish this part of the building in keeping with the rest and giving the hotel a better entrance and Deluxe Clubs a new entrance. This will mean that the previously approved extension and entrance on the north side of the building will not be required.

2 Location and Description

2.1 The Palace Hotel is a locally listed building located on the north side of Pier Hill west of its junction with western Esplanade and Marine Parade. The hotel is a large building of up to eight

storeys, and fronts onto both pier hill and Church Road at the rear.

- 2.2 In addition to the bingo club, also within the building there are licensed bars and restaurants, skating rink, theatre, function room, offices, a night club, café, amusement arcade and shops.

3 Development Plan

- 3.1 ESRSP Policies CS2 – Protecting the Natural and Built Environment.

- 3.2 BLP Policies C2 (Historic Buildings), C11 (New Buildings, Extensions and Alterations), L1 (Facilities for Tourism), L2 (Central Seafront Area).

4 Planning History

- 4.1 The building has an extensive planning history most of which is not particularly relevant to this application. The bingo club was granted permission in 1967. The following is the most relevant recent history.

- 4.2 December 2000 - advertisement consent granted to install three internally illuminated signs, one externally illuminated sign and a neon strip on the south, west and north elevations (SOS/00/00924/ADV).

- 4.3 September 2001 permission granted to erect glazed canopies single storey extensions on north and west elevations including part refurbishment of existing ticket agency and hotel entrance; erect wrought iron railings; replace three windows on south elevation with timber sash windows (SOS/01/00535/FUL).

5 External Consultation

- 5.1 The Southend society - reply to be reported.
- 5.2 Southend Seafront Traders Association - reply to be reported.

6 Internal Consultation

- 6.1 Design Comment - requests clarification and expresses concern on a number of detailed points which the Agent is addressing. The result will be reported at the meeting.
- 6.2 Highway Comment - to be reported.

7 Publicity

- 7.1 Site and press notices and neighbour notification - no replies. **The publicity period has not expired.**
- 7.2 Neighbour notification

8 Appraisal

- 8.1 The previous scheme was similar but involved more extension to the north side of the building. The amended scheme is very welcome overall and has been designed following discussions. The result is, as before, a scheme which has the potential to make a very significant improvement to the appearance and character of this locally listed building and the immediate area whilst upgrading the facilities at the bingo club.
- 8.2 Existing unattractive additions would be removed and the form and materials proposed for the extensions will complement those existing. The same goes for the timber windows and wrought iron railings. Further detail and clarification is required on a number of aspects and this may result in amended plans.

9 Recommendation

Members are recommended to Delegate to GRANT PLANNING PERMISSION Subject to response on detailed design points and the expiry of the publicity period and Subject also to the following conditions:

- 01 start within five years (C001)**
- 02 full details/samples of materials to be submitted**
- 03 iron work to be painted black**

West Leigh Ward

SOS/02/00608/FUL (Application for full planning permission)

BUILD UP ROOF TO FORM GABLE END, ERECT SIDE DORMERS AND FORM ACCOMMODATION IN EXTENDED ROOF SPACE, FORM PITCHED ROOF OVER EXISTING GARAGE AND CARPORT

25, Vernon Road, Leigh-on-Sea

Mr L T Wright

Mr A M Playfair

1 The Proposal

- 1.1 Planning permission is sought to extend the roof to the front of the property and replace the hipped roof and gable over the front bay with a new gable with windows to front; construct dormers to sides and form additional accommodation in the new roof space comprising two bedrooms and shower room; erect pitched roof over existing garage and carport.

2 Location and Description

- 2.1 The property is a detached house located on the west side of Vernon Road approximately half way between Marine Parade and Western Road. The house has been previously extended at ground floor level with a garage and carport to the side and a conservatory at the rear. The front of the house is screened by two trees and there is also a large tree in the rear garden close to the southern boundary.
- 2.2 Whilst the road still contains a majority of older properties, several sites have been and are currently being redeveloped with new dwellings, including either side of the application site. The new properties are of varying designs and there is a mixture of styles in the street.

3 Development Plan

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

4 Planning History

- 4.1 Garage with bedroom over – Approved 1955 (Garage only in existence)
- 4.2 Erect conservatory at rear – Approved 1999.

5 External Consultation

- 5.1 Leigh Town Council – Oppose; overlooking adjacent property and obtrusive.

6 Internal Consultation

- 6.1 Design Comment – Unacceptable as originally submitted. The pitched roof is too heavy for the carport and should be restricted to the garage only; the second floor window is out of scale and over-dominant, it should be reduced to two panels only; the classical style columns are out of character and should be replaced with brackets; the dormer windows are bulky and unattractive and in a very exposed position. They should be significantly reduced in size.

7 Publicity

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

8 Appraisal

- 8.1 The main issues to be taken into account are the impact of the proposed development on the street scene and any impact on neighbours.
- 8.2 With the alterations and extensions which are proposed to the roof on the front of the property, which are considered to be acceptable, the proposed dormers will appear less prominent than if they were being installed in the roof as existing. They will be sited towards the rear of the property and although not reduced in size will be clad with tile hanging, rather than rendering as originally proposed, which will also help them to blend in with the existing roof. The plans have also been amended by the deletion of the proposed classical columns which would have been out of scale and character on this relatively modest domestic architecture.
- 8.3 As far as the effect on neighbours is concerned, any overlooking from the proposed dormer on the south side of the roof will be at an angle and obstructed by an existing chimney. The dormer is set in some distance from the boundary (4m) and there is already a first floor side facing window. Nevertheless it is felt that the window needs to be part obscured to prevent overlooking.
- 8.4 The proposed dormer on the north side will not be so prominent in the street scene and since the windows it will contain are to a shower room and landing, these would normally be obscure glazed.

8.5 With the amendments to the originally submitted scheme that have taken place, it is not considered that objections can be raised to the other elements of the proposal which are considered to be satisfactory.

9 Recommendation

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

- 01 start within five years (C001)
- 02 Materials to match existing building (CEDH)
- 03 Side dormer windows obscured except for high level lights.

Kursaal Ward

SOS/02/00808/TEL (Application for Prior Approval)

REPLACE LAMP-POST WITH 8 METRE HIGH SHARED TELECOMMUNICATIONS AND LIGHTING MAST WITH THREE ANTENNAS AND EQUIPMENT CABIN

Footpath at the front of 600 Southchurch Road, Southend on Sea

Orange

Spectra Site Transco

1 The Proposal

1.1 To replace the existing lamp-post (lamp-post 50) with an 8m high shared lamp-post and telecommunications mast on the footpath outside 600 Southchurch Road. Three sector antennae would be mounted below the light and behind a shroud.

1.2 An equipment cabin of 1.2m (h) x 1.3m x 0.7m is proposed 2m to the west of the mast behind the existing pedestrian safety barrier.

1.3 The agent has submitted supporting information which is summarised as follows:

Coverage

1.4 The proposals seek to provide coverage in the Southchurch Road area and a coverage plan has been submitted to show a gap in existing coverage in the area south of Southchurch Road and east of Lovelace Avenue. This is a microcell installation to give coverage over a small area.

Choice of Site and Alternatives Considered

1.5 The following other sites in the area were considered but rejected for the reasons stated:

- Supervideo, Southchurch Road - this would have been a flag post swap out but would prove contentious from a planning viewpoint
- A stand-alone pole on Southchurch Road near to the junction with Surbiton Avenue - the Local Planning Authority voiced concerns relating to the proliferation of free standing poles along the road and would be likely to object, taking into account the presence of suitable lighting columns
- Railtrack land near to Southend East Railway Station - the site would be very close to a children's play area and residential properties on both sides of the track. These issues deemed any application here unacceptable.

Certification of Compliance with the ICNIRP Public Exposure Guidelines

1.6 A certificate of compliance with these guidelines has been submitted. Orange do not state how far below the ICNIRP guidelines this installation would be.

2 Location and Description

2.1 The site comprises the footpath outside 600 Southchurch Road which is on the south side of the road and close to the junction with Lovelace Avenue. The existing lamp-post is 8m high.

2.2 The area is commercial in character but there are 3 storey sheltered flats on the opposite side of Lovelace Avenue to the west, approx 35m from the proposed installation.

3 Development Plan

3.1 ESRSP Policy BE8 (Telecommunications)

3.2 PPG8 : Telecommunications (August 2001)

4 Planning History

4.1 None.

5 Internal Consultation

5.1 Design Comment - no objections.

6 Publicity

6.1 Site notice and neighbour notification - no replies but **the publicity period has not expired.**

7 Appraisal

7.1 The only considerations for applications such as this for *prior approval* of telecommunications proposals are the siting and appearance of the installation.

7.2 PPG8 states that the factors to be considered concerning the appearance of the mast include materials, colour and design and design may include: dimensions; overall shape; and whether the construction is solid or forms an open framework. The planning authority should also, with the developer, consider the availability of alternative designs which might be suited to the local environment. Factors concerning siting may involve:

- The height of the site in relation to surrounding land;
- The existence of topographical features and natural vegetation;
- The effect on the skyline or horizon;
- The site when observed from any side, including from outside the authority's own area;
- The site in relation to areas designated for their scenic or conservation value;
- The site in relation to existing masts, structures or buildings, including buildings of a historical or traditional character;
- The site in relation to residential property; and,
- Any other relevant considerations.

7.3 ESRSP Policy BE8 states that the aim should be to minimise visual impact and that, where there is potential conflict with environmental objectives, such developments should only be allowed where there are no satisfactory alternative sites, reasonable prospect of sharing existing facilities or erecting antennae on existing buildings and no material adverse effect upon townscape, traditional character and residential amenities.

7.4 The Council has previously negotiated with code systems operators to provide shared lamp-posts/masts and this proposal is similar to several others approved over the past 3 years. The installations are considered to be very successful as they tend to go unnoticed in the street scene and represent an innovative way of providing coverage to small areas, in accordance

with PPG8 and ESRSP Policy BE2. The proposal is considered to be acceptable in terms of its design and its very limited impact upon the visual amenities of the area.

- 7.5 It should be noted that those similar installations which have been approved have been 8m 10m and 12m in height. Members have refused prior approval for three such installations on grounds of perceived health risks.
- 7.6 Public concern about the effects of a proposal on health can be a material consideration. Paragraph 97 of the appendix to PPG8 takes this into account advising that health considerations and public concern can in principle be material considerations, to be given such weight as might be appropriate in the particular case. However, the paragraph goes on to say that it is the Government's firm view that the planning system is not the place for determining health safeguards and that if a proposal meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in determining an application to consider further the health aspects and concerns about them.
- 7.7 The Stewart Report concludes that the balance of evidence indicates that there is no general risk to health of people living near to such development as exposures are expected to be a small fraction of the guidelines. However, it recommended a precautionary approach to be taken with regard to the use of mobile phone technologies. The Government accepted this approach, which is limited to specific recommendations in the report including the need to meet the stringent ICNIRP guidelines for public exposure to electromagnetic fields.
- 7.8 The anticipated exposure levels set out in the applicant's supporting information (at the end of 'The Proposal' section above) are very low, representing a small fraction of the guideline figure which has been chosen to accord with the precautionary approach recommended by the Stewart Report. This is particularly relevant in the absence of specific evidence to indicate that the current proposal would be likely to result in a perceptible risk to health. In the Government's view, local planning authorities should not implement their own precautionary policies eg by way of imposing a ban or moratorium on new telecommunications development or by insisting on minimum distances between new telecommunications development and existing development.
- 7.9 It is considered that any perceived health concerns do not provide sufficient reason to refuse this application on health grounds, particularly in the context of PPG8 and having inspected various appeal Inspectors conclusions on the matter.

