

Southend-on-Sea Borough Council

Agenda
Item

Report of the Corporate Director of Place
To
Development Control Committee
On
08th July 2015

Report(s) on Pre-Meeting Site Visits

A Part 1 Agenda Item

WARD & TIME	APP/REF NO.	ADDRESS	PAGE
West Leigh	15/00315/FUL	Chartwell Private Hospital 1629 London Road	3
Shoeburyness	14/00566/OUTM	Land Between Barge Pier Road And Ness Road Shoeburyness	13

Depart Civic Centre at: 11.00am

DEVELOPMENT CONTROL COMMITTEE

SITE VISIT PROTOCOL

Purpose of Visits

- (i)** The purpose of the site visits is to enable Members to inspect sites of proposed developments or development which has already been carried out and to enable Members to better understand the impact of that development.
- (ii)** It is not the function of the visit to receive representations or debate issues.
- (iii)** There will be an annual site visit to review a variety of types and scales of development already carried out to assess the quality of previous decisions.

Selecting Site Visits

- (i)** Visits will normally be selected (a) by the Corporate Director of Enterprise, Tourism & the Environment and the reasons for selecting a visit will be set out in his written report or (b) by their duly nominated deputy; or (c) by a majority decision of Development Control Committee, whose reasons for making the visit should be clear.
- (ii)** Site visits will only be selected where there is a clear, substantial benefit to be gained.
- (iii)** Arrangements for visits will not normally be publicised or made known to applicants or agents except where permission is needed to go on land.
- (iv)** Members will be accompanied by at least one Planning Officer.

Procedures on Site Visits

- (i)** The site will be inspected from the viewpoint of both applicant(s) and other persons making representations and will normally be unaccompanied by applicant or other persons making representations.
- ii)** The site will normally be viewed from a public place, such as a road or footpath.
- (iii)** Where it is necessary to enter a building to carry out a visit, representatives of both the applicant(s) and any other persons making representations will normally be given the opportunity to be present. If either party is not present or declines to accept the presence of the other, Members will consider whether to proceed with the visit.
- (iv)** Where applicant(s) and/or other persons making representations are present, the Chairman may invite them to point out matters or features which are relevant to the matter being considered but will first advise them that it is not the function of the visit to receive representations or debate issues. After leaving the site, Members will make a reasoned recommendation to the Development Control Committee.

Version: 6 March 2007

Reference:	15/00315/FUL
Ward:	West Leigh
Proposal:	Erect two storey rear extension and first floor rear extension
Address:	Chartwell Private Hospital, 1629 London Road, Leigh-On-Sea, Essex, SS9 2SQ
Applicant:	Mr S. Woolridge (Chartwell Asset Management Ltd)
Agent:	Mr P. Roberts (Architects LE1)
Consultation Expiry:	15/04/15
Expiry Date:	25/04/15
Case Officer:	Ian Harrison
Plan Nos:	1615-06-A3 A, 1615-08-A3 C, 1615-04-A1 A and 1615-05-A1 J
Recommendation:	GRANT PLANNING PERMISSION



This application was deferred from Development Control Committee on 3rd June in order that Members undertake a site visit.

1 The Proposal

- 1.1 The application proposes the erection of a two storey extension and a first floor extension at the rear of the existing building.
- 1.2 The proposed two storey rear extension would be positioned at the East end of the rear elevation, flush with the East elevation which fronts onto Sydney Road. The proposed extension would measure 2.6 metres deep and 4.1 metres wide with a 6.3 metre tall flat roof that would match the height of the existing building. The additional floorspace would be used as a bin store at ground floor and a staff changing area at first floor.
- 1.3 The proposed first floor rear extension would be provided above an existing flat-roofed single storey rear projection. The proposed extension would measure 1.7 metres deep and 10.1 metres wide, with a flat roof built to a height of 6.1 metres. The floorspace would be used to provide an extension to an existing staff rest room and a staff kitchen.
- 1.4 Officers have been made aware that North is incorrectly labelled on some of the plans. The applicant has submitted amended plans to correct this matter.

2 Site and Surroundings

- 2.1 The application site is located at the junction of London Road and Sydney Road. The site measures 26 metres deep and 28 metres wide and contains two storey that is used as a medical centre.
- 2.2 The surrounding area is characterised by featuring a mixture of commercial and residential properties, with commercial properties located at ground floor within London Road and residential properties to the North.
- 2.3 It has been drawn to the Council's attention that the building at the site, shown as the existing building on the plans that have been submitted with the application, was not built in accordance with the plans that were approved under the terms of application 05/00537/FUL. It appears from the approved plans in 2005 that the ground floor was to be stepped so that there was a first floor overhang over part of the north-east corner. However, it appears that the overhang was omitted and the ground floor was built to match the approved first floor. Having reviewed the original planning permission, the setback of the first floor level to the boundary with 1 Sydney Road at the corner of the building was shown as 4.2m (this compares to a 4.6 metre separation distance as built). The elevation of the building fronting Sydney Road is set back 5.07m from the back edge of footpath. The approved plan for the extension in 2005 showed a setback of 5.3m at first floor level and 5.45m at ground floor level. This difference is not considered material in terms of its impact in the streetscene or on surrounding properties. It is however the case that the extension has been in place for more than four years and as such the extension is immune from enforcement action due to the time limits set out at section 172 of the Town and Country Planning Act 1990.

- 2.4 It has also been drawn to the Council's attention that parking has not been provided at the site in accordance with the requirement of condition 3 of planning permission 05/00537/FUL and therefore the use of the site appears to be in breach of that condition. This matter will be discussed further below.

3 Planning Considerations

- 3.1 The key considerations are the principle of the development, design and impact on the character of the area, impact on residential amenity and highway implications.

4 Appraisal

Principle of the Development

The National Planning Policy Framework, DPD1 (Core Strategy) policies KP2, CP1 and CP4, Borough Local Plan Policies C11, and U6 and Emerging Development Management DPD Policies DM1 and DM15.

- 4.1 This proposal is considered in the context of the Borough Council policies relating to design. Also of relevance include Core Strategy DPD Policies KP2 and CP4. These policies and guidance support extensions to properties in most cases but require that such alterations and extensions respect the existing character and appearance of the building. It should be noted that high quality good design is fundamental of new development and its importance is reflected in the National Planning Policy Framework as well as Policies C11 and H5 of the Local Plan, Policies KP2 and CP4 of the Core Strategy, and the Design and Townscape Guide (SPD1) states that the Council is committed to good design and will seek to create attractive, high-quality living environments.
- 4.2 Section 11.2 of SPD1 states that the feasibility of extending commercial schemes will be assessed on a site by site basis. It is also stated that in some cases it may not be possible to extend and alternative premises should be sought.
- 4.3 Policy U6 addresses non-residential health care facilities and sets out that developments should maintain the character and amenities of residential streets, should not cause the loss of a residential property and meet layout, design and parking standards. As the extension of an existing facility, subject to the detailed considerations that are set out below, it is considered that no objection should be raised to the principle of the proposed development.
- 4.4 In this instance it is considered essential to note that planning permission was granted for an identical development under the terms of application 10/02026/FUL. Although that permission has now expired and the national and local planning policy background has evolved in the interim period, it is considered that policy U6 remains equally applicable and therefore the previous decision should carry significant weight in the determination of this application. Unless policies or circumstances have changed in the interim period, it is considered that it would be unreasonable to reach a different decision in respect of this application.

Design and Impact on the Character of the Area:

The National Planning Policy Framework; DPD1 (Core Strategy) policies KP2 and CP4; BLP policies C11, H5 and U6 Emerging Development Management DPD Policy DM1 and the Design and Townscape Guide.

- 4.5 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF as well as Policy DM1 of the emerging Development Management DPD, policies C11 and H5 of the Local Plan and policies KP2 and CP4 of the Core Strategy. The Design and Townscape Guide (SPD1) also states that the Council is committed to good design and will seek to create attractive, high-quality living environments.
- 4.6 In determining an appropriate contextual relationship with surrounding development, factors such as height, scale, massing and siting are material considerations. Details such as architectural style, along with colour texture of materials, are also fundamental in ensuring the appearance of any new development is sympathetic to its surrounding and therefore wholly appropriate in its context.
- 4.7 The NPPF states that *“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”*.
- 4.8 The Design and Townscape Guide (SPD1) states that *The successful integration of any new development is dependent upon the appropriate scale, height and massing in relation to the existing built fabric. Buildings that are over scaled will appear dominant... the easiest option is to draw reference from the surrounding buildings.”*
- 4.9 The character of the surrounding area is defined by buildings of generally two storey scale, with intermittent single storey buildings. The extensions would be visible from Sydney Road, but have no impact on the character of the more prominent London Road frontage.
- 4.10 The proposed extensions would be of a scale and appearance that replicates the existing building and represent relatively small additions to the existing building. It is considered that the extensions are proposed in the visually most appropriate form and are therefore in accordance with the abovementioned policies.
- 4.11 As set out above, planning permission has previously been granted for the proposed development. Although the planning policies have changed in the interim period, it is considered that their content and general direction has remained the same and the character of the surrounding area has not materially changed. It is therefore considered that it is appropriate to act consistently and continue to support the proposed development.

Traffic and Transport Issues

The National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4; BLP policies T8, T11 and U6 and Emerging Development Management DPD Policy DM15.

- 4.12 Policy T11 requires the provision of adequate parking and servicing facilities. The Essex Planning Officers Association (EPOA) set out the requirements for each use, stating that a medical centre should be provided by parking at a rate of 1 space per 4 members of staff and one space per consulting room. Policy U6 compounds the relevance of these standards by stating that *“where additional consulting rooms are proposed...a commensurate increase of off-street parking facilities in accordance with currently adopted standards will be required. Where this cannot be provided in an acceptable manner the application will be refused.”* These standards are to be amended by the emerging parking standards that are set out within policy DM15 of the Emerging Development Management DPD by changing the maximum parking provision to 3 spaces per consulting room and one space per member of staff. The Parking Standards continue to be expressed as maximum standards and public transport is available in the locality.
- 4.13 In this instance it is considered relevant to note that the additional floorspace that is proposed is not shown to be used as consultancy rooms, but would be used to provide improved storage and staff facilities. It is therefore considered that the proposed development would not justify an increased provision of parking at the site and therefore the proposal remains in accordance with the maximum parking standards that are set out above.
- 4.14 As set out above, it is the case that 24 parking spaces are not currently provided at the site in accordance with a condition that was imposed in relation to planning permission 05/00537/FUL. However, it would remain possible to provide a parking space, that complies with the size requirements of the Local Planning Authority, in front of the two storey extension hereby proposed and therefore this proposal would not cause an overall reduction of parking spaces at the site. The breach of the abovementioned planning condition with respect to parking at the site can be the subject of a separate planning enforcement investigation which is not considered to be of relevance to this application.

Impact on Residential Amenity:

The National Planning Policy Framework; BLP policies C11, E5, H5 and U8, Emerging Development Management DPD Policy DM1 and the Design and Townscape Guide.

- 4.15 Policy E5 addresses non-residential uses that are located close to housing stating that “in order to safeguard the character and amenities of residential streets and to retain an adequate housing stock, proposals (including proposed changes of use) to establish, continue, intensify or expand a business or other non-residential activity within or adjoining a housing area will normally only be permitted where the proposal respects the character of the locality, satisfactorily meets the adopted design and layout criteria set out in Policies H5 and C11, and would not adversely affect residential amenity in terms of appearance, overlooking, noise, smell, parking, traffic or other activity.”
- 4.16 The application site is adjacent to residential properties to the North and East. Due to the position of the extensions and the separation distance between the proposed extensions and other properties, it is considered that the only dwelling that is liable to being affected by the proposed extensions is the property of 1 Sydney Gardens.
- 4.17 Mapping evidence available to the Council, corroborated by photographs taken of the site indicates that at the South East corner of the dwelling of 1 Sydney Gardens, is located 2.9 metres from the boundary that is shared with the application site. This separation distance reduces to the South West corner of that dwelling which is positioned approximately 0.6 metres from the boundary of that property. The submitted plans show that the proposed first floor extension would be positioned a minimum of 2.4m metres from the boundary of the site, although from measurements taken on site, the setback of the existing part of the building where the extension would be sited is 2.6m. The two storey extension would be positioned 1.96 metres from the shared boundary according to the submitted plans and this would appear to accurately reflect how the extension will relate to the existing building and neighbouring property from measurements taken on site. The side elevation of the existing dwelling features an obscured glazed window at first floor and a door and a small window at ground floor.
- 4.18 The proposed first floor extension would feature skylights within the flat roof but no windows facing the neighbouring property. The two storey extension would feature a window that would face the side elevation of 1 Sydney Garden, although it should be noted that this would be positioned 11 metres to the East of the private amenity area of 1 Sydney Garden. Due to the use of obscured glazing in the side elevation of 1 Sydney Road and the careful positioning of windows in the proposed extensions, it is considered that the proposals would cause no loss of privacy to the detriment of the amenities of the neighbouring residents. When planning permission was granted previously, it was a requirement that the proposed first floor window in the two storey extension would feature obscured glazing and it is considered that this restriction can be repeated.

- 4.19 The minimum 3 metres separation distance between the first floor extension and the side elevation of 1 Sydney road, the East and West facing outlook of the main windows within 1 Sydney Road and the flat-roofed design of the proposed extensions satisfy officers that the proposal would not cause a materially harmful loss of sunlight or daylight within the neighbouring property. It is considered appropriate to note that the finished ground floor level of the neighbouring dwelling is approximately 1.2 metres above the ground level of the application site and as such the impact of the extension is reduced.
- 4.20 In this respect it is considered particularly relevant to note that planning permission has previously been granted for an identical development to that which is now proposed by this application. Although the planning policies have changed in the interim period, it is considered that their content and general direction has remained the same in relation to the importance that is placed upon the protection of the amenities of neighbouring residents. It is also considered that the relationship with the neighbouring residential properties has not materially changed. It is therefore considered that it is appropriate to act consistently and continue to support the proposed development.

Other Matter

- 4.21 It has been drawn to the attention of Officers that the proposed extension would block an existing first floor window that serves a room that is used by the NHS operations at the wider site, that are on the boundary of the application site. It is considered that the Local Planning Authority is not able to provide any protection to that window as it does not serve a habitable residential room. Any implications of the development on the boundary treatments at this site (i.e. the party wall and the window in this instance) are considered to be civil matters that cannot influence the determination of the planning application.

5 Conclusion

- 5.1 The proposed development would represent the expansion of an existing medical establishment. The scale and design of the extensions is considered to be appropriate and harmonious with the character, appearance and scale of the existing building. It is considered that the impact on residential amenity would not be unduly overbearing or have an impact on light or privacy to an extent that would justify the refusal of the application on the grounds of residential amenity. Therefore, subject to the imposition of appropriate conditions, it is considered that the proposal constitutes a sustainable form of development that should be supported by the Local Planning Authority.

6 Planning Policy Summary

- 6.1 National Planning Policy Framework.
- 6.2 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP1 (Employment Generating Development) and CP4 (The Environment and Urban Renaissance).
- 6.3 Supplementary Planning Document 1: Design & Townscape Guide (2009)

- 6.4 Borough Local Plan Policies C11 (New Buildings, Extensions and Alterations), E5 (Non-residential Uses Located Close to Housing) H5 (Residential Design and Layout Considerations), T8 (Traffic Management and Highway Safety), T11 (Parking Standards) and U6 (Non-residential Health Care Facilities),
- 6.5 EPOA adopted Vehicle Parking Standards.
- 6.6 Emerging Development Management DPD Policies: DM1 (Design Quality)

7 Representation Summary

Highway Authority

- 7.1 The Highway Authority have advised that there are no objections to the proposal as staffing numbers will remain the same and there is no loss of parking.

Design and Regeneration

- 7.2 No objection has been raised to the proposal but it is recommended that the materials used (including fenestration) shall match the existing building.

Public Consultation

- 7.3 15 neighbouring properties were notified of the application and a site notice was posted at the application site. 12 responses have been received which raise the following grounds of objection:

- Inadequate parking exists at the site and therefore the extension would make matters worse, including associated harm to neighbouring businesses that rely on parking in the surrounding area.
- The proposal would cause congestion in surrounding highways. It is stated that the existing use already causes blockages within the surrounding highways and damages to grass verges.
- The consideration of the previous application was flawed and based on misleading plans.
- The proposal would cause material, additional harm to the amenities of neighbouring residents in terms of loss of light.
- The windows in the extension would cause a loss of privacy.
- The proposal represents overdevelopment of the site.
- The submissions of the applicant are misleading and inaccurate.
- As some previous applications have been refused at the site, it should be concluded that the site is at capacity and all future applications should be refused. Moreover, this application should be assessed in addition to the cumulative impacts of all other developments that have occurred at the site.
- The extensions would be detrimental to the character and appearance of the existing building and the surrounding area.
- The proposed extension would cause the loss of a first floor window in the attached building that is used by the NHS.

- 7.4 The application has been called-in for determination by the Council's Development Control Committee by Councillor Lamb.

Leigh Town Council

- 7.5 It has been pointed out that the submitted plans misrepresent the orientation of the properties by incorrectly identifying North and this in turn misrepresents the impact on the amenities of neighbouring residents.

8 Relevant Planning History

- 8.1 Planning permission was granted on 24 March 2011 for the erection of a two storey and first floor extension under the terms of application 10/02026/FUL.
- 8.2 Permission was refused in January 2010 to erect a two storey and first floor extension to the north elevation under the terms of application 09/02234/FUL.
- 8.3 Advertising Consent was granted in July 2007 to install internally illuminated signage to the front elevation under the terms of application 04/00608/ADV.
- 8.4 Permission granted in July 2005 to 'demolish building, erect 2 storey extension with basement to adjacent surgery at 1643 London Road to provide medical and diagnostic centre and lay out parking spaces (amended proposal' - Ref. No. SOS/05/00537/FUL.

9 Recommendation

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

01 The development hereby permitted shall begin not later than three years from the date of this decision.

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 1615-06-A3 A and 1615-05-A1 J

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

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

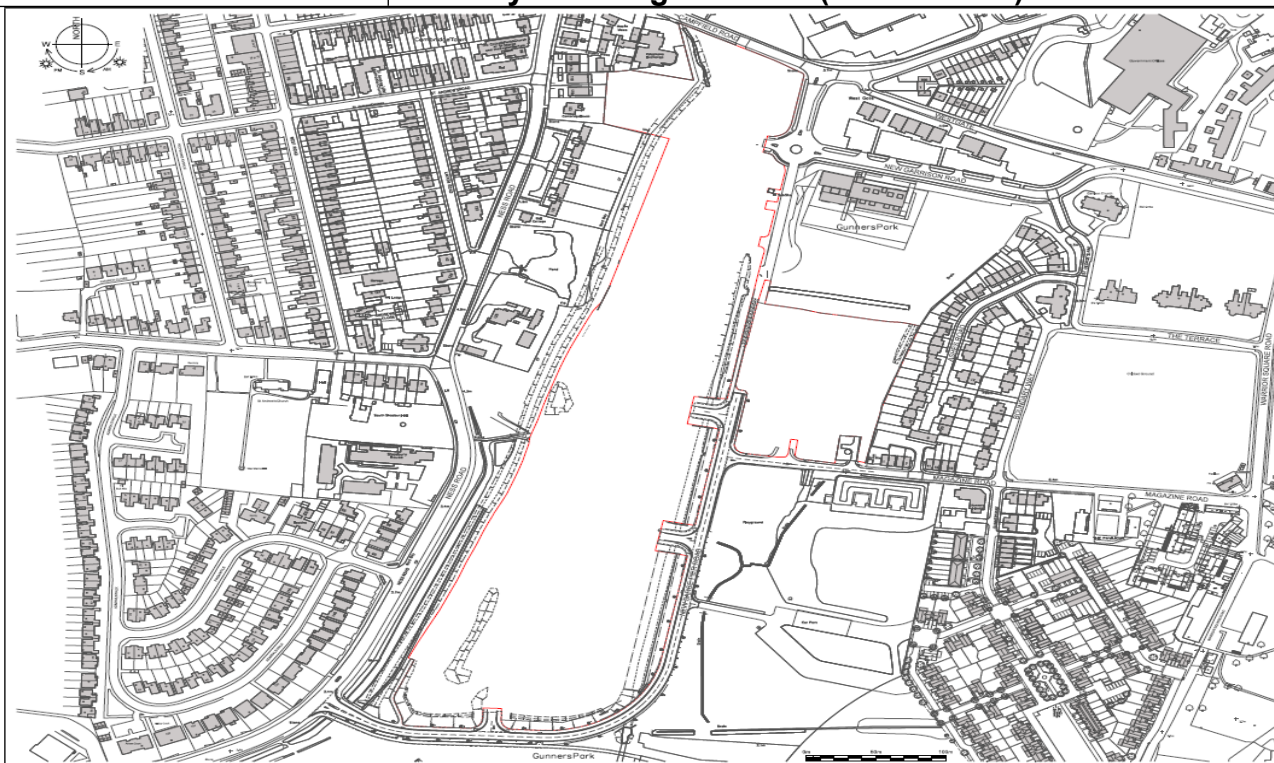
Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, Borough Local Plan 1994 policy C11, and SPD1 (Design and Townscape Guide).