8 Recommendation

Members are recommended to indicate that they have no objection and to delegate the determination that subject to expiry of publicity period PRIOR APPROVAL IS REQUIRED AND THAT PRIOR APPROVAL IS GRANTED subject to the following conditions:

- 01 colour of equipment to be agreed**
- 02 pd rights under part 24 of GPDO removed**
- 03 scheme of landscaping for the cabin to be agreed**

Shoeburyness Ward

SOS/02/00611/FUL (Application for full planning permission)

RETAIN THREE EXISTING AMATEUR RADIO AERIALS (RETROSPECTIVE)

79, The Drakes, Shoeburyness

Mr F F Jensen

1 The Proposal

- 1.1 To retain three amateur radio aerials which have been erected without permission on this property.
- 1.2 The largest aerial array is mounted on a telescopic lattice pole, the base of which is at ground level, and which is secured to the rear wall of the property by brackets. The mast is raised and lowered by a winch mechanism, and in its lowered position, the mast is approximately 5.5 metres high. It has an extended height of approximately 9.6 metres however, which takes it about 2.1 metres above the ridge of the property. The mast supports a substantial array of horizontal antennae at different levels.
- 1.3 There is a second mast mounted on the gable at the east end of the property, on which are mounted a television type aerial and vertical and horizontal radio aerials, which extend about three metres above the ridge. A third mast has been erected on the back of the property at the eastern end at first floor level containing a vertical radio aerial some 4 metres high with three horizontal antennae at the base. There is also a satellite antenna on the rear of the building.
- 1.4 A fourth aerial has been installed to the front of the property which, although it overhangs the roof of No. 79, is mounted on the gable of No. 81 and is understood to relate to the latter address. It is not therefore included in this application.

2 Location and Description

- 2.1 The Drakes is located just to the west of Eagle Way and a short distance to the south-east of the Asda superstore. The area consists of a relatively modern low rise high density development comprising terraced houses and flats.
- 2.2 The masts are situated on a first floor flat in a two storey development which is surrounded by terraced housing. There is an archway below the flat giving access to a courtyard serving a garage and parking spaces to the rear.

3 Development Plan

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

4 Planning History

- 4.1 There is no planning history on the site since the property was originally built.

5 External Consultation

- 5.1 None.

6 Internal Consultation

- 6.1 Design Comment – This radio mast is bulky and unattractive, however it is to the rear of the property and will therefore have limited public impact.

7 Publicity

7.1 Neighbour notification – no response.

8 Appraisal

8.1 This application was submitted following receipt of a complaint.

8.2 The main issues to be taken into account are the impact of the proposed development on the street scene and any impact on neighbours.

8.3 Not all aerials constitute development requiring planning permission. Small antenna systems, including most television and citizens' band aerials, are covered by the principle of *de minimis* or are excluded from the definition of development because they are not sufficiently substantial in relation to the size of the building on which they are installed to have any material effect on its appearance.

8.4 In this case however, the installations are considered to be substantial, especially the telescopic mast and its aerials, and they are judged to be development having a material effect on the appearance of the building on which they are situated. Furthermore, being on a flatted property, there are no permitted development rights.

8.5 Whilst the visual impact of the masts from the highway and in the surrounding area generally may be limited, particularly with the main mast in the lowered position, they are prominent when viewed from the dwellings at the rear. As stated above, the area is one of high density development with minimal back gardens and limited space between the dwellings and the masts are visually intrusive, especially when viewed from the properties at the rear in Herongate. The masts appear out of character in this tight domestic setting.

8.6 It is therefore considered that that permission should not be granted for the retention of the aerials and that, enforcement action should be pursued to secure their removal.

7 Recommendation

Members are recommended to:

A: REFUSE PLANNING PERMISSION for the following reasons:

The masts appear intrusive, alien and out of character in this area of high density residential development and detract from the appearance of the building on which they are situated. They are therefore detrimental to the visual and residential amenities of the area, particularly insofar as the properties to the rear in Heron Close are concerned, and the development is therefore contrary to Policies H5 and C11 of the Borough Local Plan.

B: AUTHORISE ENFORCEMENT ACTION to secure the removal of the masts and aerials for the reasons given in A above.

Belfairs Ward

SOS/02/00135/FUL (Application for full planning permission)

DEMOLISH DWELLING AND ERECT TWO DETACHED DWELLINGS WITH INTEGRAL GARAGES AND LAY OUT PARKING SPACES AND VEHICULAR ACCESSES ONTO KINGSWOOD CHASE

138, Kingswood Chase, Leigh-on-Sea

Town & Country Developments

D M Grew

1 The Proposal

- 1.1 To demolish existing dwelling and erect two detached houses. Both houses have similar accommodation with four bedrooms, but the house on Plot 1 is slightly deeper allowing the inclusion of a study on the ground floor. The design of the front elevations is basically the same for each plot, except that the floor plans are handed differently and the garages adjoin each other. A partly integral garage and two parking spaces are provided for each plot.

2 Location and Description

- 2.1 The site is on the east side of Kingswood Chase and is currently occupied by a large extended detached house with a double width garage. The area is one of mixed development of varying designs including terraces, and to the south is a detached house which is sited on the boundary on both sides. To the north is a pair of semi-detached houses, the one adjoining the application site having a two-storey garage/bedroom extension on the boundary.

3 Development Plan

- 3.1 BLP Policies H5 (Residential Design and Layout Considerations), C11 (New Buildings, Extensions and Alterations), T11 (Parking Standards) and Appendix 4 (Design and Layout Guidelines for Housing).
- 3.2 ESRSP Policy BE1 – Urban Intensification.

4 Planning History

- 4.1 May 1976 - approval of infill at ground floor level to provide kitchen, utility and shower rooms – SOS/403/76

5 External Consultation

- 5.1 Leigh Town Council - reply to be reported.

6 Internal Consultation

- 6.1 Design Comment – No comments on the principle of two houses in this location, however, the proposed designs make no reference to the character of the rest of the street and will therefore be visually detrimental.
- 6.2 Highway Comment – No objections.

7 Publicity

- 7.1 Site notice and neighbour notification - a letter stating no objection has been received from No. 44, Blenheim Chase which abuts the site to the north east. Objection letters have been received from the adjoining owner to the north and the prospective purchaser of that property on the grounds that light will be restricted entering the rear window of the room above the garage.

8 Appraisal

- 8.1 The main considerations are the impact on the street scene, the impact on neighbouring occupiers and any implications for parking.
- 8.2 As far as the design is concerned, as stated in paragraph 2.1 above, the road has a variety of house types and styles with a great diversity of architectural character, including some with exposed timbering to the front elevation, including a pair almost opposite. There is therefore no particular established style or character of design in the street and despite the Design Comment it is not considered that the application could be rejected on design grounds, there being many similar designs approved and built in various parts of the town in recent years. A change has been made to the front elevations however, by deleting tile hanging from the gables over the garages to avoid the use of too many different materials.
- 8.3 With regard to siting, the house types originally applied for have been transposed and one of the floor plans handed, so that a clear 1m gap has been left on the whole of the north and south boundaries of the plot to achieve some visual separation, since both of the adjoining properties are two storey on the boundary.
- 8.4 The transfer of house types also enables compliance with the 45 degree guideline as far as rear projection and the adjoining properties is concerned, as set out in Para. A4.18 (vi) of Appendix 4 of the Local Plan. The objections concerning rear projection from the adjoining property to the north are noted, but the room concerned has a window to the front as well as the rear and the guidelines refer to the main rear wall of the adjoining property as originally constructed, and this is the point from which the relevant angle has been measured. The house on Plot 1 will project 3.6 metres behind 140, Kingswood Chase which is slightly below the guideline maximum.
- 8.5 The proposals comply with the parking standards for four bedroomed houses, each having a total of three garages/spaces.

9 Recommendation

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

- 01 Start within 5 years (C001)**
- 02 Materials samples (CEAM)**
- 03 Parking to be provided as shown (CADF)**
- 04 Approved garage/parking space to be retained for parking (CAAF)**
- 05 Specified windows to be glazed in a particular way (CIAE)**
- 06 Boundary Treatment**

Chalkwell Ward

SOS/02/00667/FUL (Application for full planning permission)

RETAIN USE OF PROPERTY AS HOME FOR PERSONS RECOVERING FROM MENTAL ILLNESS, WITH COUNSELLING AND SUPPORT SERVICES AND ERECT ROOF EXTENSIONS TO SIDE ELEVATION

4 Cobham Road, Westcliff on Sea

Aran Homes Ltd

S Ives

Consideration of the application was deferred at the meeting of Development Control Committee on 27th June 2002 in order that amendments could be sought to the dormer windows. Amended plans had been requested and are expected before the meeting.

1 The Proposal

- 1.1 The application proposes the retention of the use of these premises as a property with assured shorthold tenancies for ten people who are recovering from mental ill health. Nine bedrooms are shown on the plan, together with an amenity room, communal kitchen, another kitchen, staff facilities and a smoking room.
- 1.2 Counselling and support services are provided by a manager plus three support staff with one support and one other member of staff on call over night.
- 1.3 The proposal also includes the erection of two flat roofed, tile hung roof extensions towards the rear, on the side facing roof slope. These will form staff accommodation.

2 Location and Description

- 2.1 The proposals relate to a large two storey semi-detached property with accommodation in the roof space, served by roof extensions. A conservatory exists at the rear.
- 2.2 The site is located on the east side of Cobham Road, just north of the junction with The Leas and Western Esplanade further south.
- 2.3 The area is characterised by large detached and semi-detached properties, many of which have been converted to flats, multiple occupancy or hotel accommodation. 38% of the properties in this street block have been converted away from single family dwellinghouse use, the site included.

3 Development Plan

- 3.1 ESRSP BE1 – Urban Intensification.
- 3.2 BLP Policies C11 (New Buildings, Extensions and Alterations), H3 (Retention of Small Family Houses), H4 (Preservation of Residential Uses), H5 (Residential Design and Layout Considerations), H6 (Protecting Residential Character), H8 (Residential Institutions), H9 (Non Self Contained Residential Accommodation), T11 (Parking Standards).
- 3.3 Visitor Accommodation Area.
- 3.4 EPOA vehicle parking standards.

4 Planning History

- 4.1 1981 – approval of change of use to ground floor flat to form annex to adjoining hotel at 2 (SOS/1216/80).
- 4.2 1982 – approval of formation of link between existing building at first floor level at 2 and 4 (SOS/989/82).

- 4.3 1983 – approval of change of use of flats to hotel annex (SOS/249/83).
- 4.4 1999 – approval of use of hotel annex as self-contained hotel (variation of condition 02 on planning permission SOS/249/83 and erect conservatory at rear) (SOS/99/0350). As yet unimplemented.
- 4.5 2001 – undetermined application for Certificate of Lawful Use for use of hotel and hostel (SOS/01/01053/CLP).
- 4.6 The lawful use of the property is unclear – it could be either a hostel (sui generis) or a hotel. (Class C1).

5 External Consultation

- 5.1 National Care Standards Commission – reply to be reported.

6 Internal Consultation

- 6.1 Design Comment – dormers are bulky and unattractive, however they have no public impact.
- 6.2 Highway Comment – no objections
- 6.3 Environmental Health Comment – reply to be reported.

7 Publicity

- 7.1 Site notice and neighbour notification – No representations received.

8 Appraisal

- 8.1 Care homes such as this fall to be assessed in accordance with Policy H8. This property has not been a house for some time so loss of single family dwelling house accommodation is not a consideration. Because of the previous uses, the impact within the street block is the same as for the proposed use, i.e. there will not be a detrimental change in the character of the street block if a hotel/hostel use is compared to the proposed care home use.
- 8.2 Whilst this change of use may involve the loss of an hotel within a Visitor Accommodation Area and the rates history states the most recent use as an hotel, the planning lawful use is unclear, hence the lack of a decision on the Certificate of Lawful Use application. A refusal of the current proposal for reasons of a loss of hotel accommodation is therefore considered to be problematic.
- 8.3 The rear roof extensions are large but are out of public view. However, these rooms contain habitable accommodation and are only 3.2m from the side boundary producing elevated overlooking of no 6, detrimental to residential amenities.
- 8.4 There does not appear to be a parking implication – it may be a positive one.

9 Recommendation

Subject to receipt of satisfactory amended plans.