04 The first floor window in the north elevation of the two storey extension shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level unless otherwise agreed in writing by the local planning authority. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy CP4, Borough Local Plan 1994 policy H5, and SPD1 (Design and Townscape Guide).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Reference:	14/00566/OUTM
Ward:	Shoeburyness
Proposal:	Erect 172 dwellinghouses and 15000sqm of Offices (Class B1) (outline application)
Address:	Land Between Barge Pier Road and Ness Road, Shoeburyness, Southend-On-Sea, Essex
Applicant:	Garrison Developments LLP
Agent:	Pomery Planning Consultants Ltd
Consultation Expiry:	17.06.2014
Expiry Date:	23.07.2015
Case Officer:	Janine Rowley
Plan Nos:	6100/1101 E Proposed Site Plan; 6100/1002A Location Plan
Recommendation:	DELEGATE authority to the Group Manager for Planning & Building Control, Head of Planning & Transport or Corporate Director for Place to GRANT OUTLINE PLANNING PERMISSION subject the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended).



Executive Summary

- I. *This application was deferred from the Development Control Committee meeting of 12th November 2014 to allow further information on floodrisk, and the quantum of residential development proposed.*

Proposal

- II. *This application seeks outline planning permission to erect 172 dwellinghouses and 15000sqm of office space (Class B1) on land between Barge Pier Road and Ness Road, Shoeburyness. All detailed matters are reserved.*

Current Position

- III. *Following the deferral, the applicants have revisited the flooding implications and attended a meeting with Members and officers to discuss proposed housing numbers. Officers also commissioned an independent review of the surface water flooding and management in relation to the site. The work was undertaken between April and May 2015.*

Floodrisk

- IV. *The applicant has submitted a flood risk assessment summary carried out by Ardent Consulting Engineers which assesses tidal, fluvial, pluvial (surface water), ground water risks and potential artificial flooding. The assessment takes into account Barge Pier Ditch (which runs along the eastern boundary of the site) and proposes a surface water management strategy. The site is within Flood Zone 3 (high risk) however is protected by flood defences.*
- V. *A residual risk to the Site is the potential failure (breach) in the flood defences. Hydraulic modelling was carried out and demonstrates that by raising part of the site and providing floodplain compensation (a lowered 'basin') within the proposed open space area to the west of the site, it would provide adequate compensation for the raising of land on which dwellings are proposed. This ensures the development will not materially increase flood risk on or off site and the proposed development would be above flood water levels. The Environment Agency have raised no objection to the proposal subject to flood defence improvements (sea wall) to the west of the site being in place along with proposed onsite flood mitigation works. The applicant has agreed to contribute to flood defence improvements and shall not commence the development until these are in place.*
- VI. *Barge Pier Ditch runs along the eastern side of the Site and discharges into the Thames Estuary at low tide. It will continue to operate in line with the agreed Shoebury Garrison Surface Water Drainage Strategy for the extant outline planning permission (00/00777/OUT). Due to the site being raised, there is no risk of fluvial flooding from Barge Pier Ditch to either existing or future development.*
- VII. *A flood alleviation ditch (River Shoe) runs parallel to Ness Road. It collects runoff from the built up area to the north of the site. Taking into account the proposal to raise the site there is no risk of fluvial flooding from the ditch/River Shoe to either existing or future development. Overland flow towards the site would drain to*

Barge Pier Ditch and the Flood Alleviation Ditch systems to the east and west, respectively. They are both designed to cater for extreme storm events.

- VIII. *The proposed Sustainable Drainage Systems (SuDS) strategy will restrict discharge rates from the site onto surrounding areas at the current levels to ensure there will no increase in flood risk to the surrounding environment. The applicant has confirmed the original outline extant planning permission and proposed development results in 90% (8.66ha) and 48% (4.62ha) of the site becoming impermeable respectively. The proposed development results in a reduction in hardstanding of some 42% over the extant planning permission for the site. It is considered that the proposed SuDS strategy would result in a better situation than existing extant outline planning permission (00/00777/OUT). The various surface water drainage networks have been designed to discharge at all times from the site into Barge Pier Ditch as per the original agreed drainage strategy for the Garrison site.*
- IX. *The information submitted with the application demonstrates that there would be no increase in flood risk to existing properties and that the proposed development would be safe in the event of a flood. The proposals are consistent with the aims of local and national policy in terms of the Strategy Flood Risk Assessment and National Planning Policy Framework and its Planning Practice Guidance. Details of the sequential and exceptions test is included in the main report.*

Quantum of Development

- X. *Officers met with the applicant and elected members to discuss the housing units. The applicant has not sought to adjust the number of units on site. The density of the proposed residential development is approximately 26 dph, which is not dissimilar from other development in the vicinity. The highway impacts of this scale of development are discussed in paragraphs 4.48-4.54 of the original report to members.*

Other Issues

- XI. *The proposed design, impact on surrounding properties, highways implications, ecological issues and other planning matters are discussed within the main report. The recommendation is to grant outline planning permission and the recommendation in full is set out within the main section of the report.*

The Proposal

1.1 This application seeks outline planning permission to erect 172 dwellinghouses and 15000sqm of office space (Class B1) on land between Barge Pier Road and Ness Road, Shoeburyness. All detailed matters (scale, layout, appearance, access and landscaping) are reserved for future consideration. The proposed office/employment site would occupy the northwest of the site equating to 3.00 ha and the residential site area is to the south and east (comprising two parcels of land; A and B) equating to 6.62 ha.

1.2 The details are summarised as follows:

Site Area: 3.00ha employment land; 6.62ha residential site area

Units: 15,000sqm of employment floorspace Class B1 (offices);
172 houses

Schedule of accommodation for the houses includes:
Site A- to the north of Magazine Road (directly south of school)

Unit Types	Floor areas sqm	Number
2 bed houses	67	15
3 bed houses	95	37
4 bed houses	1400	3
Sub Total		55

Site B- off New Barge Pier Road

Unit Types	Floor areas sqm	Number
2 bed houses	67	33
3 bed houses	95	63
4 bed houses	1400	21
Sub Total		117

1.4 The applicant has submitted a Planning Statement, a Flood Risk Assessment, Flood Response Plan, information to inform Sequential and Exceptions Test, Transport Assessment, Statement of Community Involvement, Schedule of Accommodation, and Landscape Strategy. The applicant has agreed to enter into a S106 for the following:

- Affordable Housing 30% (52 houses) 31 x 2 bed units; 19 x 3 bed units; 2 x 4 bed units (60% rented, 40% intermediate housing);
- £1,495,286.89 primary education contribution;
- Flood Sea Defence contribution £970,000.000;
- £16,000 for two bus stops and £5000 to improve access path
- Marketing strategy for the commercial element of the site.
- Area of Open Space as shown on plan 6100/1101 Rev E to be permanently retained for public access and flood alleviation
- Access to C to X Ditch and maintenance strategy

2 Site and Surroundings

- 2.1 The site consists of the remaining undeveloped land at Shoebury Garrison, which originally gained outline planning permission as part of the wider Shoebury Garrison Masterplan in 2004 (reference 00/00777/OUT). It comprises approximately 9.62 ha. It has outline permission for a business park and leisure use which is supported in the Southend on Sea Core Strategy. To the north of the site is Hinguar School, and to the east Phase Garrison housing, some of which lies within the Shoebury Garrison Conservation Area. Gunners Park & Nature Reserve lies to the south, and an established residential area beyond Ness Road to the west.

3 Planning Considerations

- 3.1 The main considerations in the determination of this application are in relation to the principle of development, flood risk, impact on the character of the area, residential amenity, parking implications, ecology, sustainability and planning contributions.

4 Appraisal

Principle of Development

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, KP3, CP1, CP4, CP6 and CP8 ; DPD2 (Development Management) emerging policies DM7, DM11, BLP policies C11 and H5

Employment

- 4.1 In terms of the development plan for the area, the site is allocated as an employment site for which 'B1 and B2 uses' are promoted. The Core Strategy, in setting out broad locations for employment growth, identifies the Old Ranges (where the proposed site is located) as a Priority Urban Area where appropriate regeneration and growth will be focused. The Employment Land Review 2010 (ELR) outlines that to support the Core Strategy objective of 1,500 jobs in Shoeburyness, 4.3 ha of the site will be required for commercial use, and this would support, 25,800 sqm m of floorspace to meet future requirement in other urban locations. However, the ELR notes that this amount is in excess of demand and could potentially compete with other locations such as the town centre, A127 and central fringe. To meet forecast demand in this area the review suggests 3.2ha of commercial land is required to support 19,000 sqm of floorspace by 2021.
- 4.2 The application proposes 3 hectares (ha) of employment land, which is broadly in line with the indicative forecast demand as recommended in the ELR and is therefore considered acceptable in principle. Any permission granted should ensure the employment land could be safeguarded for employment (B1-B8) purposes.

Residential

- 4.3 In terms of the 172 dwellings proposed, the Southend Annual Monitoring Report (2013) outlines that dwelling delivery in Southend is ahead of the Core Strategy phased target (2001 – 2013). However, dwellings completions within Shoeburyness, where the application is proposed, is slightly behind target. The Council is also able to demonstrate a 5 year housing land supply. The proposal would represent a windfall in terms of housing delivery, and it is important to note there is no maximum housing target. Considering the ELR recommendation that new commercial uses should be limited to 3.2ha in the medium term within Shoebury, other uses can be considered. The proposed mix of dwellings includes 2, 3 and 4 bed units, which will provide a high proportion of family sized accommodation in line with the emerging policy DM7 of DPD2 (Development Management). There is a need for family housing in the borough, and this is considered a reasonable alternative land use to the extant, wholly commercial use of this site. The NPPF supports the use of employment sites that are not likely to come forward for employment use, to be considered for other uses.
- 4.4 The extant permission also includes a smaller area of leisure use. No leisure uses are proposed under this application, although an area of public open space is proposed. There is no planning policy that specifically seeks leisure uses on this site, and as the site has no physical leisure use on it, there will be no loss of a leisure use.
- 4.5 In light of the above, the principle of employment land of 3 hectares and 172 dwellinghouses is acceptable in this location subject to the other material planning considerations, most importantly flood risk, discussed in detail below.

Flood Risk

National Planning Policy Framework; DPD1 (Core Strategy) Policies KP1 and KP2

- 4.6 The site is located within Flood Zone 3 (high risk), and the area currently provides surface water storage capacity for the wider area. The site lies noticeably lower than surrounding land and includes two important drainage ditches running along both the east and west boundaries. The NPPF requires new residential development within flood zones to satisfy the sequential test and exceptions test. The proposal is for residential accommodation (172 units), which is considered to be a 'more vulnerable' development according to technical guidance given by the NPPF and 15,000sqm of industrial floorspace. The site has been through strategic flood risk assessment but as an employment site, which ranks as a 'less vulnerable' use compared to housing.
- 4.7 Shoebury is identified as an area for regeneration and growth within the Core Strategy, and 1,400 new homes earmarked for Shoebury within the plan period. Thus the sequential test need only be applied within the Shoebury area. In relation to point (i), as a 'more vulnerable' use, it is proposed by the applicant i.e. residential use, flood risk measures will be required to mitigate against and manage it, including measures to make the buildings resilient to flood risk. It has been identified that this would require further flood defence work to make the scheme acceptable in planning terms, if it fully satisfies the requirements of a flood risk assessment. This is in essence a necessary build cost identified to make the residential use deliverable in a high flood risk zone.

- 4.8 The existing site currently comprises greenfield land. Following completion of the Flood Alleviation Ditch, the northern reach of Barge Pier Ditch within the site was in-filled and its flows diverted into the flood alleviation ditch. The flood alleviation ditch now conveys runoff from the 52ha urban catchment to the north of the site in a southern direction, under the secondary flood defence bund/Barge Pier Road before discharging into Barge Pier Ditch to the south of the flood defence bund and eventually to the estuary.
- 4.9 The application is accompanied by information to inform a sequential and exceptions test and Flood Risk Assessment carried out by Ardent Consulting Engineers (March 2014). In accordance with the Environment Agency Standing Advice regarding development and flood risk in England, the EA requires a staged approach based on the following:
- Stage 1 strategic application and development vulnerability;
 - Stage 2- defining the evidence based; and
 - Stage 3- applying the Sequential Test

These stages are discussed below.

4.10 *Stage 1-Strategic Application and Development Vulnerability*

The site as part of the wider Shoebury Garrison development has previously undergone the Sequential Test as a commercial/light industry but not as a mixed use site, therefore a sequential test for other uses has not been carried out before.

The development proposals are considered to be 'more vulnerable' (mixed use development-residential/commercial/light Industrial) and are located within tidal Flood Zone 3a. The site status (due to the residential element of the development in terms of its vulnerability) is classified as 'more vulnerable'. The site will also need to pass the Exception Test.

4.11 *Stage 2- Defining the Evidence Base*

The sequential test has been applied to the Shoeburyness area, in terms of identification of alternative sites. The site has been sequentially tested via a Strategic Flood Risk Assessment (SFRA) and identified as suitable for an employment area in Shoeburyness. Shoeburyness is identified as an area for regeneration and growth, including new homes. In light of this, the sequential test has been applied to the Shoebury area rather than the borough as a whole.

Alternative sites have been identified in Southend via the Local Development Framework in terms of the Annual Monitoring Report and Strategic Housing Land Availability Assessment.

The Council has identified a five year housing supply and development of this site would be a windfall in terms of providing new housing. Windfall sites are those that have not been specifically identified as available in the Local Plan process that have suddenly become available. The site as a windfall has the potential to facilitate sustainable development while meeting the growth targets set out in the Core Strategy for jobs and dwellings.

The data accompanying this application has been used from comparing the Environment Agency and Southend-on-Sea's Strategic Flood Risk Assessment maps.

4.12 *Stage 3-applying the Sequential Test*

In terms of possible alternative sites at a low risk of flooding, the applicant has highlighted a number sites, taken from the Council's SHLAA, including; Shoebury Garrison (original residential permission); vacant land adjacent ASDA; High Street sites; Seaview Road; Gunnery Hill; 2 West Road; and the former Hinguar School.

- 4.13 Following a review of the evidence base to support the sequential test, officers consider that there are no reasonably available sites, as identified above, or a combination of sites in the Shoeburyness area with a lower probability of flooding, which could support the level of development proposed within the current plan period. The above sites would not be able to be viable due to their size, location or availability.
- 4.14 Policy KP1 of the Core Strategy advocates the need for Shoebury to be a place to live and work, led by successful redevelopment at Shoebury Garrison. The proposal complies with Policy KP1. In terms of timing, the applicant contends that the proposed development can come forward immediately with an estimated delivery programme of 6 years (however this would be subject to flood defence improvements). Furthermore, the provision of 15,000sqm of office floor space (Class B1) accords with the Council's requirements for Shoeburyness area and complies with Policy CP1. The proposal also has the potential to address the shortfall in social housing (policies CP8 and KP3 of the Core Strategy). The proposed public open space will also have dual purpose with respect to acting as a flood mitigation area (protecting the site) in the event of a breach of sea defences to the south, thus complying with CP7 and KP3.
- 4.15 The Core Strategy identifies that at least a third of Southend's total provision for housing will be from windfall sites. The Inspector for the Core Strategy considered that in a wholly built up area where a high proportion of development in the past has been on small sites *"it is not unsound to accept that there will be heavy reliance on unidentified sites"*.
- 4.16 In light of the above, it has been clearly demonstrated that there are no other sites available in Shoebury to deliver a significant quantum of dwellings and employment land, which will facilitate sustainable development while meeting the growth targets set out in the Core Strategy and in accordance with policies KP1, KP2, KP3, CP1, CP7 and CP8. It is therefore considered that the site successfully passes the Sequential Test.

4.17 *Exceptions Test*

As the proposal includes residential uses the exception test must be applied. In line with the NPPF, if following the application of the Sequential Test it has not been possible for the development to be located in zones with a lower probability of flooding the exception test must be applied. Residential uses are classified as a 'More Vulnerable' uses and would normally not be considered appropriate development within high risk zones. It is worth noting employment uses falls under the 'less vulnerable' category and that this site already has planning permission for a 'business park'.

4.18 NPPF (Para. 102) outlines that the following two elements of the Exception Test must be passed for the development to be permitted. (1) It must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; (2) and a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. This application is accompanied by a Flood Modelling Report H521-002 and Flood Risk Assessment H521-001.

4.19 It is considered the proposed development will provide wider sustainability benefits to the community in terms of social, environment, economic and use of natural resources, which has the potential to outweigh the flood risk implications.

4.20 The site will provide an area of open space (currently the site is not formal open space and is private land); provision of affordable housing and range of tenures will make a significant contribution to the needs of the community; surface water drainage for the site will ensure volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed development, and SUDs will be incorporated in the overall design and will reduce surface water runoff rates and result in a better quality of surface water discharged. Provision of renewable energy within the development is also proposed.

4.21 The raising of the site and buildings within the commercial area and flood mitigation works will ensure the impact of flooding is minimised. And the utilisation of sustainable rainwater harvesting techniques with respect to reusing runoff from the site thereby reducing potable water demand.

4.22 A FRA prepared by Ardent Consulting Engineers, referenced H521-001 and dated March 2014, and a flood modelling report prepared by Ardent Consulting Engineers, referenced H521-002 and dated March 2014, have been submitted, as well as a subsequent email from Ardent Consulting Engineers, dated 18 June 2014. The documents submitted clearly demonstrate that the proposed development will be safe for its lifetime and no objections have been raised by the Environment Agency.

4.23 *Surface water management*

It is intended that a piped system within the public highway be adopted and maintained by Anglian Water to accommodate flows up to the 30 year rainfall event in accordance with adoptable standards. Maintenance for the piped system will be funded by "Water Rates" for the development. Full details can be sought at reserved matter stages.

4.24 *Permeable paving*

The proposed highway will include permeable paving and surface water will be tanked and discharge directly to Anglian Water's surface water sewer network. The permeable pavement within the public highway is to be offered for adoption to the Council similar to that on Shoebury Road. Permeable pavement within the residential and commercial private areas will be maintained by a management company, which will be funded by an annual management fee. The CIRIA SUDS manual recommends a percolation in the order of 4000mm/hr and a factor safety of 10 is applied to allow for clogging to affect a proportion of the surface area over the design life. The submitted FRA and subsequent information received on the 18th June demonstrates the proposal adheres to the CIRIA SUDS manual. Full details of the attenuation properties of this method will be sought at reserved matters stages to ensure sufficient storage is provided during 1 in 30 year storm events.

4.25 *Tidal Flood Risk*

The FRA has demonstrated that the volume of storage that is required on site to accommodate the 1 in 100 year storm (inclusive of climate change) can be accommodated and the proposed development would have greater permeability than the extant development particularly in the case of the residential.

4.26 *The information submitted notes that the current standard of tidal protection varies from 1 in 100 to 1 in 200 years. Improvements identified as being required at Shoebury Common would increase the level of protection to a 1 in a 1000 year level once carried out. The proposed development would also involve the reconfiguration of the ground levels to facilitate development. A flood mitigation area with an area of 1.86ha is also included within the proposals to the south west boundary of the development that would hold water. The predicted 200 year climate change pre and post development flood levels on site following a breach in the defences equate to 2.60m AOD and 2.80m AOD respectively. The predicted 1000 year climate change pre and post development flood levels on site following a breach in the defences equate to 2.80m AOD and 3.00m AOD respectively. The report also notes the following:*

- *The flood modelling report of breach modelling shows a minor increase in the extent of flooding offsite as a result of the development; however the impacts are assessed to be negligible in respect to residual flood risk.*
- *On site, finished floor levels for residential and commercial buildings will be set a minimum of 300mm above the 1 in 200 year breach flood level; of 2.80m;*
- *Finished levels will include platform level for the residential and commercial areas are set at 3.1m AOD respectively and finished floor levels for the residential and commercial areas to be set at a minimum level of 3.30m AOD.*
- *During the 200 year climate change breach scenario, safe dry access and egress is afforded to the residential areas along Barge Pier Road and Magazine Road. During the 1000 year climate change scenario flood depths are observed along Barge Pier Road and Magazine Road of 200mm and 300mm respectively and velocities at these points are relative low. Therefore,*

emergency vehicular access is achievable.

- *The underside of buildings within the commercial area will be located 300mm above the flood level and waters will be anticipated to pass underneath them without obstructing flood flows.*
- *The small area of increased floodplain to the north of the site would not impact any residential dwellings and appears to be routed between existing buildings. The predicted flow route would run between the health centre and the pharmacy on Campfield Road. The area of floodplain to the west of the site immediately south of Campfield Road, increase but does not result in flooding to the telecoms building, with flooding occurring just in the service yard area.*

4.27 The main measures proposed to reduce flood risk on site and mitigate against any residual risk include:

- The integration of SUDs to restrict run-off from the site to that of pre-developed greenfield and to provide attenuation for storm events up to 1 in 100 year (plus 30% for climate change);
- Earthworks platform level (residential) 3.10m AOD;
- Earthworks platform level (commercial) 2.20m AOD;
- Finished floor level (residential) 3.25m AOD;
- Minimum level for sleeping accommodation 3.30m AOD;
- Underside of commercial building floor level 3.10m AOD;
- Providing flood compensation storage area (1.86ha) as part of the overall land-raising and earthworks strategy;
- Safe access and egress via Barge Pier and Magazine Road and
- Providing a flood response plan.