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

- 01 Start within 5 years (C001)**
02 Materials to be submitted (CEDH)
03 Retain Parking

Milton Ward

SOS/02/00582 (Application for Full Planning Permission)

DEMOLISH PART OF REAR WALL OF BUILDING, ERECT SINGLE STOREY REAR EXTENSION, RE-POSITION CLINIC ENTRANCE AND STAIRCASE TO FIRST FLOOR FLAT

1A Trinity Avenue, Westcliff on Sea, SS0 7PU

Mr A Soomro

Design Associates

1 The Proposal

- 1.1 The application proposes the erection of a single storey rear extension, and the repositioning of the clinic entrance and staircase to the first floor flat. The single storey rear extension would form a new staff room, new consulting room and extend an existing consulting room. The external staircase would be repositioned approximately 1.5 to 1.7 metres to the west from its current position. A new balcony would be formed where the existing staircase use to be. The single storey extension would be approximately 8.6 metres spanning the width of the property. The proposals would extend 1.8 metres from the current building along the southern side and 2.8 metres along the northern side. The new consulting room would extend as far as 5.1 metres from the existing building in the centre of the extensions. The single storey element would be 3.5 metres high.

2 Location and Description

- 2.1 The proposals relate to a two storey semi-detached property located within the Shorefields Conservation Area along the western side of Trinity Road in an area of mixed uses. The property is in use as a surgery on the ground floor and residential on the first floor. The properties along Trinity Avenue are generally a mix of residential houses, flats and hotels. The buildings along the road are a mix of sizes and designs with semi-detached properties, detached properties and terraced properties. The house has brickwork at ground floor level and white rendered walls at first floor level. The roof is tiled with a chimney-stack located on the southern elevation of the property. There is a garden to the rear and front of the property. The property has no off street parking spaces.

3 Development Plan

- 3.1 ESRSP Policies BE1
- 3.2 BLP Policies C4 (Conservation Areas), C11 (New Buildings, Alterations and Extensions), H5 (Residential Design and Layout Considerations), Appendix 2 and Appendix 4

4 Planning History

- 4.1 1976 – permission granted to use ground floor flat as doctors surgery
- 4.2 1987 – permission granted to erect two storey extension and external staircase at rear
- 4.3 1998 – permission granted to install illuminated projecting sign to front elevation

5 Internal Consultation

- 5.1 Design Comment – no objection

6 Publicity

- 6.1 Press and site notice and neighbour notification – one response objecting on the grounds of overlooking, obtrusiveness, health issues (arising from the installation of x-ray equipment close to party wall) and the need for more staff.

7 Appraisal

- 7.1 The main considerations with the application are the affects on the neighbouring properties and any overlooking from the external staircase and balcony. The affects on the streetscene and the design of the extension will also be considered.
- 7.2 BLP guidelines state that single storey rear extensions should not exceed 3.65 metres from the rear main wall of adjoining properties. The proposed rear extension would project approximately 2.8 metres from the main rear wall of the adjoining property to the north. The property to the south is the Leas Hotel and is located on a corner plot fronting Westcliff Parade. The southern neighbour wouldn't be affected by the single storey element of extension, as the distance between the buildings would be approximately 10 metres. The neighbours to the rear of the property are approximately 25 metres away which is considered too greater distance to be affected. The BLP allows an additional 1-metre projection for each metre that the extension is set-in from the boundary up to a maximum of five metres. The centre part of the rear extension projects outwards the furthest approximately 5.2 metres from the main rear wall of the existing building. However, the neighbour to the north has a bay window projecting from the rear of the property which would reduce the distance to approximately 4.3 metres which is within the guidelines. The northern boundary is approximately 2.8 metres from where the proposed centre of the rear extension would be. Due to the isolation distance to the northern neighbour this may cause some loss of light to the northern neighbour but not enough to warrant grounds for refusal.
- 7.3 BLP states that the provision of external staircases in development proposals will normally be resisted by the Borough Council, as these tend to be visually obtrusive and can create daylighting and overlooking problems. In particular, primary access to residential accommodation via an unprotected external staircase to units above ground floor level will not be permitted. Such access to the rear garden will not normally be permitted where the staircase is likely to affect adversely the amenities of the housing units themselves and/or adjoining properties, or the rear garden is small (Less than 8 metres(26 feet)) in depth.
- 7.4 The external staircase would be moved approximately 1.5 – 1.7 metres from its current position as approved and constructed in 1987. The staircase would form a rear entrance to the first floor and would lead into the kitchen. A small balcony area (2.8m by 1.7m) would be formed above the single storey rear extension. The length of the garden is approximately 12 metres long by 9 metres wide. The external staircase would be positioned on the south-west corner of the building. The staircase would allow residents to overlook the neighbour's to the north and south. The neighbour's along the southern boundary would be more affected as the external staircase would allow the residents to overlook the guests of Leas Hotel. The staircase could also allow residents to overlook numbers 28 and 29 Westcliff Parade. The neighbour to the north wouldn't be significantly overlooked due to the position of the staircase on the south western part of the building. The external staircase already exists at the site and it is considered that the overlooking of neighbours, outlined above following the re-positioning of the staircase wouldn't significantly add to overlooking problems. The staircase and balcony area would be viewable from the streetscene from Trinity Avenue.
- 7.5 The demolition of a rear main wall would not affect any neighbours. The movement of the entrance to the clinic wouldn't cause any harm to the neighbours and would not affect the streetscene. The development of a new consulting room wouldn't affect the staffing levels or opening times of the surgery although a condition would be imposed to prevent the new X ray room turning into a consultants room. One neighbour has expressed concern regarding the X ray room in terms of health and safety however this is not a planning matter.

- 7.6 The design is considered acceptable and would not detract from the character of the conservation area. The rear extension wouldn't be viewable from the streetscene although the external staircase, small balcony area and new entrance to the clinic would be viewable.

8 Recommendation

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

- 01 Start within five years (C001) (D007)
- 02 Materials to match existing (CEDH) (DEAB)
- 03 No additional windows other than those shown (CIME) (DIAH)

Blenheim Park Ward

SOS/02/00745/OUT (Application for outline planning permission)

DEMOLISH WAREHOUSE/INDUSTRIAL UNITS AND 311 BRIDGWATER DRIVE; ERECT TWO 2 STOREY BLOCKS TOTALLING 20 FLATS; LAY OUT PARKING INCLUDING A SPACE FOR 656 PRINCE AVENUE AND A PARKING STRIP; CLOSE THE VEHICULAR ACCESSES ONTO PRINCE AVENUE AND BRIDGWATER DRIVE; FORM VEHICULAR ACCESS FROM SLIP ROAD (Outline) (Amended Proposal)

Rear of 660 Prince Avenue and 311 Bridgwater Drive, Westcliff-on-Sea, SS0 0HA

Mrs C Nolla and Mr S Teff

Design Associates

This report should be read in conjunction with the subsequent report on application SOS/02/00746/OUT.

1 The Proposal

- 1.1. Amended outline application with matters reserved for subsequent detailed consideration, except the siting and means of access. The proposal is to redevelop this former industrial/warehousing site with two blocks of flats totalling 20 no. 2 bedrooomed units.
- 1.2. The accesses to the site which exist off Bridgwater Drive and Prince Avenue would be closed to vehicular traffic and replaced by a single access/egress onto the slip road that runs parallel to Prince Avenue, off Mendip Crescent.
- 1.3. The buildings are shown to be sited in 2 x 2 storey blocks. The first is located a minimum of 11m from the boundary with the rear gardens of properties fronting Bridgwater Drive and a minimum of 10.5m from the boundary with the gardens of properties on The Mendips. The second block is located further north on the site and is a minimum of 9.5m from the boundary of the rear gardens of properties on Prince Avenue, 15m from the rear gardens of properties fronting Bridgwater Drive and a minimum of 9.5m from the boundary with the rear gardens of properties fronting Mendip Crescent.
- 1.4. Thirty parking spaces are shown to serve the flats. These are located largely in the north western and south eastern corners of the site, indicated as being separated from the boundaries in most cases by planting. The spaces are 2.38m by 4.8m each, separated by minimum 6m turning areas. A roadway runs through the site, accessing the parking area and running between the two blocks. This is 3.9m wide at its narrowest point. A refuse area is indicated to the rear of 313 Bridgwater Drive where wheelie bins will be provided for use by residents and refuse collectors.
- 1.5. A traffic calming strip and passing area are shown adjacent to the rear boundary of 662 Prince

Avenue, adjacent to the electricity sub-station, north of which is a car parking space for the use of 656 Prince Avenue. An 8m x 8m turning area is shown at the new vehicular entrance to the site, off the slip road and a parking strip (grasscrete or similar), capable of taking six cars is shown outside the site, on the greensward between the slip road and Prince Avenue, with a dropped kerb onto the slip road.

- 1.6. Amenity areas are indicated in two main areas of 440m² to the north of the northern block and 960m² to the south of the southern block.
- 1.7. The applicant has written as follows:
 - 1.7.1. *It is hoped that the concerns have been addressed by reducing the density and restricting the development to two storey blocks. The previous contaminated land investigation and Transport Statement should still be valid.*

2 Location and Description

- 2.1 A vacant site but with the old buildings remaining, formerly used as an industrial site, with general industrial uses having existed previously, in the form of car repairs in particular.
- 2.2 The site is located at the rear of residential properties 656-674 Prince Avenue, 264-234 Mendip Crescent, north of The Mendips and to the rear of 295-317 Bridgwater Drive. The locality is primarily residential in character, with a local commercial area to the west, on the junction of Prince Avenue and Bridgwater Drive.
- 2.3 Vehicular accesses to the site currently exist from two points on Bridgwater Drive, between 295-299 and between 309-313 and from Prince Avenue, between 656 and 662.
- 2.4 Some trees lie within the site and notably an oak tree close to the exit to Prince Avenue.
- 2.5 A slip road runs parallel to Prince Avenue, abutting the site in its north eastern corner, with a grass verge separating the slip road from Prince Avenue and a section of pavement separating the slipway carriageway from the actual site.
- 2.6 Buildings on the site at present consist of single, high single, two storey and high two storey buildings, some of which directly adjoin the boundaries with residential properties.
- 2.7 Due to the gaps between properties etc., glimpses of the site can be seen from Bridgwater Drive and Prince Avenue.
- 2.8 The site is relatively level in comparison to the surrounding locality.

3 Development Plan

- 3.1 ESRSP Policies CS1 – Achieving Sustainable Urban Regeneration, CS2 – Protecting the Natural and Built Environment, CS4 – Sustainable New Development, BE1 – Urban Intensification, 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, BIW4 – Safeguarding Employment Land, T12 – Vehicle Parking.
- 3.2 BLP Policies C11 (New Buildings, Extensions and Alterations), C14 (Trees, Planted Areas and Landscaping), C15 (Retention of Open Spaces), H1 (Housing Provision), H2 (Future Housing Needs), H5 (Residential Design and Layout Considerations), H6 (Protecting Residential Character), H7 (The Formation of Self-Contained Flats), E4 (Industry and Warehousing), (Proposal site P3t), U10 (Provision of Other Community Facilities), T1 – Sustainable Transport Strategy, T2 – Transport Investment Priorities, T8 (Traffic Management and Highway Safety), T11 (Parking Standards), Appendices 4 and 8. Recently adopted revised parking standards.
- 3.3 PPGs 1 (General Principles), PPG3 (Housing), PPG13 (Transportation)

4 Planning History

- 4.1 1948 – consent granted for a vehicle repairs shop (678)
- 4.2 1952 – consent granted for a cellulosing shop (5036)
- 4.3 1952 – consent granted for two workshops
- 4.4 1953 – consents granted for a store for cellulose spraying material, an amended plan of the workshop and a new store (6536, 6923 and 7142)
- 4.5 1954 – permission granted to use a building for stove enamelling (7743)
- 4.6 1954 – consent granted for an amended plan of the workshop (8732)
- 4.7 1954 – consent granted for an addition to the workshop (8029)
- 4.8 1956 – consent granted for a store and joinery assembly shop (11966)
- 4.9 1956 – consent granted for a garage and vehicle cleaning and polishing shop (12433)
- 4.10 1959 – permission granted for an extension to the joinery works (189520), with an amendment granted in 1960 (18952A)
- 4.11 1965 – permission granted to use the site as a builder's yard (U/140/65)
- 4.12 1970 – refusal of LPG storage tank and pump (D/654/70)
- 4.13 1972 – refusal of redevelopment of the site with warehouses (O/238/72)
- 4.14 1994 – permission granted to alter the vehicular access (SOS/94/0917)
- 4.15 February 2002 – refusal of application in outline to demolish warehouse/industrial units and 311 Bridgwater Drive, erect two blocks totalling 28 flats with parking and a parking strip, close vehicular access to Prince Avenue, Bridgwater Drive and form vehicular access from slip road (SOS/01/00593/OUT). Members felt that the proposed access arrangements, involving part of the grass verge in the slip road off Prince Avenue and concentration of the accesses from three points to one were unacceptable, and that three storey buildings would result in visual dominance over nearby properties, out of character in this backland position.

5 External Consultation

- 5.1 24 Seven – reply to be reported.
- 5.2 Environment Agency – reply to be reported.

6 Internal Consultation

- 6.1 Design Comment – no objections.
- 6.2 Environmental Health Comment – reply to be reported.
- 6.3 Highway Comment – reply to be reported.

7 Publicity

7.1 Press and site notice and neighbour notification – one letter of no objection. Two letters of objection as follows:

- ◆ Asbestos on roof of warehouse
- ◆ School children and the elderly use the access, removal of section of pavement used by them would be hazardous
- ◆ Increase in traffic using Mendip Crescent,
- ◆ Noise disturbance from the cars and use of cars, particularly within close proximity to houses, pollution from exhausts, dust and dirt of the building site and noise from people using the walkway
- ◆ Question the safety of children playing nearby
- ◆ Effect on wildlife
- ◆ Object to appearance
- ◆ Object re: highway safety
- ◆ Object re: local plan policies
- ◆ Overdevelopment with too many properties and three storeys is too high (in excess of 10m)

8 Appraisal

8.1 The issues to again be considered here include those of

- (i) the principle of loss of this employment generating site;
- (ii) highways and access issues;
- (iii) the impact on adjoining residential amenities;
- (iv) possible contamination of the site;
- (v) loss of a section of grass verge;
- (vi) site layout;
- (vii) provision of an element of affordable housing;
- (viii) a contribution towards education provision;
- (ix) refuse collection and
- (x) rights of access over parts of the site

However, the previous scheme was only refused on two grounds - unacceptable access arrangements and inappropriate three storey buildings - and it could be unreasonable to now raise other issues.

(i) Principle of loss of employment site.

This site is covered by proposal site P3t. This has been accepted in the recently adopted interim Employment Land policy as a site to which the employment safeguarding does not apply, as this site is one which is poorly located for its lawful industrial use. Accordingly the site is considered most appropriate for residential development, having regard to other local plan policies.

Residential development in the form of 20 flats is now proposed, which is, at approximately 56 dph, within BLP guidelines and considered to be acceptable.

(ii) Highways and Access Issues

It is noted in the annotation of the site as proposal site P3t that “additional land for access” is required. Ideally, access would have been proposed off Bridgwater Drive, necessitating removal of at least one residential property, however, the applicants have suggested closure of these 2 accesses, as well as the access direct to/from Prince Avenue. The access is proposed via the slip road from Mendip Crescent. Provided the parking of vehicles on the access turning bay is precluded, this is considered acceptable, although far from ideal and not the favoured option. It would need to be designed and constructed to adoptable standards and is included in a Section 106 Agreement for adoption.

The applicant’s previous travel assessment was accepted for a 28 flat development despite representations from neighbouring properties. Any increase in vehicles - **if** it occurs - is outweighed by the fact that lorries, vans, recovery vehicles and car transporters will be infrequent or non-existent visitors to the site if the proposal goes ahead – a positive impact on

the surrounding locality.

Anticipated traffic levels are relatively low – less than the potential restrictions on Mendip Crescent. The access via Mendip Crescent is potentially safer than the existing access directly to the A127 as access to the A127 will be via a visible road junction, not just an accessway. Any potential risk of vehicles turning into Mendip Crescent then into the service road are reduced by site flows being a lower risk than those associated with access direct from the A127.

The safety risk will be low concerning the entrance and exit from the site of vehicles. There will be more traffic on the service road therefore the risk of an incident will increase. The internal layout design will constrain vehicle speed such that with low pedestrian and vehicle flows the risk of an injury accident is very low.

Parking in the grass verge is acceptable from the highway point of view through construction of the layby at cost to the applicant including any utility service diversions (a resident's permit scheme for the layby may need to be considered)

Agreement to closure of the access to Bridgwater Drive to motor vehicles would need to be included in the S106 Agreement (or for use by cycles) (Bollards are proposed at the head of these accesses so that Bridgwater Drive residents can still access Bridgwater Drive).

A level route for pedestrians would need to be left for the area of footway which will be part of the access to the site, to remove the potential safety risk.

On some occasions during peak hours there is likely to be increased queuing on Mendip Crescent and the slip road accessing the development. These queues will either disperse over time or occupiers of the development may adjust their travelling times to suit. The level of on-site parking provision will constrain the total number of car trips that are possible. The applicant's trip rate figures are not unreasonable given the flatted development proposed, the restricted number of parking spaces and the use of nationally approved trip rate database.

It is expected that the safety risks of personal injury accidents on the highway associated with the proposed development would be less than the existing development – the existing and proposed uses are very different and the existing situation is not associated with any evidenced problems.

(iii) The Impact on Adjoining Residential Amenities

Siting of the buildings would need to be amended to improve the situation with regard to overlooking and loss of privacy as currently some of the windows are too close to residential boundaries, which will result in overlooking.

Otherwise, the proposed development has an acceptable impact on residents around the site. Refuse storage facilities can be controlled by condition – so that an enclosed building is proposed to avoid dispersal of rubbish. Access by commercial vehicles past residential buildings into the site will largely cease – improving the amenities of the properties concerned. Some existing buildings are much closer than the proposed buildings and as such, the outlook of some properties will be improved.

(iv) Site Contamination

Contamination levels are quite low and remediation can be undertaken prior to development, to remove the contaminants. This process should render the site developable for residential purposes.

(v) Loss of the Grass Verge

This is a proposal that is usually resisted by the Council on the basis of Policy C15 and refusal of permission to provide individual parking spaces on grass verges have occurred in the recent past, even when these have been for disabled driver use. However, use of part of this much larger grass verge for residents parking, to offset the space necessarily lost to gain access to

the site is in the wider public interest of developing this 'non-conforming site' for its identified residential purpose. An exception to normal policy relating to loss of open/planted areas is considered to be appropriate in this case and does not set a precedent for loss of other grass verges in the future.

(v) Site Layout

Apart from the issue raised in paragraph (iii) above, the blocks, access, amenity area and parking facilities are now arranged in a manner that complies with guidelines (subject to Highway Comment regarding access/turning for large vehicles). Parking provision is at the level of 1.5 spaces per flat and, bearing in mind the accessibility of the site to public transport in the form of numerous bus routes, this provision is considered to be acceptable. Bicycle parking facilities can be required by condition, at the rate of 2/dwelling (2 beds or more), 1/dwelling (1 bed) and 1/8 units (for visitors), under the recently adopted EPOA standards.

(vi) Affordable Housing

20% of the units are required as affordable housing units to help meet the housing waiting list needs of the Borough. This equates to six units, to be provided through a registered social landlord. Whilst the applicants have as yet failed to agree to six units, or the detail of the social landlord to be utilised they have said that they are prepared to enter into a S106 Agreement to deal with this.

(vii) Contribution towards Education Provision

On sites over 10 residential units, developers are being requested to contribute towards meeting the education places of the children 'created' by their development. This provision is to be provided at local schools that are at or above capacity but that also have the capability to expand if funds are made available. There appears to be capacity to expand the primary schools at Prince Avenue Primary, Earls Hall Infant and Junior schools and Eastwood Infant and Junior schools, but confirmation is awaited from DELL. The twenty bed units have been assessed as reasonably being expected to 'create' 3 secondary school age children, and 8.5 primary school age children. The pupil produce factor, multiplied by the number of units gives a financial contribution towards education provision. The applicants had previously indicated that they were prepared to enter into a Section 106 Agreement to deal with this.

(viii) Refuse Collection

As detailed in (iii) above, refuse storage facilities will be subject to detailed assessment at the reserved matters stage. However, the position of this facility is acceptable in terms of the impact on residential amenity and, provided wheelie bins are provided and the bollards at the head of the access are designed so as not to hinder collection of the refuse, this is an acceptable position for refuse collection.

(ix) Rights of Access Over Parts of the Site

As detailed in (ii) above, bollards are proposed at the head of the access roads to/from Bridgwater Drive. Additionally "access only for named properties and pedestrians" type signs, to deter mistaken access into the site would be needed at the entrances from Bridgwater Drive. Residents of a number of Bridgwater Drive properties would then retain access to their garage/parking areas and rear gardens.

8.2 Conclusion

The applicants have, subject to a satisfactory revised layout, met one of Members' objections to the previous scheme. Although the access arrangements have not be altered, Members are reminded that whilst having more than one access to the site would be preferable, in the context of the previous use of the site it would be difficult to justify refusal of permission for the current

proposal on highway grounds. The intensity of development has been decreased compared to SOS/01/0593.

9 Recommendation

Members are recommended to indicate that they have no objection in principle and to delegate the decision on the application subject to:

- ◆ **submission of revised layout to deal with the issues set out in para. 8.1(iii) and a response concerning (viii)**
- ◆ **a Section 106 agreement to deal with highway works and use of the grass verge, the provision of 20% affordable housing and possibly a contribution towards education provision,**
- ◆ **and subject also to the following Conditions:**
 - 01 Reserved matters submitted within three years**
 - 02 Development to begin within five years of outline contaminated land survey mitigation measures to be carried out**
 - 03 Access to be laid out, including level surface for pedestrians across access**
 - 04 Roads and turning areas to be laid out**
 - 05 Parking to be laid out**
 - 06 Parking to be retained**
 - 07 Cycle Parking to be provided and retained**
 - 08 Refuse storage provision to be provided and retained – details to be submitted**
 - 09 Landscaping scheme to be submitted**
 - 10 Landscaping to be implemented**
 - 11 Three accesses to be closed to vehicles – details to be submitted**
 - 12 Levels details to be submitted**
 - 13 Parking strip to be laid out in materials to be submitted.**

Informatives

- 01 Liaise on minimisation of disturbance during demolition and construction and possible presence of asbestos**
-

Blenheim Park Ward

SOS/02/00746/OUT (Application for outline planning permission)

DEMOLISH WAREHOUSE/INDUSTRIAL UNITS AND 311 BRIDGWATER DRIVE; ERECT TWO STOREY BLOCK OF 28 SHELTERED FLATS; LAY OUT PARKING INCLUDING A SPACE FOR 656 PRINCE AVENUE AND A PARKING STRIP; CLOSE THE VEHICULAR ACCESSES ONTO PRINCE AVENUE AND BRIDGWATER DRIVE; FORM VEHICULAR ACCESS FROM SLIP ROAD (Outline – Alternative Amended Proposal)

Rear of 660 Prince Avenue and 311 Bridgwater Drive, Westcliff-on-Sea, SS0 0HA

Mrs C Nolla and Mr S Teff

Design Associates

The report on this application should be read in conjunction with the preceding report on SOS/02/00745/OUT.

1 The Proposal

- 1.1 Outline application with matters reserved for subsequent detailed consideration, except the siting and means of access. The proposal is to redevelop this former industrial/warehousing site with a two storey block of 28 sheltered flats.
- 1.2 The accesses to the site which exist off Bridgwater Drive and Prince Avenue would be closed to vehicular traffic and replaced by a single access/egress onto the slip road that runs parallel to Prince Avenue, off Mendip Crescent.
- 1.3 The building is shown to be sited in one centrally placed block, located a minimum of 10m from the boundary with the rear gardens of properties fronting Bridgwater Drive and a minimum of 11m from the boundary with the gardens of properties on The Mendips, a minimum of 10.5m from the boundary of the rear gardens of properties on Prince Avenue and a minimum of 15m from the boundary with the rear gardens of properties fronting Mendip Crescent.
- 1.4 Fifteen parking spaces are shown to serve the sheltered flats. These are located in the north eastern and south eastern corners of the site, indicated as being separated from the boundaries by planting. The spaces are 2.38m by 4.8m each. A roadway runs through the site, accessing the parking area and a turning area.
- 1.5 A traffic calming strip and passing area are shown adjacent to the rear boundary of 662 Prince Avenue, adjacent to the electricity sub-station, north of which is a car parking space for the use of 656 Prince Avenue. An 8m x 8m turning area is shown at the new vehicular entrance to the site, off the slip road and a parking strip (grasscrete or similar), capable of taking six cars is shown outside the site, on the greensward between the slip road and Prince Avenue, with a dropped kerb onto the slip road.
- 1.6 Amenity areas are indicated on three sides of the building on its southern, western and northern sides. A refuse area is shown adjacent to the turning area, on the eastern boundary, at the rear of 252 Mendip Crescent.