4.28 The Environment Agency have raised no objections to the proposal subject to mitigation (including a requirement for improved defences at Shoebury Common) and recommended conditions (these include residential elements being not set lower than 3.25m AOD; commercial development provided to a level 3.1m AOD and the void space beneath the commercial units must remain open to allow for the storage of flood water should the defences fail and with no temporary storage of materials). The compensatory flood storage area of 1.86ha is also required to accommodate for the land rising to raise platform levels and no development shall take place until a detailed surface water drainage scheme for the site based on sustainable drainage principles has been fully assessed.

4.29 In conclusion, the FRA, demonstrates that the proposals are consistent with the NPPF including the sequential and exceptions test, thus no objection is raised on flood risk grounds, subject to conditions and suitable planning obligations (discussed below).

Design and impact on the character of the area

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2 and CP4; DPD2 (Development Management) emerging policy DM1, BLP policies C11, H5, H7 and U2.

- 4.30 The application is in outline with all matters reserved. Any details shown on the plans are indicative, although the quantum of development is given.
- 4.31 Notwithstanding the above, any development will need to respect the character and appearance of the surrounding area in terms of its design and appearance. Furthermore, the overall appearance of the dwellings and employment uses would need to have architectural interest and a good quality design. It is noted that design is reserved for future consideration.
- 4.32 As part of the submission of the outline planning application the applicant has submitted an indicative layout and indication of the overall scale of the development including 2, 3 and 4 storeys. These are discussed below.

Employment Area

- 4.33 The detailed design of the buildings that form this part of the site will be critical, and the development should seek to provide high quality, flexible office accommodation. The employment land will be located to the north and western corner of the site. Earthworks are proposed to raise platforms for both the residential and commercial area. The commercial platform will be set at various levels ranging between 2.2m and 3.50m AOD. However, the underside of the slab level for the commercial building will be set at a minimum level of 200 year climate change breach level (2.80m AOD) plus 300mm (3.10m AOD) to allow breach floodwaters to pass underneath the buildings unrestrictedly. It is not clear from the information provided whether the a 'stilted' type development for the commercial premises is proposed, however following the Environment Agency reluctance on stilted development a way to stop infilling is to provide grills along the boundary (between the underside of the raised floor slab and proposed ground level with access for maintenance).
- 4.34 The commercial development will include 2, 3 and 4 storey blocks. Whilst only indicative drawings have been submitted for consideration at this time and scale is reserved for a future consideration there is concern regarding the two storey buildings located to the rear of 1 Estuary Mews and 119-121 Ness Road given the proximity of the buildings to the boundary and the overall design in terms of its massing and bulk will have to ensure the impact on the residential amenities of nearby residential occupiers is considered sensitively. Furthermore, the scale of the 4 storey blocks located opposite to 'Site A' of the residential development is also of some concern and again as above the overall massing and bulk of the development would need to be designed in such a manner not to result in an overbearing form of development. A condition will be imposed regarding the overall scale and informative added in order to ensure these matters can be addressed at reserved matters stage, should permission be granted.
- 4.35 In terms of the layout, the employment land being located and accessed from Campfield Road appears acceptable together with the residential properties being accessed only via Ness Road and New Barge Pier Road to the South. Whilst the layout has been reserved for future consideration, the indicative masterplan submitted shows the commercial buildings can be well-spaced with substantial landscaping and a good level of parking provision. A greater level of setback to the Campfield Road elevation for the commercial premises could be achieved from the road to relate more to the building lines established for example by the adjacent telephone exchange and commercial building on Westgate. This would also allow for

a stronger level of landscaping and defensible space to be achieved to the frontage.

- 4.36 The 3 storey block proposed to the south west corner of the site, appears to be surrounded by car parking and it is not clear how this block would be accessed; particular consideration should be given to the accessibility of the office buildings from the street, with dedicated pedestrian routes and avoiding dominating building frontages with parking. There may also be scope to locate more of the parking away from the building frontage around to the rear of the site, this space is currently shown as vacant land.
- 4.37 There is a run of five 4-storey employment buildings to the east of the site. Three of these buildings form a strong perimeter block with landscaping between them and tree planting to the frontage. The remaining two buildings are less successful in achieving this. To reduce the visual impact of car parking on the street frontage, it would be desirable to see the second block wrapped around the corner to provide a dual frontage. Again, landscaping between buildings and tree planting to the street frontage would be encouraged. There is concern the proposed four storey blocks adjacent to 'site A' residential will result in an obtrusive form to the detriment of potential future occupiers and an informative will be added to act as a 'marker' for any reserved matters application.

4.38 *Residential layout*

From the indicative layout plan provided houses are, in places, laid out tight to the front boundary, leaving limited opportunity for defensible private spaces and landscaping, which are a key and common feature of development within Southend. This has been successfully achieved elsewhere within the Garrison, for example Gunnery Hill, and should be addressed within this scheme. Positively, the indicative details show that the site can be broken up into a number of manageable 'blocks' with vehicular or pedestrian routes creating a number of opportunities for active street frontages and enhancements to legibility throughout the site.

- 4.39 Whilst scale is reserved for a future consideration, the overall scale of the buildings appears appropriate at 2 storey houses with some 2/3 storey.
- 4.40 'Site A' is the smaller of the two residential land parcels. Although there is an area given over to the electricity substation to the edge of this site, properties will be read in context with existing dwellings on Magazine Road which have a consistent and established front building line, creating active frontages onto the street and front gardens. Regrettably the indicative layout of 'Site A' does not replicate this. Garages and side boundaries appear to dominate this street frontage, and it is considered that the layout needs to be addressed when reserved matters are considered.
- 4.41 'Site B' is the larger, linear land parcel which has in the main been broken down into more manageable blocks. As with 'Site A', properties should turn corners with dual frontages and it doesn't appear that this has been consistently been achieved. There may be scope for larger properties to flank the corners; making use of key local features to aid articulation.

- 4.42 Ranges of parking options are proposed, although across the site there is a reliance on parking courts and tandem parking spaces. In keeping with local character – referring to the existing Gunnery Hill to the east of the site consideration should be given to other options, garages and single parking bays (and on street parking) for example would provide a more consistent approach and limit/negate reliance on rear parking courts that are behind buildings and do not benefit from natural surveillance. This may also make more space available for amenity space to the front and rear of properties. The concept of creating shared surfaces throughout the development could also aid reductions in traffic speeds. Good quality, permeable surface materials should be employed across the development to reinforce a sense of place, and complement the shared surface concept.
- 4.43 The emerging Development Management Plan and the Design and Townscape Guide advocate the need for residential units to have direct access to an area of private amenity space. The layout indicates that all houses have been provided with rear gardens, although it is not clear as to the size of gardens proposed. This will be an important consideration, particularly given the level of family sized housing to be provided on the site.
- 4.44 In terms of living standards for future occupiers of the residential units, no information has been submitted (nor would be expected) in terms of detailed design for the units. However, a schedule of accommodation has been submitted whereby for 2 bed houses 67sqm floorspace is proposed, 95sqm for 3 bed units and 1400sqm for 4 bed units, which is in line with the emerging policy DM8 of the Development Management DPD. The standard of accommodation will be formally assessed when the detailed design is submitted under the reserved matters.
- 4.45 Policy C14 of the Borough Local Plan advocates for new development to include planting integral to the scheme to enhance the overall townscape and to enable adequate future maintenance of the planted areas. An indicative landscape plan has been submitted as part of this outline application together with a landscape strategy detailing the type of landscape treatment for both the commercial and residential units, although landscaping is reserved for a future consideration. The landscaping to the commercial and residential areas appears appropriate but this will be dealt with by the reserved matters at a later stage. There are a number of trees proposed to run along the southern side of New Barge Pier Road and within some of the side streets. These are however, in the main, shown in the rear gardens of the dwellings and while a positive feature, it is considered that a stronger provision of tree planting along the main section of the development (north-south), and indeed the side roads that connect these spine routes through the site, would further help to establish a sense of hierarchy and character, and aid way finding. Again, a ‘marker’ can be added by way of an informative.
- 4.46 The landscaping plan shows parkland area to be offered to the Council and will provide a flood mitigation area also. A number of different spaces are indicated. This includes an area given over to allotments to the south. This is considered to be a positive feature, and could be replicated elsewhere, e.g. to the centre and north of the site to provide greater opportunity for a larger number of residents and proximity to a wider range of dwellings. Further consideration could also be given to locating allotments in areas where they would benefit from overlooking from the residential units. The open space is long and linear, and the variety introduced through the range of uses and treatment of this space will be important in terms of aiding way finding

and meeting local needs. Boundary treatments should be in keeping with local character, any boundaries with a public view (i.e. those fronting the street) should be of a brick construction to complement the local palette of materials, softened with landscaping, hedges or trees.

- 4.47 It is considered the level of development proposed could be accommodated on the site in a suitable design and layout (however not necessarily as indicated). It would result in a residential density of approximately 26dph.

Parking and Highways Considerations

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2 and CP3; DPD2 (Development Management) emerging policy DM15, BLP policies T8 and T11.