2 External Consultation

- 2.1 24 Seven – reply to be reported.
- 2.2 Environment Agency – reply to be reported.

3 Internal Consultation

- 3.1 Design Comment – no objections.
- 3.2 Environmental Health Comment – reply to be reported
- 3.3 Highway Comment – reply to be reported.

4 Publicity

- 4.1 Press and site notice and neighbour notification – one letter of no objection, but concern about asbestos. Three letters of objection:
- ◆ School children and the elderly use the access, removal of section of pavement used by them would be hazardous
 - ◆ Increase in traffic using Mendip Crescent,
 - ◆ Noise disturbance from the cars and use of cars, particularly within close proximity to houses, pollution from exhausts, dust and dirt of the building site and noise from people using the walkway
 - ◆ Question the safety of children playing nearby
 - ◆ Effect on wildlife
 - ◆ Object to appearance
 - ◆ Object re: highway safety
 - ◆ Object re: local plan policies
 - ◆ Overdevelopment with too many properties and three storeys is too high
 - ◆ Pedestrian access needs lighting
 - ◆ Need speed humps

5 Appraisal

5.1 The issues to again be considered here include those of

- (i) the principle of loss of this employment generating site;
- (ii) highways and access issues;
- (iii) the impact on adjoining residential amenities;
- (iv) possible contamination of the site;
- (v) loss of a section of grass verge;
- (vi) site layout;
- (vii) provision of an element of affordable housing;
- (viii) refuse collection and
- (ix) rights of access over parts of the site

However, the previous scheme was only refused on two grounds - unacceptable access arrangements and inappropriate three storey buildings - and it could be unreasonable to now raise other issues.

- (i) Principle of loss of employment site.

This site is covered by proposal site P3t. This has been accepted in the recently adopted interim Employment Land policy as a site to which the employment safeguarding does not apply, as this site is one which is poorly located for its lawful industrial use. Accordingly the site is considered most appropriate for residential development, having regard to other local plan policies.

Residential development in the form of 28 sheltered flats is proposed here, which at approximately 78 dph is slightly below BLP guidelines for 2 storey sheltered development, but nevertheless felt to be acceptable

- (ii) Highways and Access Issues

It is noted in the annotation of the site as proposal site P3t that “additional land for access” is required. Ideally, access would have been proposed off Bridgwater Drive, necessitating removal of at least one residential property, however, the applicants have suggested closure of these 2 accesses, as well as the access direct to/from Prince Avenue. The access is proposed via the slip road from Mendip Crescent. Provided the parking of vehicles on the access turning bay is precluded, this is considered acceptable, although far from ideal and not the favoured option. It would need to be designed and constructed to adoptable standards and is included in a Section 106 Agreement for adoption.

The applicant's previous travel assessment was accepted despite representations from neighbouring properties. Any increase in vehicles - if it occurs - is outweighed by the fact that

lorries, vans, recovery vehicles and car transporters will be infrequent or non-existent visitors to the site if the proposal goes ahead – a positive impact on the surrounding locality.

Anticipated traffic levels are relatively low – less than the potential restrictions on Mendip Crescent. The access via Mendip Crescent is potentially safer than the existing access directly to the A127 as access to the A127 will be via a visible road junction, not just an accessway. Any potential risk of vehicles turning into Mendip Crescent then into the service road are reduced by site flows being a lower risk than those associated with access direct from the A127.

The safety risk will be low concerning the entrance and exit from the site of vehicles. There will be more traffic on the service road therefore the risk of an incident will increase. The internal layout design will constrain vehicle speed such that with low pedestrian and vehicle flows the risk of an injury accident is very low.

Parking in the grass verge is acceptable from the highway point of view through construction of the layby at cost to the applicant including any utility service diversions (a resident's permit scheme for the layby may need to be considered)

Agreement to closure of the access to Bridgwater Drive to motor vehicles would need to be included in the S106 Agreement (or for use by cycles) (Bollards are proposed at the head of these accesses so that Bridgwater Drive residents can still access Bridgwater Drive).

A level route for pedestrians would need to be left for the area of footway which will be part of the access to the site, to remove the potential safety risk.

On some occasions during peak hours there is likely to be increased queuing on Mendip Crescent and the slip road accessing the development. These queues will either disperse over time or occupiers of the development may adjust their travelling times to suit. The level of on-site parking provision will constrain the total number of car trips that are possible. The applicant's trip rate figures are not unreasonable given the flatted development proposed, the restricted number of parking spaces and the use of nationally approved trip rate database.

It is expected that the safety risks of personal injury accidents on the highway associated with the proposed development would be less than the existing development – the existing and proposed uses are very different and the existing situation is not associated with any evidenced problems.

(iii) The Impact on Adjoining Residential Amenities

Siting of the buildings does not entirely comply with guidelines and needs to be amended such that two storey buildings should be at least 10.7m from adjoining residential boundaries.

Otherwise, the proposed development has an acceptable impact on residents around the site. Refuse storage facilities can be controlled by condition – so that an enclosed building is proposed to avoid dispersal of rubbish. Access by commercial vehicles past residential buildings into the site will cease – improving the amenities of the properties concerned. Some existing buildings are much closer than the proposed buildings and as such, the outlook of some properties will be improved.

(iv) Site Contamination

Contamination levels are quite low and remediation can be undertaken prior to development, to remove the contaminants. This process should render the site developable for residential purposes.

(v) Loss of the Grass Verge

This is a proposal that is usually resisted by the Council on the basis of Policy C15 and refusal of permission to provide individual parking spaces on grass verges have occurred in the recent

past, even when these have been for disabled driver use. However, use of part of this much larger grass verge for residents parking, to offset the space necessarily lost to gain access to the site is in the wider public interest of developing this 'non-conforming site' for its identified residential purpose. An exception to normal policy relating to loss of open/planted areas is considered to be appropriate in this case and does not set a precedent for loss of other grass verges in the future.

(vi) Site Layout

Access, amenity area and parking facilities are now arranged in a manner that complies with guidelines (subject to Highway Comment regarding access/turning for large vehicles). Parking provision is at the level of 0.5 spaces per unit and, bearing in mind the accessibility of the site to public transport in the form of numerous bus routes, this provision is considered to be acceptable. Bicycle parking facilities can be required by condition under the recently adopted EPOA standards.

(vii) Affordable Housing

20% of the units are required as affordable housing units to help meet the housing waiting list needs of the Borough. This equates to six units, to be provided through a registered social landlord. Whilst the applicants have as yet failed to agree to six units, or the detail of the social landlord to be utilised they have said that they are prepared to enter into a S106 Agreement to deal with this.

(viii) Refuse Collection

As detailed in (iii) above, refuse storage facilities will be subject to detailed assessment at the reserved matters stage. However, the position of this facility is acceptable in terms of the impact on residential amenity and, provided wheelie bins are provided and the bollards at the head of the access are designed so as not to hinder collection of the refuse, this is an acceptable position for refuse collection.

(ix) Rights of Access Over Parts of the Site

As detailed in (ii) above, bollards are proposed at the head of the access roads to/from Bridgwater Drive. Additionally "access only for named properties and pedestrians" type signs, to deter mistaken access into the site would be needed at the entrances from Bridgwater Drive. Residents of a number of Bridgwater Drive properties would then retain access to their garage/parking areas and rear gardens.

5.2 Conclusion

The applicants have, subject to a satisfactory revised layout, met one of Members' objections to the previous scheme. Although the access arrangements have not be altered, Members are reminded that whilst having more than one access to the site would be preferable, in the context of the previous use of the site, it would be difficult to justify refusal of permission for the current proposal on highway grounds. The intensity of development has been decreased compared to SOS/01/0593).

6 Recommendation

Members are recommended to indicate that they have no objection in principle and to delegate the decision on the application subject to;

- ◆ **submission of a revised layout to deal with the issues set out in paragraph 8.1(iii) and a response concerning (viii)**
- ◆ **a Section 106 agreement to deal with highway works and use of the grass verge, the provision of 20% affordable housing and a limit on the age of occupants,**
- ◆ **and subject also to the following Conditions:**

- 01 Reserved matters submitted within three years**
- 02 Development to begin within five years of outline**
- 03 contaminated land survey mitigation measures to be carried out**
- 04 Access to be laid out, including level surface for pedestrians across access**
- 05 Roads and turning areas to be laid out**
- 06 Parking to be laid out**
- 07 Parking to be retained**
- 08 Cycle Parking to be provided and retained**
- 09 Refuse storage provision to be provided and retained – details to be submitted**
- 10 Landscaping scheme to be submitted**
- 11 Landscaping to be implemented**
- 12 Three accesses to be closed – details to be submitted**
- 13 Levels details to be submitted**
- 14 Parking strip to be laid out in materials to be submitted.**

Informatives

Liaise on minimisation of disturbance during demolition and construction and possible presence of asbestos

Thorpe Ward

SOS/02/00554 (Application for Full Planning Permission)

ERECT GROUND FLOOR EXTENSION AT REAR

76 Sandringham Road, Southend on Sea, Essex, SS1 2UG

S Pillai

E&J Drawings

1 The Proposal

- 1.1 The application proposes the erection of a ground floor extension at rear forming a new kitchen and an extended dining room. The extension would be on the east side of the building and would have materials to match the existing. The extension would be 3.65 metres long by 5.7 metres wide and by 4.25metres high. A wall would be built on the southern boundary.

2 Location and Description

- 2.1 The application relates to a mid-terraced house located on the east side of Sandringham Road in a residential area. The surrounding houses are of a similar size and style. The house is built from brick and has creamy white painted rendered walls. The property has a red tiled roof and room for one off- street parking space. An alleyway runs along the north side of the house providing access to the rear garden.

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) and Appendix 4

4 Planning History

- 4.1 1967 – Permission granted for vehicular access (B/1077/67)

5 Internal Consultation

- 5.1 Design Comment – No objections

6 Publicity

- 6.1 Neighbourhood Notification – One response attached to application in agreement to the dividing wall and foundations encroaching number 74

7 Appraisal

- 7.1 BLP guidelines state that single storey rear extensions should not exceed 2.75 metres from the rear main wall of adjoining properties. The proposal would project approximately 3.65 metres from the main rear wall of the adjoining property to the south, which breaches BLP guidelines and the proposed extension is seen to be detrimental to amenities of the adjoining neighbour to the south. The neighbour to the south would be affected as a proposed wall would be built along the boundary and would extend 3.65 metres from the rear main wall of 76, this breaches the guidelines. The neighbouring property to the north is approximately 1.2 metres from the northern boundary and would only slightly be affected, as there would be an isolation distance of 1.25 metres. The neighbours to the rear of the property are approximately 45-50 metres away which is considered too far greater distance to be affected.
- 7.2 The design of the proposal is seen as in keeping with the character of the house and would have materials to match the existing.

8 Recommendation

Members are recommended to REFUSE PERMISSION subject to the following conditions:

- 01 The proposed extension by reason of its size, projection and proximity to the neighbouring dwelling would be obtrusive and overbearing, to the detriment of the amenities of the occupiers thereof contrary to Policy H5 of the Southend on Sea Borough Local Plan**

Thorpe Ward

SOS/02/00553/FUL (Retrospective Application for Full Planning Permission)

RETAIN ERECT SINGLE STOREY EXTENSION TO REAR (AMENDED PROPOSAL)

553 Woodgrange Drive, Southend on Sea, Essex, SS1 3EJ

Mrs Joanne Burns

1 The Proposal

- 1.1 The proposal would measure 5.210 metres from the rear of the main building by 9.740 metres wide and to a height of 3.2 metres for the flat roof. A lantern window would be constructed above the flat roof and would measure 1.5 metres wide by 1.5 metres long by 1 metre high. The proposed extension is not square in shape with the furthest part projecting 5.2 metres along the eastern elevation. Along the west the elevation the extension projects 4.24 metres. The extension would have materials to match. The proposal would extend the living room and kitchen.
- 1.2 The property had permission in 2000 for a single storey rear extension and in 2001 had permission for a conservatory at rear. The resulting extension which has been built seems to be a combination of the single storey extension and the conservatory. It is a single storey rear extension but uses a similar floor layout to that of the approved conservatory. However, it is larger than both the conservatory and the single storey building.

2 Location and Description

- 2.1 The application relates to a two-storey detached house on the north side of Woodgrange Drive in a residential area, although the London Fenchurch Street – Shoeburyness railway track runs east-west immediately to the north. The house is built from brick, has an existing conservatory to the rear and there are similar sized properties to either side.
- 2.2 555 Woodgrange Drive has a single storey rear extension, which spans the entire width of the house and projects up to the existing main rear wall of No. 553. There is a door and ground floor window and a landing window at first floor level in the side elevation. No. 551 has no extensions. No. 553 has a shed in the rear garden over five metres away from the main house. (The main rear wall of No. 553 is in line with No. 551)
- 2.3 There is an isolation distance of approximately 1.5 metres to the boundary with No. 551 and an additional one metre on the other side of the fence and 0.93 metre to the boundary with No. 555.

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 (Design and Layout Guidelines for Housing)

4 Planning History

- 4.1 1967 – Permission granted for 3 detached houses with garages (D/297/67)
- 4.2 2000 – Permission granted to erect single storey rear extension (SOS/00/01144/)
- 4.3 2001 – Permission granted to erect conservatory at rear (SOS/01/00991)

5 External Consultation

- 5.1 Railtrack Comment – No objections

6 Internal Consultation

- 6.1 Design Comment – No comments

7 Publicity

7.1 Neighbour notification – One response objecting to the extension on grounds of ugly appearance and loss of light

8 Appraisal

8.1 The application is a result of a complaint from a neighbour through Planning Enforcement. The main issue considered with this proposal is the impact upon the neighbouring properties. The extension would not be visible from the street.

8.2 Paragraph A4.28 refers to single storey extensions to the rear of a property. It states that they will not normally be permitted to exceed 3.65 metres beyond the main rear wall of the adjoining properties. An additional one-metre projection may be permitted for each metre that the extension is set in from the boundary up to a maximum rear projection of five metres.

8.3 The extension projects 4.240 metres from the main rear wall of No. 551 Woodgrange Drive. There is an isolation distance of one metre to the western boundary that would allow the extension to project 4.65 metres. As the extension projects 4.240 metres it is within the BLP guidelines.

8.4 The building is larger than both the previously approved applications. Along eastern elevation the building is 0.25 metres longer than what was approved and along the western elevation of the building it is 0.6 metres long than was approved.

8.5 With respect to Number 555 there would be an isolation distance between the extension and the boundary of 0.93 metres. This would allow a single storey rear projection of 4.58 metres. Therefore this proposal breaches the guidelines by 0.61 metres.

8.6 The appearance of the extension matches the materials used on the existing building. The area is characterised by large, wide plots and due to this the curtilage of the property can facilitate the extension. The design of the extension is considered acceptable and there is a lantern window in the roof above the kitchen near the western elevation. The lantern window gives the design of the extension some character.

8.7 The rear gardens of the properties along the row are north facing. The property to the west would not experience any significant loss of light nor would the property to the east as the extension is north facing. The property to the east would receive sunlight in the morning although may lose some sunlight in the evening. If the extension was along the boundary this may have had a major impact on loss of light but extension is set-in 0.93 metres from the boundary and there is a further metre to the neighbour's property. There are two trees located near the north west corner of the neighbour's extension, which if the extension weren't there would still cause some of loss of light and overshadowing. The loss of light to the neighbour caused by the extension and its general impact, is not considered significant enough to have a major impact on the neighbour.

9 Recommendation

Members are recommended to GRANT PLANNING PERMISSION

West Shoebury Ward

SOS/02/00790/TEL (Application for Prior Approval)

ERECT 15M HIGH TELECOMMUNICATIONS MONOPOLE WITH TWO ANTENNAS, THREE DISHES, AN EQUIPMENT CABIN AND ASSOCIATED APPARATUS

Telephone Exchange, Campfield Road, Shoeburyness

1 The Proposal

- 1.1 To erect a 15m high telecommunications monopole with three dishes, two 300mm and one 600mm radius and two dual polar antennas at the top. The mast would be within a fenced compound together with an equipment cabin in the south-east corner of the grounds of the BT Exchange on Campfield Road.
- 1.2 The agent has submitted supporting information which is summarised as follows:

Coverage

The proposals seek to provide coverage over Shoeburyness and the submitted coverage plots show a gap in coverage and how coverage would be improved by this installation.

Choice of Site and Alternatives Considered

Various sites have been considered and assessed against the following factors:

- Will it satisfy the operator's siting requirements?
- Does or can the option fulfill the operator's other requirements including power supply with emergency backup, vehicular access, security, an ability to construct and maintain in compliance with Condam regulations and ICNIRP guidelines, and flexibility and scope to accommodate future requirements?
- Does or can the option have access to high capacity optical fibre networks and can it provide a satisfactory link for such to other immediately surrounding sites, consistent with the national rollout strategy?
- In order to reasonably satisfy the above, would the resultant form of development bring about an appreciably lower or higher environmental impact than using the Crown Castle site as proposed, having regard to any development plan designations and proximity to any sensitive receptors to visual impact?
- If appreciably lower is the option available to the operator on realistic terms?
- Are there any other relevant factors that might reasonably influence the selection of an option?

These sites were considered but rejected for the reasons stated:

- Coast Guard Tower, Ness Road - site could not be acquired
- Methodist Church, St Andrews Road - rejected by Church meeting
- St Andrews Church, St Andrews Road - rejected by Parish meeting
- Shoeburyness Leisure Centre, Delaware Road - owned by Southend Council where there is a moratorium against telecommunications equipment on their property or land.

Planning Policy

PPG8 and the Development Plan have been considered. Para 13 of PPG8 gives guidance on siting and an assessment against the factors indicate help demonstrate its acceptability:

- The height of the site in relation to surrounding land - telecommunications installations usually need to be sited at high points. However, the installation has been reduced in height to 15m, the minimum feasibly possible, and so should therefore not be unduly prominent from the wider area
- The site in relation to existing masts, structures or buildings, including of a historical or

traditional character

- The site in relation to residential property - the proposed site is located in as isolated a position as possible, and the closest residential properties are approximately 40m away. The installation has been located as far away from residential properties as technically possible at the site

Certification of Compliance with the ICNIRP Public Exposure Guidelines

At Half Power of Beam at 141 metres from the column, the emissions are 3,175 times less than the ICNIRP standard. At the Centre of Beam at 387 metres, the emissions are 11,849 times less than the ICNIRP standard. A Certification of Compliance accompanies the application.

2 Location and Description

- 2.1 The telecommunications equipment is proposed to be located in the south-east corner of the BT Telephone Exchange grounds. The Exchange building itself is single storey with parking area to the front (north) and a grassed area surrounded by post and wire fence to the east and south. There is a large microwave dish attached to the rear of the building.
- 2.2 Immediately east and south of the site is Gunners Park. There is no screening between the site and the park to the south but to the east is a mature line of trees at the boundary but within the park.
- 2.3 To the immediate west of the Telephone Exchange building and to the south-west are residential properties, the closest of which is 40m from the proposed tower.

3 Development Plan

- 3.1 ESRSP Policy BE8 (Telecommunications)
- 3.2 PPG8 : Telecommunications (August 2001)

4 Planning History

- 4.1 1976 - permission granted to incorporate MOD land within site in order to gain access to rear of existing building (SOS/209/76).

5 Internal Consultation

- 5.1 Design Comment - a mast of this size in this location would detrimentally affect the setting of Shoebury Garrison Conservation Area and many of the listed buildings. It should be refused.

6 Publicity

- 6.1 Site notices and neighbour notification - no replies but **the publicity period has not expired.**

7 Appraisal

- 7.1 The only considerations for applications such as this for *prior approval* of telecommunications proposals are the siting and appearance of the installation. PPG8 states that the factors to be considered concerning the appearance of the mast include materials, colour and design and design may include: dimensions; overall shape; and whether the construction is solid or forms an open framework. The planning authority should also with the developer consider the availability of alternative designs which might be suited to the local environment. Factors concerning siting may involve:

- The height of the site in relation to surrounding land;
- The existence of topographical features and natural vegetation
- The effect on the skyline or horizon
- The site when observed from any side, including from outside the authority's own area

- The site in relation to areas designated for their scenic or conservation value
- The site in relation to existing masts, structures or buildings, including buildings of a historical or traditional character
- The site in relation to residential property
- Any other relevant considerations.

PPG8 adds that "...the scope for landscaping and screening to reduce the impact of the development on its surroundings will be an important consideration".

The Government attaches considerable importance to minimising the number of radio and telecommunications masts and the sites for such installations. PPG8 advocates sharing of masts and sites where that represents the optimum environmental solution in a particular case and states that use should be made of existing buildings and other structures, such as electricity pylons, to site new antennas. *"Local Planning Authorities may reasonably expect applicants for new masts to show evidence that they have explored the possibility of erecting antennas on an existing building, or other structure. Conditions in code operators' licences require applicants to explore the possibility of sharing an existing radio site. This evidence should accompany any application made to the local planning authority whether for prior approval or for planning permission"*.

"If the evidence regarding the consideration of sharing existing masts and sites is not considered satisfactory, the planning authority....may be justified in refusing prior approval or planning permission for the development....An authority should, however, bear in mind the technical constraints upon network development in reaching any decision on an application before it".

- 7.2 ESRSP Policy BE8 states that the aim should be to minimise visual impact and that, where there is potential conflict with environmental objectives, such developments should only be allowed where there are no satisfactory alternative sites, reasonable prospect of sharing existing facilities or erecting antennae on existing buildings and no materials adverse effect upon townscape, traditional character and residential amenities.
- 7.3 The monopole, at 15m high, would be visible from a wide area. It would be partly screened from public view from certain angles but would be very prominent from others. For example, to the east there is a mature tree screen and only the upper part of the structure would be visible, however from Campfield Road itself to the front of the Telephone Exchange it would be clearly visible and from the south, within Gunners Park the entire structure would be fully visible. This part of the park is a corner which is screened off from the rest such that only the upper parts of the mast would be visible from within the vast majority of the park.
- 7.4 The outline application to develop Shoebury Garrison is a material consideration. Whilst planning permission has not yet been issued, members will recall the decision to approve subject to a Section 106 Agreement was made some time ago. The outline plans indicate the area to the rear of the Telephone Exchange to be developed for mixed use. If and when this takes place, the mast will not be open to full view from any part of the park but as this development is not expected to take place for a number of years, the situation on the ground at present overrides. In any event, the mast would be prominent from other public areas and from dwellings, the closest of which is only 40m away from the site.
- 7.5 The agents have submitted details of other sites which were considered, as set out above. Whilst, this does not appear to be a very comprehensive consideration of other sites and no information has been submitted about sharing other masts. It does appear that alternative locations have been considered.
- 7.6 Public concern about the effects of a proposal on health can be a material consideration. Paragraph 97 of the appendix to PPG8 takes this into account advising that health considerations and public concern can in principle be material considerations, to be given such weight as might be appropriate in the particular case. However, the paragraph goes on to say that it is the Government's firm view that the planning system is not the place for determining health safeguards and that if a proposal meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in determining an application to consider further the health aspects and concerns about them.
- 7.7 The Stewart Report concludes that the balance of evidence indicates that there is no general risk to health of people living near to such development as exposures are expected to be a small fraction of the guidelines. However, it recommended a precautionary approach to be taken with regard to the use of mobile phone technologies. The Government accepted this approach,

which is limited to specific recommendations in the report including the need to meet the stringent ICNIRP guidelines for public exposure to electromagnetic fields.