- 4.48 The original masterplan for the Shoebury Garrison include 18,000sqm of business park and 5,900sqm of leisure uses on the site where this development is now proposed. Therefore, the accessibility based on the above uses has already been considered previously under the application 00/00777/OUT for the wider Shoebury Garrison Masterplan. A Transport Assessment accompanies this report carried out by MLM. The site is in walking distance of local amenities and bus stops within 50m of the site running to Southend Town Centre. The train station is approximately 900m from the site with trains to London and Southend.
- 4.49 Whilst it is noted access is reserved for a future consideration, the transport assessment accompanying this application considers the previous outline application 00/00777/OUT, which included 18,000sqm of business park and 5,900sqm of leisure uses against the proposed 172 dwellings and 15,000sqm of B1 use. Extensive historical assessments have been undertaken given the extant outline permission and the applicant has provided a comparison between the two.
- 4.50 The TA suggests that the extant permission on the site would generate approximately 487 movements per day, and the current proposal approximately 481. In light of this, the net change in traffic associated with the current and previously allocated uses traffic generation is comparable and unlikely to result in any material impact over and above what has already been permitted at this site.
- 4.51 Mitigation for vehicular traffic has been previously provided given that the previous scheme 00/00777/OUT and includes a ghosted right junction on Ness Road to the southern access linking into Shoebury Garrison. Furthermore, mitigation for cycle and pedestrian movements have already been provided including a puffin crossing on Ness Road, shared pedestrian/cycle route to the south leading to Ness Road, Crossing provision for pedestrians at crossing including tactile paving, pedestrian only route from the south to the north and new flood defence measure's.
- 4.52 The main estate roads on the Garrison have been constructed, and the proposed development will include accesses off New Barge Pier Road to serve the residential element, and an access off the existing junction of New Garrison Road and Barge Pier Road to serve the commercial element. The pedestrian/cycleway which runs alongside Hinguar School is to be retained and continued into the site, where it will join New Barge Pier Road. All commercial traffic is proposed to be taken from Campfield Road, with no through-route to the residential area. This is considered an

appropriate approach, whereby residential properties will be accessed from Ness Road to the south and New Barge Pier Road.

- 4.53 No detail on the parking provision has been provided although indicative spaces have been illustrated on the indicative masterplan drawing. It is considered there is scope for parking provision to be in accordance with the emerging Development Management DPD2 policy DM15 but this can be dealt with under the reserved matters stage when 'layout and access' will be considered formally.
- 4.54 In light of the above, it is considered that the proposal will not have an adverse impact on the highway network given the predicted trip generation whereby the previous scheme under 00/00777/OUT resulted a significant number of vehicle movements and furthermore, the Councils Highway Officer has raised no objection to the proposal on highway grounds.

Impact on Residential Amenity

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2 and CP4; DPD2 (Development Management) emerging policy DM1, BLP policies E5, and H5.

- 4.55 In relation to impact on neighbours, whilst scale is reserved for a future consideration there are concerns with respect to commercial units located to the rear of Estuary Mews and 119-121 Ness Road to the north-western corner of the site whereby only a 15m-20m separation distance is proposed. As discussed in the design detailing above, the overall bulk and massing of the development would have to ensure an acceptable impact onto neighbouring properties in terms of overbearing and enclosure. Furthermore, whilst design has been reserved for a future consideration, there is concern in relation to the siting of the office block abutting the boundary of 121 Ness Road whereby there is only 3m-4m distance to the boundary and overall 19m to the rear of no. 121 Ness Road. There is concern with respect to the siting of the offices to the rear of properties along 119-121 Ness Road; including no. 1 Estuary Mews whereby the buildings could result in overlooking and loss of privacy and any designs under the reserved matters stage would need to address this.
- 4.56 It is not considered the siting of the three storey commercial buildings will have a harmful impact on the amenities of residents to the west in 123-131 Ness Road taking into account the separation distance of 60m-86m to the rear of the existing residential properties to the west. In relation to impact on 135 Ness Road the 3 storey building to the south of the site is indicated to be located 59m away and careful consideration will be required in relation to the design, which is reserved for a future consideration in terms of how to mitigate against overlooking and loss of privacy. The four storey buildings will be located in excess of 108m-112m to the nearest residential properties to the west of the site along Ness Road. There is some concern with respect to the siting of the residential properties in 'Site A' on the western boundary, which is shown as being located 38m away. Four storey blocks in this location could result in an overbearing form of development and consideration should be given for the future reserved matters of design and scale to mitigate against any overlooking, loss of privacy or a sense of enclosure. The two/three storey dwellinghouses to the eastern boundary of 'Site A' are shown to be sited 26m-30m from the nearest residential properties in Ashes Road and future consideration will be required in relation to the design and scale to ensure the amenities of existing occupiers are retained and the

proposal does not result in overlooking or loss of privacy.

- 4.57 Whilst the proposal will increase noise and disturbance to the site, taking into account the extant permission of redeveloping the site for leisure and employment purposes it is not considered the development will have a harmful impact on noise and disturbance over and above that originally envisaged.

Air Quality

- 4.58 This is mainly influenced by the proximity to the Thames Estuary and East Thames Industry however, there were no significant air pollution sources and air quality was considered to be relatively good previously under 00/00777/OUT. Therefore, the situation has not changed and no concerns are raised.
- 4.59 Increased levels of dust could be omitted during the construction. However, a comprehensive range of site practices will be adopted to ensure that dust creation is minimised.

Ecology and Bio-Diversity NPPF, DPD1 (Core Strategy) policy CP4

- 4.60 The NPPF (section 11) states that local authorities should aim to conserve and enhance biodiversity. Planning decisions must prevent harm to bio-diversity and impose adequate mitigation measures where appropriate. An Environmental Assessment was carried out during the determination of the previous application 00/00777/OUT, which was considered acceptable in terms of redeveloping the existing site for development. Mitigation measures were in place with respect to dealing with ecology on site. The applicant has submitted further ecological reports including Habitats Regulations Assessment Report and Assessment of Potential impacts on sites of Special Scientific Interest.
- 4.61 The ecological reports submitted have considered the potential impacts from the proposed development. The Habitats Regulations Assessment Report P14/68-1B has considered the biophysical changes on the Benfleet and Southern Marshes SPA and Ramsar, the Foulness (Mid-Essex Coast Phase 5) SPA and Ramsar, and The Essex Estuaries SAC as a result of hydrological change, air quality change and an increase in recreational pressure. Likely significant effects on the European sites as a result of changes in water quantity and quality will be avoided through design of the SuDS and through implementation of a Construction Environment Management Plan (CEMP) incorporating appropriate pollution prevention measures which can be secured by appropriate planning condition or obligation. Predicted changes in NOx emissions and nitrogen deposition associated with an increase in traffic from the development will not lead to exceedances of the relevant critical levels and critical loads in respect of the features for which the sites have been designated, therefore likely significant effects as a result of air quality change are not anticipated. Whilst the development has the potential to result in increases in visitor access to the European sites nearby, owing to the physical limitations regarding public access within the intertidal habitats, the potential for conflict between public access and bird disturbance is anticipated to be very small. Although certain parts of the shoreline and associated intertidal habitats are more sensitive to public access for short periods of time during particular parts of the tidal cycle, a number of mitigation measures including appropriate conditions in relation to minimising the

increase in visitors through the provision of public open space, provision of signage along the shore to educate the public and provision to expand the zone patrolled by the Gunners Park so that sensitive parts of the shoreline can promote responsible recreation. Such mitigation measures will help to lower the incidences of bird disturbance events.

4.62 The SSSI Impact Assessment contains a number of key recommendations to minimise the potential for further increases in recreational disturbance, and to reduce the current level of unauthorised recreational disturbance. This includes repair works within the SSSI to close all current access points. The remit of the existing Gunners Park Nature Reserve warden should be extended to make regular checks, new signing, a buffer planting shall be planted and these can be dealt with by condition and a legal agreement.

4.63 A number of further surveys are required to be dealt with by condition to ensure the ecology on site is safeguarded including a reptile, invertebrate, bird, Great Crested Newt surveys.

Sustainability

National Planning Policy Framework; DPD1 (Core Strategy) policy KP2, DPD2 (Development Management) emerging policy DM2

4.64 Policy KP2 of the Core Strategy requires all new development to provide at least 10% of renewable energy on site. No details of the renewable energy have been provided, however it is considered this can be dealt with by condition if outline permission were granted.

4.65 Details of Sustainable Urban Drainage systems have been provided but further detail will be required at reserved matter stage to ensure there is suitable drainage and permeable paving to increase surface water run-off.

Planning Obligations

National Planning Policy Framework; DPD1 (Core Strategy) policies KP3, CP4 and CP8; SPD2 (Planning Obligations)

4.66 The Community Infrastructure Levy Regulations 2010 came into force on 6th April 2010 and under regulation 122 planning obligations must meet the following statutory tests;

- a) necessary to make the development acceptable in planning terms; and
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

4.67 The Core Strategy Policy KP3 requires that:

"In order to help the delivery of the Plan's provisions the Borough Council will:

2. Enter into planning obligations with developers to ensure the provision of infrastructure and transportation measures required as a consequence of the development proposed".

4.68 SPD2 adheres to the fundamental principle that planning obligations may not be bought or sold and that planning obligations must only be sought to make acceptable development which would otherwise be unacceptable in planning terms.

4.69 The following S106 contributions are proposed to mitigate the impact of the development and the applicant has agreed to pay all relevant costs:

- 30% affordable housing: 52 houses 31 x 2 bed units; 19 x 3 bed units; 2 x 4 bed units (60% rented, 40% intermediate housing);
- £1,495,286.89 education contribution towards primary education;
- £16,000 for two bus stops and £5000 to improve access path;
- Flood Sea Defence contribution £970,000.000 (required to make the development acceptable in floodrisk terms);
- Prior to the commencement of the residential units a marketing strategy for the commercial element of the site
- Area of Open Space as shown on plan 6100/1101 Rev E to be permanently retained for public access and flood alleviation
- Open Space maintenance strategy to be submitted and agreed on submission of the landscaping details as a reserved matters planning application and no development shall commence on the site until this strategy has been agreed
- Maintenance sum for a 10 year period (to include funding for a park ranger and interpretation signs) to be agreed prior to commencement
- Open Space to be transferred to SBC after it has been maintained by the land owner for a two year period from the date of practical completion; maintenance sum payable on transfer.

Other Matters

Statement of community involvement

4.70 A statement of community involvement accompanies this application whereby the applicant provides the consultation methods used in developing this outline planning application including pre- application consultation with officers; briefing to members in September 2013 including a presentation setting out the initial proposals and the parameters of the Garrison Developments application. Also, a mailing to 500 local households and businesses and a public exhibition.

Contaminated Land

4.71 Contaminated land was dealt with under application 00/00777/OUT and no issues were raised and no objections have been raised by the Environment Agency taking into account the previous masterplan. However, given the time lapse since the original outline planning application the Council will ensure that no new development gives rise to or triggers unacceptable levels of pollution and land instability that could impact on human health, property and the wider environment in accordance with emerging policy DM14 of DPD2 (Development Management).

Conclusion

4.72 The proposed redevelopment of the site for residential and employment purposes is considered appropriate. The Flood Risk Assessment demonstrates that the proposals are consistent with the NPPF including the sequential and exceptions test, thus no objection is raised on flood risk grounds, subject to conditions and suitable planning

obligations.