7.8 The anticipated exposure levels set out in the applicant's supporting information (at the end of 'The Proposal' section above) are very low, representing a small fraction of the guideline figure which has been chosen to accord with the precautionary approach recommended by the Stewart Report. This is particularly relevant in the absence of specific evidence to indicate that the current proposal would be likely to result in a perceptible risk to health. In the Government's view, local planning authorities should not implement their own precautionary policies eg by way of imposing a ban or moratorium on new telecommunications development or by insisting on minimum distances between new telecommunications development and existing development.

7.9 It is considered that any perceived health concerns do not provide sufficient reason to refuse this application on health grounds, particularly in the context of PPG8 and having inspected various appeal Inspectors conclusions on the matter.

8 Recommendation

Members are recommended to determine that PRIOR APPROVAL IS REQUIRED and to REFUSE PRIOR APPROVAL for the following reasons:

01 detrimental impact on visual amenities

Leigh Ward

SOS/02/00740/FUL (Application for Full Planning Permission)

USE GROUND FLOOR PUBLIC ENTERTAINMENT AREA AS CAFÉ (CLASS A3) WITH ASSOCIATED EATING AREAS AND CUSTOMER TOILETS (Variation of Condition 07 on planning permission SOS/02/00140/FUL dated 3rd April 2002)

11-13 Elm Road, Leigh on Sea SS9 1SW

Mr J Stringer

ACC Construction

1 The Proposal

- 1.1. To use the area shown on previously approved applications as a public entertainment area as an A3 (cold food, snacks and drinks) premises, comprising approximately 10 tables with chairs, perimeter seating, food preparation areas and display cabinets (for pottery and sculpture for sale). The central moveable tables can be cleared away for functions and fashion shows, to give an amenity area with the refreshments facility. Five staff will be employed and hours of use are envisaged at Monday-Saturday 7am-7pm.

2 Location and Description

- 2.1. Part two, part single storey and up to three storeys high former Cinema, located on the west side of Elm Road and running through to the right of way at the rear, opposite which is a single storey nursery.
- 2.2. Single storey shops lie to the north, again fronting the right of way and a block of public toilets lies to the south. Garages and a two storey restaurant lie to the south, fronting Elm Road and a variety of two and three storey commercial properties lie to the north.
- 2.3. A public footpath runs along a private service road off Elm Road to the south of 9 Elm Road. To the rear of 11-13 Elm Road between 29/35 and 37/45 Broadway West is publicly maintained pedestrian highway used by vehicles but with only private access; some parking takes place in this area. Where the highway runs into Rectory Grove it reduces to approximately 3m wide. Further west, the alleyways are privately owned except for a strip of public right of way running through from Rectory Grove (51/53) to Broadway West (71/89).
- 2.4. On Elm Road parking is restricted outside the site with waiting limited to one hour and opposite the site are double yellow lines.
- 2.5. The application building was formerly used as a bingo hall, then, for a short time as a discotheque and is currently being converted to an approved mixed residential/commercial development.
- 2.6. A passageway measuring approximately 1.95m (narrowing at points due to structural supports for the building) runs between 9 and 11 Elm Road.

3 Development Plan

- 3.1. Structure Plan Policies CS1 (Achieving Urban Regeneration), CS2 (Protecting the Natural and Built Environment), CS3 (Encouraging Economic Success), CS4 (Sustainable New Development), BE1 (Urban Intensification), BE2 (Mixed Use Development), TCR4 – Retail Developments, T3 – Promoting Accessibility and T12 – Vehicle Parking.
- 3.2. BLP Policies C11 (New Buildings, Extensions and Alterations), S1 (New Shopping Developments), S5 (Non-Retail Uses), L5 (Entertainment and The Arts), T11 (Parking Standards) and T12 (Servicing Facilities) and Appendix 8.
- 3.3. Primary Shopping Frontage running through to Secondary Shopping Frontage at the rear. Defined Shopping Area.

- 3.4. EPOA parking standards.

4 Planning History

- 4.1. 1969 – two refusal of permission to redevelop the site for a supermarket (13/69 and 0/50/69).
- 4.2. 1982 – two approvals of use of former cinema as bingo and social club (retrospective) and erect beer store (SOS/1217/81).
- 4.3. May 1997 – refusal of scheme for alterations and use as art and crafts centre, three retail shops and 14 flats (Outline) (SOS/97/0234). Refused for reasons relating to loss of a recreational facility contrary to BLP Policy L5 and absence of parking for the flats contrary to BLP Policy T11.
- 4.4. In dismissing the subsequent appeal, the Inspector stated, inter alia:
- 4.4.1. *Policy L5 encourages the retention and development of existing entertainment, cultural and arts facilities and the provision of new ones, in particular, by the establishment of a central community arts centre. Permission will not normally be given for proposals involving the loss of such facilities unless it can clearly be shown that these can no longer be justified or that improved alternative provision is available. Paragraph 6.21 of the supporting text states, inter alia, that in the interests of providing as varied and attractive an environment as possible for both residents and visitors, the Borough Council will encourage the retention and development of existing facilities and the provision of additional ones in accordance with policies contained elsewhere in this Plan.*
- 4.4.2. *No detailed evidence has been adduced by either party as to the entertainment needs of this part of the Borough. Such uses are subject to continuous change as required by the needs and demands of the wider public. I accept, however, that the premises may well have become uneconomical as a cinema and subsequently as a bingo hall. This latter use has been rendered uneconomical by the opening of a Mecca bingo hall in Southend and, to a lesser extent, by the advent by the National Lottery. No detailed local needs or shortfall in the provision for entertainment or the arts has been identified and, given the evidence you have adduced, it would appear to me that either of the schemes before me would be acceptable, in principle. However, it seems to me that a more detailed assessment of the two schemes should be undertaken to determine which of them would best meet the needs and aspirations of the local community and those of visitors to the Borough. The loss of the bingo hall per se does not, in my opinion, provide a sufficient reason for refusing consent given that the creation of some alternative entertainment or arts facility as proposed would accord with the final sentence of Policy L5.*
- 4.5. June 1997 – refusal of scheme for alterations and use as café/bar, three retail shops, public entertainment area and 14 flats (outline) (SOS/97/0374). Dismissed on appeal. (Inspectors comments above also related to this appeal).
- 4.6. March 1998 – refusal of application for alterations to front, side and rear elevations, provide 14 parking spaces within building at ground floor level with access from the rear and convert part of second floor into shop at rear; convert part of mezzanine floor into café/bar, part of first floor into public entertainment area and part of first floor into two self-contained flats; convert second and third floors and roof accommodation into 12 self-contained flats with balconies at front and rear (outline – amended proposal) (SOS/97/1054). The reason for refusal was that the traffic generated would exceed the environmental capacity of the access network and that the parking layout was unsatisfactory. This application was the subject of an appeal into which there was a Public Inquiry in October 1998.
- 4.7. July 1998 – refusal of application for alterations to front, side and rear elevations and convert part of ground floor into shop at rear; convert part of ground floor into café/bar at front and part of first floor into public entertainment area and part of first floor into two self contained flats; convert second and third floors and roof accommodation into 12 self contained flats with balconies at front and rear (Outline) (SOS/98/0531). The reason for refusal was that the proposal was contrary to Policy T11 of the Local Plan because of a lack of parking spaces for the flats, leading to additional pressure for on-street parking in the immediate vicinity of the site, unacceptable in this area of considerable parking stress. This application was the subject of an appeal that was also considered at the October, 1998 Public Inquiry.
- 4.8. September 1998 – application was to be reported to Development Control Committee but an appeal had been submitted. This application was to alter front, side and rear elevations, for 8

parking spaces with access from the rear, convert part of ground floor and mezzanine floor into café/bar at front, convert part of ground floor into 2 retail units at rear, convert part of first floor into public entertainment area and convert part of first floor into 2 self-contained flats, convert 2nd and 3rd floors and roof accommodation into 12 self-contained flats with balconies at front and rear (outline). Members indicated that they would have refused the scheme for reasons of inadequate parking for flats – contrary to Policy T11 and inadequate environmental capacity of access from the rear.

- 4.9. The Public Inquiry into all three of the above developments was held on 27th and 28th October 1998 and the scheme with eight parking spaces was allowed and the other two dismissed.
- 4.10. June 2001 – permission granted to alter elevations, convert ground floor into three shops and public entertainment area, convert first floor into six flats, one with accommodation on second floor, convert second and third floors and roof accommodation into ten flats with balconies (SOS/01/00209/FUL). Conditions restricted, inter alia, the hours of use of the public entertainment area and this area only being used for D1 and D2 purposes except concert hall, casino or dance hall; and provision made for the storage of refuse and waste. The details of that were agreed, showing two areas of refuse storage, one within the aforementioned alleyway.
- 4.11. April 2002 - approval of amendment to form layout of ground floor, provide alternative entrance to public entertainment area off Elm Road, enlarge shop at the rear and provide additional shopfront at rear (SOS/02/00/40/FUL). Conditions, inter alia, restricted the public entertainment area to D1/D2 use except a concert hall, casino or dance hall.

5 External Consultation

- 5.1. Leigh Town Council – oppose – should be retained as public amenity space.

6 Internal Consultation

- 6.1. Highway Comment – likely to lead to increased servicing which would take place in the street – very congested and further demands unwelcome. Need to ensure adequacy of refuse store.
- 6.2. Environmental Health – premises virtually enclosed and in close proximity to residential accommodation. Limited space for refuse storage and severe difficulties perceived with ventilation to accompany hot food preparation. Request conditions re: A3 use restricted to sale/consumption of cold food/hot beverages, hours of operation to be controlled, scheme of ventilation to be submitted, scheme of acoustic insulation to be submitted, details of refuse storage to be submitted.

7 Publicity

- 7.1. Site notice and neighbour notification – one letter received to date, 26 signature petition from other traders objecting on two grounds:
 - ◆ Enough restaurants offering a range of fare
 - ◆ Loss of public entertainment venue.

8 Appraisal

- 8.1. The Inspector on the appeals in 1997 recognised that the loss of the then bingo hall was not a problem per se but that another entertainment use was proposed so that scheme complied with Policy L5. The applicant has not produced a proposal for an alternative entertainment use elsewhere, nor evidence about the need or lack of need for an entertainment facility at these premises. The proposed use appears to contain entertainment elements e.g. display of art and further details of this have been requested, and whilst loss of the total entertainment element could be considered to be contrary to the Council's aim to retain entertainment facilities and contrary to Policy L5 this small facility would only have been of limited benefit to the local community. It is not felt that further refusal on the ground of the loss of the remaining "entertainment" floorspace would be supported on appeal.
- 8.2. If the use is to be accepted, there is no parking for this site. When the original scheme was agreed, the commercial elements had no parking facilities, only the flats had parking. Subsequently a scheme was agreed with no parking on site at all and that is the scheme being implemented. This is a sustainable site and lack of parking and servicing are not felt to render the scheme unacceptable in themselves.

8.3. Hot food sales use would not be able to be properly vented and should be discouraged.

9 Recommendation

Members are recommended to GRANT planning permission subject to the following conditions:

- 01 Start within 5 years
- 02 Restriction on use
- 03 Hours restriction

Informative

- 01 Previous conditions still apply

Victoria Ward

SOS/02/00716 (Application for Full Planning Permission)

INSTALL SIX ANTENNA, FOUR DISHES, AN EQUIPMENT CABIN AND ASSOCIATED APPARATUS

Southend Telephone exchange, 221 London Road, Westcliff on Sea, SS0 7BT

Orange PCS Ltd

Pasterfields Chartered Surveyors

1 The Proposal

1.1 Install two tripod mounted and four pole mounted antenna, four 0.6 metre dishes, and an equipment cabin and associated apparatus.