- 4.73 The proposal would have no material harm on highway conditions and bio-diversity. Subject to the detailed design including appearance, scale and layout any potential harm can be mitigated against nearby residential occupiers.
- 4.74 Taking into account the above, and all other material considerations, the proposed development is considered to be in accordance with the NPPF, policies KP1, KP2, KP3, CP1, CP3, CP4, CP6, CP7, CP8 of the DPD1 (Core Strategy), emerging policies DM1, DM2, DM3, DM6, DM7, DM8, DM11, DM14 and DM15 and Borough Local Plan policies C11, H5, H6, T8, T11, C14, E2, E3, E4, E5 and the Design and Townscape Guide.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework
- 5.2 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), KP3 (Implementation and Resources, CP1 (Employment Generating Development), CP3 (Transport and Accessibility) CP4 (The Environment and Urban Renaissance), CP7 (Sport, Recreation and Green Space) and CP8 (Housing),
- 5.3 Development Plan Document 2: Development Management DPD (emerging policies) DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM6 (The Seafront), DM7 (Dwelling Mix, Size and Type), DM8 (Residential Standards), DM11 (Employment Areas), DM14 (Environmental Protection), DM15 (Sustainable Transport Management).
- 5.4 Borough Local Plan Policies (saved) C11 (New Buildings, Extensions and Alterations), C14 (Trees and Landscaping), H5 (Residential Design and Layout Considerations), T11 (Parking Standards), U2 (Pollution Control), G7 (Coastal Protection), H6 (Protecting Residential Character), E1 (Employment Promotion), E2 (Major Office Development), E3 (Secondary Offices), E4 (Industry and Warehousing), E5 (Non-residential uses located close to housing),
- 5.5 SPD1 Design & Townscape Guide 2009
- 5.6 SPD2 Planning Obligations 2010
- 5.7 EPOA Parking Standards 2001

6 Representation Summary

Design and Regeneration

- 6.1 Residential
Layout - houses are, in places, laid out tight to the front boundary, leaving limited opportunity for defensible private spaces and landscaping, which are a key and common feature of development within Southend. This has been successfully achieved elsewhere within the Garrison, for example Gunnery Hill, and should be

addressed within this scheme. Positively, the site has been broken up into a number of manageable 'blocks' with vehicular or pedestrian routes creating a number of opportunities for active street frontages and enhancements to legibility throughout the site.

Layout Site A: this is the smaller of the two residential sites. Although there is an area given over to the electricity substation to the edge of this site, properties will be read in context with existing dwellings on Magazine Road which have a consistent and established front building line, creating active frontages onto the street and front gardens. Regrettably the layout of Site A does not replicate this. Garages and side boundaries would dominate this street frontage, and it is considered that the layout needs to be addressed to provide a perimeter block here (and across the site more generally) that successfully addresses the street, as has been achieved elsewhere across the development. There is a route through the site from Magazine Road although this is somewhat convoluted, turning into a central area of car park. A clearly defined and direct route through the site, leading to a central area of communal space and greenery (see Gunnery Hill for example where this has been successfully achieved) would provide an attractive termination of vista, together with a positive outlook for surrounding properties, and opportunity for communal amenity space. There is a range of parking options on this part of the site, including a reliance on rear parking courts and tandem parking spaces which should be avoided here and across the development. It is considered that the entrance to this site from Magazine Road could be more successfully flanked by dwellings which turn the corner and provide a dual frontage. Consider use of bay windows etc.

Layout Site B: a large, linear site which has in the main been broken down into more manageable blocks, with a number of pedestrian/vehicular routes through providing access to the public space and offering opportunity to enhance legibility and create active street frontages. As with Site A, properties should turn corners with dual frontages and it doesn't appear that this has been consistently been achieved. There may be scope for larger properties to flank the corners, e.g. detached villas, making use of key local features to aid articulation e.g. bays. To the southern section of the site there is potential for an additional route through the site, although as shown this terminates in a central parking court. This could be opened up.

Parking and Surfaces – a range of parking options are proposed, although across the site there is a reliance on parking courts and tandem parking spaces. In keeping with local character – refer to the Gunnery Hill development for example – consideration should be given to other options, garages and single parking bays (and on street parking) for example would provide a more consistent approach and limit/negate reliance on rear parking courts that are tucked away behind buildings and do not benefit from natural surveillance. This may also make more space available for amenity space to the front and rear of properties.

The concept of creating shared surfaces throughout the development could also aid reductions in traffic speeds. Good quality, permeable surface materials should be employed across the development to reinforce a sense of place, and complement the shared surface concept.

Landscaping – it is pleasing to see a number of trees indicated on the layout plan, a number of which run along the southern side of New Barge Pier Road and within some of the side streets. These are however, in the main, shown in the rear gardens of the dwellings and while a positive feature, it is considered that a stronger provision of tree planting along the main spine roads (north-south), and indeed the side roads

that connect these spine routes through the site, would further help to establish a sense of hierarchy and character, and aid way finding. For example, smaller, ornamental trees lining the east-west routes, larger, specimen trees lining the north-south routes.

The landscaping plan shows a number of different spaces within the large area of public open space. This includes an area given over to allotments to the south. This is considered to be a positive feature, and could be replicated elsewhere, e.g. to the centre and north of the site to provide greater opportunity for a larger number of residents and proximity to a wider range of dwellings. Further consideration could also be given to locating allotments in areas where they would benefit from overlooking from the residential units. The open space is long and linear, and the variety introduced through the range of uses and treatment of this space will be important in terms of aiding way finding and meeting local needs. Further consideration could be given to creating an area for biodiversity, a lavender garden for example would provide this and add colour (something similar has been achieved at Vauxhall Park <http://www.schoenaich.co.uk/public-realm/lavender-fields-in-vauxhall-park/>). Play equipment is to be provided – positive – ensure this offer complements the areas of play space provided elsewhere in the Garrison. Street furniture, including seating and street lighting (LED?), should be of a good quality and sensitively chosen to complement the scheme, reference should be made to the Streetscape Manual SPD3 and Design and Townscape Guide SPD1.

Amenity Space – houses have been provided with rear gardens, although it is not clear as to the size of gardens proposed. This will be an important consideration, particularly given the level of family sized housing to be provided on the site.

Boundary Treatments – in keeping with local character, any boundaries with a public view (i.e. those fronting the street) should be of a brick construction to complement the local palette of materials, softened with landscaping/hedge/trees.

Housing Type and Tenure – please refer to the Revised Proposed Submission version of the Development Management DPD for emerging policies relating to housing size and tenure. Positively, the plans show a range of house sizes, from 2 to 4 bed over a range of 2/3 storeys, and no longer includes provision of flats.

Renewables – a minimum of 10% energy needs to come from on-site renewable sources in line with Policy KP2 of the core strategy. Given the size of the site, it may offer potential for a community heat network to be developed for example, and the potential for renewable/decentralised energy supplies should be investigated. The emerging development management DPD Policy DM2 also provides context, and it would be desirable to see a minimum of CFSH Level 3 achieved. Details of renewable technologies should be shown on the plans at the next stage.

Summary - Elevations and other plans showing the detailed design have not been provided at this stage however it is considered that there are a number of matters to address in terms of the site layout to ensure that the scheme successfully contributes to successful place making. Strong front building lines, definition to corners, provision of smaller areas of communal spaces within the site (in particular Site A).

The new development at Gunnery Hill provides a useful point of reference in terms of site layout, properties are generally well spaced with clear and cohesive routes

through the development, and are successfully linked by two large areas of public open space, which is complemented by a strong landscaping scheme and tree planting. The design and finish of properties within Gunnery Hill, regardless of tenure, is considered to be well achieved and well detailed, providing a positive link with existing development and incorporating a high quality palette of materials that reference the wider Garrison site.

Employment

The site provides 3ha of employment land (*note: the ELR identified the sites potential as offering a minimum of 3.2ha*).

The detailed design of the buildings that form this part of the site will be critical, and the development should seek to provide high quality, flexible office accommodation. No indication is provided on future job numbers – yet the site is a key area of employment land for the Borough and any development should reflect this in terms of quality.

It is not clear from the information provided what level of parking is provided for this part of the site, although parking seems to dominate. It is pleasing to see that it has however been located to the rear of buildings in the majority to allow for perimeter blocks to be formed providing opportunity for strong street frontages to be created. Parking on the street frontage should be avoided, and entrances into the site carefully detailed, with a high quality landscaping scheme and tree planting for example. Is this level of parking required? Consider the EPOA 2009 parking standards which have informed Policy DM15 of the emerging Development Management DPD. The quality of the surface treatment will also be key; a quality, permeable surface material should be used.

Providing areas of linked green space through the site, connecting with the public open space adjacent to the residential development would enhance walking/cycling routes through the site from north to south, soften the impact of the parking areas, improve outlook from offices, as well as providing opportunity for external seating areas and informal spaces for office workers. How will the public open space be accessed from the employment site? Positively, the plans indicate strong runs of tree planting across the site, both to the street frontage and within parking areas which could complement the approach suggested above, although the dedicated areas of public open space are lacking.

In terms of building layout, on the Campfield Road elevation it is considered that a greater level of set-back could be achieved from the road to pick up on the building lines established for example by the adjacent telephone exchange and commercial building on Westgate. This would also allow for a stronger level of landscaping / defensible space to be achieved to the frontage.

There is a 3 storey block proposed to the south west corner of the site, this appears to be surrounded by car parking and it is not clear how this block would be accessed; particular consideration should be given to the accessibility of the office buildings from the street, with dedicated pedestrian routes and avoiding dominating building frontages with parking – is there potential to locate more of the parking away from the building frontage around to the rear of the site, this space is currently shown as vacant land.

There is a run of five 4-storey employment buildings to the east of the site. Three of these buildings form a strong perimeter block with landscaping between them and tree planting to the frontage. The remaining two buildings are less successful in achieving this. To reduce the visual impact of car parking on the street frontage, it would be desirable to see the second block wrapped around the corner to provide a dual frontage. Again, landscaping between buildings and tree planting to the street frontage would be encouraged.

There should be a strong provision of cycle parking across the site to ensure alternatives to private motor vehicle use are viable for future employees of the office developments. Consideration could also be given to providing charging points for electric / low emission vehicles.

Again, a minimum of 10% energy needs should come from on-site renewable sources (Policy KP2) and this should be detailed on the plans. As noted above in comments on the residential scheme, given the size of the site there could be scope for an innovative approach to the supply of renewable/decentralised energy, and opportunities should be investigated. The emerging Development Management DPD, Policy DM2, requires a BREEAM Very Good rating.

Traffic and Transportation

- 6.2 The proposed employment and residential development has been evaluated against the previously approved scheme which included employment and leisure use. The applicant has provided the previous traffic modelling information which assesses the traffic generation using industry standard software for employment and leisure as having a total of 487 vehicle movements during the day. The applicant has also assessed the new proposal for employment and residential as having 481 vehicle movements during the day. This represents a slight reduction in vehicle movements over the previous use.