1.2 The applicant has provided supporting evidence for the application as follows:

Declaration of Conformity with the ICNIRP Public Exposure Guidelines

Levels of emissions at different distances from the mast were not included in the proposal

Evaluation of Proposals

Recently revised PPG8 continues to stress the benefits of modern telecommunications and the longstanding encouragement towards such development as being essential to a modern economy and contributing to sustainable objectives.

In view of this authorities are advised in PPG8 to respond positively to proposals for telecommunications development and to understand the associated special problems and technical needs.

PPG8 also emphasizes the significance of national networks and the context of the proposed installation in this regard is explained above, together with the coverage plots submitted.

PPG8 also recognizes the need to strike a balance between operational and environmental considerations. The operators own 10 Commitments are and industry response to introduce a process to better help strike the balance with local authorities. The process leading up to this application has been properly followed leading to such a balance being struck in this case.

Paragraph 66 of the Supplementary Guidance to PPG8 clearly states that in order to limit visual intrusion the Government attaches considerable importance to keeping the number of radio and telecommunications masts and of the sites for such installations to a minimum. It is clear that operators should mast or site share, including using existing buildings, whenever possible and this is reflected as a requirement of their licences. This proposal is consistent with this approach as it is already used for telecommunications use.

Paragraph 66 and 67 puts the onus on operators to demonstrate why a new mast site is necessary, requires them to provide compelling evidence that mast and site sharing, including the use of existing buildings has been properly explored as an option first.

Justification for the Site

Three other sites proved unsuitable and/or unavailable. These were the Geoff Bray dealership on Milton Road but the landlord was not interested. Two residential blocks adjacent to the exchange were looked at because of their height but discounted because of the current occupiers and there was a superior option. Hence this application.

There are specific operational reasons why BT Exchange site has been selected and its operational attributes are not readily found elsewhere.

2 Location and Description

- 2.1 A five and seven storey building with surrounding car park on the west side of North Road. Commercial properties fronting London Road are to the south and a junior school to the north. Vehicular access to the site exists off North Road and Summercourt Road.

3 Development Plan

- 3.1 Essex and Southend on Sea Replacement Structure Plan Policy BE8 (Telecommunications)
- 3.2 PPG8: Telecommunications (August 2001)

4 Planning History

- 4.1 None relevant to this application

5 Internal Consultation

- 5.1 Design Comment – No objection

6 External Consultation

- 6.1 CAA – conflicts with aerodrome safeguarding parameters as it penetrates the “Inner Horizontal Surface” around Southend Airport, therefore advise against the proposed development.

7 Publicity

- 7.1 Site Notice and Neighbour Notification – Three replies all objecting on the following grounds:
- ◆ Potential health hazards
 - ◆ Electrical interference
 - ◆ Unsightliness

8 Appraisal

- 8.1 This proposal raises the following issues: appearance, perceived health risk and airport safety.
- 8.2 PPG8 on siting and design encourages applicants to work with local planning authorities to seek suitable sites, within their operational requirements, to reduce the visual and environmental impacts of development. In particular, to mast share, affix antenna to existing structures (e.g. pylons) or buildings.
- 8.3 The proposed antenna and dishes would not cause demonstrable harm to the visual appearance of the building or the street scene due to the nature of the building and moderate amount of existing antenna on the roof.
- 8.4 Therefore the proposal accords with PPG8 in that it meets both the applicants operational details and lessens the environmental impact of the proposal by affixing the proposed antenna to an existing structure.

- 8.5 Public concern about the effects of a proposal on health can be a material consideration. Paragraph 97 of the appendix to PPG8 takes this into account advising that health considerations and public concern can in principle be material considerations, to be given such weight as might be appropriate in the particular case.
- 8.6 However, the same paragraph concludes that in the Governments view, if a proposal meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in determining an application to consider further the health aspects and concerns about them.
- 8.7 The Stewart Report concludes that the balance of evidence indicates that there is no general risk to health of people living near to such development as exposures are expected to be a small fraction of the guidelines. However, it recommended a precautionary approach to be taken with regard to the use of mobile phone technologies. The Government accepted this approach, which is limited to specific recommendations in the report including the need to meet the stringent ICNIRP guidelines for public exposure to electromagnetic fields.
- 8.8 The anticipated exposure levels set out in the supporting information are very low, representing a small percentage of the guideline figure which has been chosen to accord with the precautionary approach recommended by the Stewart Report. This is particularly relevant in the absence of specific evidence to indicate that the current proposal would be likely to result in a perceptible risk to health. In the Governments view, local planning authorities should not implement their own precautionary policies e.g. by way of imposing a ban or moratorium on new telecommunications development or on insisting on minimum distances between new telecommunications development and existing development.
- 8.9 There is not felt to be justification to refuse the application on the grounds of perceived health risk, particularly in the context of PPG8.
- 8.10 However, Circular No, 2/92: Safeguarding Aerodromes, etc states that certain civil aerodromes are officially safeguarded based on their importance to the national air transport system or their strategic importance. An Official safeguarding map is sent to each local planning authority within the area affected as specified by the legend on the safeguarding map. These maps are certified and issued by the CAA.
- 8.11 The maps are designed to indicate which types of planning application should be subject to consultation with the CAA or MOD. Planning permission should not be refused simply because the proposal is one requiring consultation, nor should new buildings be automatically restricted to a certain height in safeguarded areas.
- 8.12 Southend Airport is one such safeguarded area and the proposed flagpole at 13 metres high above ground level and would subsequently penetrate the Inner Horizontal Surface around Southend Airport by 4.03 metres. Therefore the proposal is considered detrimental to the safeguarding of Southend Airport and contrary to Circular No. 2/92.

8.13 With regard to the issues raised by correspondence:

- ◆ Potential health hazards are covered above
- ◆ Electrical interference is not a material planning consideration it is covered by separate legislation
- ◆ Unsightliness is covered above

9 Recommendation

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

01 Detrimental to airport safety

Milton Ward

SOS/02/00260/FUL

(Application for Full Planning Permission)

CONVERT FORMER PRINTING WORKS INTO TWO FLATS, ERECT PART SINGLE PART TWO STOREY REAR EXTENSION TO FORM FLAT, FORM TWO ROOF GARDENS; EXTERNAL ALTERATIONS

172-180 Station Road and 28-30 Seaforth Road, Westcliff on Sea

Cordite Investments

New World Designers

1 The Proposal

- 1.1 Planning permission is sought to use the ground floor former printing works as two studio flats of almost 50m² each and to erect a part single part two storey extension over the existing flat roof single storey part of the building which fronts Seaforth Road to form a new two bed flat with roof garden. A larger roof garden would be provided for the existing second floor flat.
- 1.2 The two storey part of the extension would provide a corner bay feature to match the existing bay.

2 Location and Description

- 2.1 The property is at the western end of a terrace of mainly commercial premises fronting Station Road and is at the junction with Seaforth Road. The part fronting Station Road is two storey with three storey at the side facing Seaforth Road and has a flat roofed single storey part attached which has been vacant for some time but was formerly used as a printing work. The ground floor front part of the building together with part of the first floor is in use as offices by the applicants. The remainder of the first and second floors are being refurbished for use as flats.
- 2.2 Seaforth Road is a residential area with many flats and several HMOs.
- 2.3 There is no off-street parking with the premises although parking does take place on the forecourt/footpath at the side. The single storey part of the building abuts an unmade access which leads to the rear of the properties fronting Station Road and to parking areas.

3 Development Plan

- 3.1 PPG3 : Housing and PPG13: Transport
- 3.2 ESRSP Policies BE1 (Urban Intensification), H3 (Location of Residential Development), BIW4 (Safeguarding Employment Land), T12 (Vehicle Parking).
- 3.3 Interim Policy on Providing and Safeguarding Employment Land (October 2001).

3.4 BLP Policies H5 (Residential Design and Layout Considerations), H6 (Protecting Residential Character), H7 (The Formation of Self Contained Flats), E4 (Industry and Warehousing), E5 (Non-Residential Uses Located Close to Housing), S5 (Non-Retail Uses), S9 (Retention of Secondary Shopping Frontages), T11 (Parking Standards)

3.5 EPOA Vehile Parking Standards (August 2001)

4 Planning History

4.1 28-30 Seaforth Road was used as a print shop since at least January 1990 and The Estuaries have had offices on the ground and first floor for some years.

4.2 February 2000 - permission refused to use ground floor offices and printing works (Class B1) for educational purposes in association with use of first and second floor offices (B1) for non-self-contained residential purposes. The reasons were that there would be undue clustering of non-self-contained residential accommodation in the area and that the classrooms would be detrimental to residential amenities. An appeal was lodged against this refusal but was withdrawn.

4.3 November 2001 - permission granted to retain two offices and two flats (SOS/01/01034). This was the ground and first floor offices and two flats on the first and second floors.

5 External Consultation

5.1 The Environment Agency - advisory comments made.

6 Internal Consultation

6.1 Design Comment (on original plans) - the proposed extension is unacceptable in its present form. In particular it conflicts with the existing bay the window proportions do not match, the boarding is inappropriate and it lacks interest. Some kind of corner turret overlooking the view should be considered. Comment on amended plans to be reported

6.2 Highway Comment (on original plans) - the parking space is shown outside the site curtilage and cannot therefore be considered as an acceptable off-street parking space. Part of the space is also adopted public footway and parking on it would involve an illegal act. The lack of parking provision could lead to additional on-street parking which is already stressed in this area. The area is reasonably well-served by public transport and the shops in Hamlet Court Road are nearby so car ownership is not as important here as in some other cases. (The parking space which was shown has now been deleted).

6.3 Environmental Health Comment: no objection.

7 Publicity

7.1 Site notice and neighbour notification - one letter of objection with an attached petition signed by 8 residents of Station Road and Seaforth Road. Grounds of concern are lack of parking; fire access to rear of the shops and flats in Station Road may be blocked due to cars parking in this access; further HMOs will cause more chaos and drain the very limited amenities that are left to existing residents.

Due to re-notification on the amended plans the publicity period has not expired.

8 Appraisal

- 8.1 This building now contains or has permission for 4 flats on first and second floors and offices on the ground and first floor. There is not parking with the site but the location, opposite Westcliff Station and close to the shops and other facilities on Hamlet Court Road, make this a sustainable location where flats with no parking spaces would be justified and in line with the EPOA standards.
- 8.2 The proposal would result in there being 7 flats within the building which is fairly intensive, but the additional flats are considered acceptable in view of:
- the removal of the former printing works use which would be likely to generate more vehicular movements than two small flats due to deliveries etc;
 - the fact that the appearance of the building will be improved overall by removing the unsightly single storey parking and introducing more interest;
 - the flats are of a reasonable standard in terms of size and layout;
 - there will be no detrimental impact on neighbouring properties.
- 8.3 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:
- the site has given rise to or has the potential to give rise to complaint, or redevelopment would have significant townscape benefits and
 - evidence is provided to demonstrate that the premises are not suitable for business purposes due to environmental factors, 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 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, and that long-term vacancy exists, normally of 12 months or more.
- 8.4 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.
- 8.5 In this particular case it is considered that there are overriding reasons for the former printing works use to be replaced by flats. This part of the building has been vacant for some considerable time, has a poor appearance which will be greatly improved by the proposed development, has no parking and is in close proximity to residential properties. Additional information on the printing works has been requested from the applicants, but it is considered that an exception to the employment policy could reasonably be made.
- 8.6 Following discussions with officers, the plans have been amended so that the design is now much improved and will result in a significant improvement to the overall appearance of these large premises. However some concern remains with regard to the rear elevation and further amendments have been requested.

- 8.7 There is no external area for refuse storage and the previous permission to retain two flats and two offices contained a condition requiring details of refuse storage to be submitted with an informative stating that this would have to be an internal area. This is now even more important with the more intensive development now proposed and the Agent has been asked to consider this and amend the plans accordingly.

9 Recommendation

Members are recommended to indicate that they have no objection in principle and to delegate the application subject to amended plans and expiry of publicity period and subject also to the following conditions:

- 01 start within five years (C001)**
- 02 materials to be submitted**
- 03 refuse storage arrangements to be approved (CKAE)**
- 04 windows to match those existing**

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.

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KEY

ENF	=	Enforcement Report
SV	=	Pre-Meeting Site Visit Report