The employment element will be accessed via Campfield Road and New Garrison Road allocated parking has been provided in accordance with the council's adopted standards. Individual travel plans will be required for each employment use when applications are made should outline planning consent be given.

The residential element will be accessed via 3 small junctions from New Barge Pier Road. The internal layout allows for refuse freighters and emergency vehicles to manoeuvre throughout the site. All parking for the residential element is in line with current parking standards.

It is considered that the proposed scheme will not have a detrimental impact on the local highway network compared to the extant permission. The site is located in a sustainable location with regard to public transport with good links in close proximity therefore no highway objections are raised.

The following contributions are required.

There would be a request to improve the bus stop infrastructure on Ness Road near to the site, £16,000 is requested to upgrade the 2 bus stops to incorporate a raised kerb to assist passengers boarding and alighting a contribution of £5000 to improve the access path from Ness Road to the development via the wooden bridge

A further access for the residential element (Site A) is gained from Magazine Road, the access arrangements for emergency vehicles and refuse freighters are the same as Site B and enable vehicles to manoeuvre around the site. parking has again been provided to the councils required standard.

Strategy & Housing

- 6.3 The number of units required in line with Core Strategy DPD- 30%. Therefore, 31 units x 2 bed, 3 bed units x 19 and 4 bed units x 2. A split of 60/40 would also be required for 60% rented and 40% intermediate housing.

Education

- 6.4 This project falls within the Hinguar Primary School and Shoeburyness High School catchment areas. Both schools are full as are other nearby schools. Post-16 places are also very limited. As a community area the majority of the post-16 pupils also tend to stay within the Shoeburyness area. Education contributions to expand local schools are therefore sought for all three stages of education.

A sum of £1,495,286.89 is therefore requested as an education contribution.

It is also of concern that a large office area will be directly next to Hinguar Primary School for two reasons. One it will place the school next to a large non-residential area that could cause security issues for the school out of working hours. The second being these offices will be in addition to the empty office buildings directly opposite the front of the school that have been empty since they were built several years ago **[Officer Comment: the site already has permission for more commercial space than proposed]**.

Environmental Health

- 6.5 No adverse observations. A condition in relation to contamination is required **[Officer Comment: Contamination surveys were carried out previously under the outline masterplan for the wider Shoebury Garrison site (00/00777/OUT), however a condition will be imposed since the time that has lapsed]**.

Waste Management

- 6.6 Confirmation is required on the collection vehicles being able to pass each residential property, or in the event crew have to walk from the parked collection vehicle to the individual property, that the walked distance is no greater than 25m. Details of non-adopted roads on the development site and are of a construction standard suitable for the weight of the collection vehicles. Sufficient access space and turning areas for the collection vehicles within the proposed road design/layout **[Officer Comment: to be addressed at reserved matters stage]**.

Parks and Trees

- 6.7 No objections subject to the following comments:

1. It is pleasing to see public open space forms part of the development and a

condition should be imposed for the development. There is concern regarding the overall usability of the open space due to its use as part of the flood attenuation.

2. It is not clear how the public open space will be used as part of the surface water drainage system, including how many weeks per year it will be used for surface water drainage. **[Officer Comment: A condition will be imposed in relation to Surface Water Drainage which will be dealt with as a future consideration].**
3. From the information provided the landscape master plan does not seem practical for an area that will be used for surface water drainage. Some of the features such as allotments are not suitable within a flood attenuation area **[Officer Comment: The overall detailing of the landscaping strategy can be dealt with at a later stage as its reserved matter for a future consideration].**
4. It is not clear whether the park is for Council adoption.
5. Access would need to be maintained the full length of the ditch numbered 10 on the landscape master plan to allow for maintained if required. A right of access would need to be formalised in an agreement. Access for tractors, excavators etc. will need to form part of this agreement.
6. Requirement for a bridge to be installed across ditch 10 to allow access for the public and maintenance to the existing pond.
7. Inclusion of youth facilities within the public open space made up of Parque and fitness. The inclusion of skate is not appropriate as this is already made available in Gunners Park.
8. A safe pedestrian crossing point installed from the new development to the existing play facilities in Gunners Park.
9. Further comments on the reserved matters will formally assess the proposed tree species used in the development and public open space.
10. A habitat assessment should be undertaken by a qualified ecologist. Protected species are known to be in the vicinity of the development including bats, badgers and common lizards.
11. Clarification on who will be responsible for the raised platform linked to the existing bridge is required. Subject to the clarification we would like to reserve the option to make further comments **[Officer Comment: Open space will be dealt within the legal agreement and during reserved matters].**
12. Measures should be in place for a full length of the boundary on the public open space, including entrances to prevent access by unauthorised vehicles.
13. If any area of open space is to be adopted by the council I would wish to see confirmation that the area has been checked for ordnance and contamination along with what action has been taken with regard to findings.
14. If areas of public open space are to be adopted by the council I would wish for a contribution towards maintenance for a minimum of 30 years to form part of the S106 agreement. However, until it is confirmed the areas to be adopted and the features and landscaping it is not possible to confirm the sum **[Officer Comment: This will be dealt with under a legal agreement].**

Pier and Foreshore

6.8 No comments.

Anglian Water

- 6.9 Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

The development site is within the 15 metre cordon sanitaire of a sewage pumping station of this type. This is a significant asset both in itself and in terms of the sewerage infrastructure leading to it. For practical reasons therefore it cannot be easily relocated.

Wastewater Treatment

The foul drainage from this development is in the catchment of Southend STW that at present has available capacity for these flows.

Foul sewerage network

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

Surface water disposal

The surface water strategy/flood risk assessment submitted with the planning application is not relevant to Anglian Water and therefore this is outside our jurisdiction for comment and the Planning Authority will need to seek the views of the Environment Agency. We request that the agreed strategy is conditioned in the planning approval.

Recommended condition:

The development site is within 15 metres of a sewage pumping station. Whilst Anglian Water takes all reasonably practicable steps to prevent any nuisance arising from the site, there should be no development within 15 metres from the boundary of a sewage pumping station of this type if the development is potentially sensitive to noise or other disturbance or which might give rise to complaint from the occupiers regarding the location of the pumping station.

Reason: To avoid causing future amenity problems.

Environment Agency

6.10 *Flood Risk*

The first part of the Exception Test requires you to be satisfied that the development provides wider sustainability benefits to the community that outweigh flood risk. No evidence has been submitted to demonstrate you have considered this. This Test is your responsibility and should be completed before the application is determined.

The second part of the Exception Test requires the submission of a FRA which demonstrates the development will be safe for its lifetime, without increasing flood risk elsewhere, and will reduce the overall flood risk where possible. A FRA prepared by Ardent Consulting Engineers, referenced H521-001 and dated March 2014, and a flood modelling report prepared by Ardent Consulting Engineers, referenced H521-002 and dated March 2014, have been submitted, as well as a subsequent email from Ardent Consulting Engineers, dated 18 June 2014.

We are satisfied that the documents submitted provide you with the information necessary to consider whether the application meets the requirements of the

Exception Test. We are therefore able to remove our holding objection to the planning application provided you consider the development is safe for its lifetime. If you are not satisfied with the safety of the development please re-consult us for further comments.

Conditions

1. Finished ground floor levels for the residential elements of the development shall be provided at a minimum level of 3.25mAOD.
2. Finished ground floor levels for the commercial development shall be provided at a minimum level of 3.1mAOD. The void space beneath the commercial units must remain open to allow for the storage of flood water should the defences fail and no temporary storage of any materials, whether temporary otherwise, shall be permitted within this void space.
3. Prior to the commencement of development of the residential and commercial units, the proposed flood defence improvements at Shoebury Common, to the west of the site, shall be fully constructed and signed off, together with any onsite flood mitigation works. If the flood defence improvement scheme does not go ahead then the FRA will need to be revised to reflect the change in the standard of protection of the defences.
4. A compensatory flood storage area of 1.86ha shall be provided on site to accommodate for the land raising to raise platform levels for the residential and commercial elements of the development.
5. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm (including appropriate allowances for climate change) will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall include confirmation of the following:
 - Details of how and by whom individual elements of the scheme shall be maintained and managed after completion shall be submitted prior to first occupation of the development.
 - It must be ensured that any replacement of permeable paving which may be required in the future is carried out with the same infiltration properties and storage capacity as designed.

Reasons

1. To ensure ground floor levels are provided above the flood level.
2. To ensure ground floor levels are provided above the flood level and the void space is maintained for floodplain storage over the lifetime of development.
3. To ensure the site is protected to the standard that the development is designed and modelled to within the submitted Flood Risk Assessment.

4. To provide compensation for land rising across the site.

5. To prevent the increased risk of flooding, both on and off site and to ensure that the SuDs hierarchy has been adequately addressed and to ensure the long term maintenance of the scheme.

Summary of Flood Risk Responsibilities for your Council

We recommend that it is written into the deeds of the commercial units that the storage or infilling of any type within the void space beneath the commercial units shall not be permitted. These void spaces would provide floodplain storage should the defences fail. We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all important considerations for managing flood risk for this development. Prior to deciding this application you should give due consideration to the issues below. It may be that you need to consult relevant experts outside your planning team.

- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Whether insurance can be gained or not;
- Sustainability of the development.

Emergency Planning

You need to be satisfied that the proposed procedures will ensure the safety of future occupants of the development. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise LPAs formally consider the emergency planning and rescue implications of new development in making their decisions. We advise you take advice from your emergency planner, the emergency services and the Local Resilience Forum.

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

Insurance

It is vital that those ultimately owning any new developments are able to access insurance. Insurance is generally a prerequisite for the vast majority of mortgages, and therefore underpins local housing markets. If insurance is not available, a property could become impossible to buy or sell; therefore it is important that a new development is insurable from a flood risk perspective.

The guidance note produced by the Association of British Insurers (ABI), which complements the NPPF, includes a number of key recommendations. One of these is to ensure that flood risk is mitigated to acceptable levels. The ABI recommends that a risk of no more than a 1 in 100 year annual probability, inclusive of climate change, is necessary to give developments a good chance of accessing flood cover at a competitive price. Preference is given to flood avoidance (i.e. raised floor levels) over

flood resistance and resilience measures. This advice should be used to influence the design of the development and used in helping to inform your decision.

You may wish to give consideration to the availability of insurance and wider implications on the development, of tidal flooding up to and including the 1 in 200 year return period event inclusive of climate change. The guidance note can be viewed on the ABI's website.

Essex County Fire & Rescue

- 6.11 The access arrangements should be in accordance with the details contained in the Approved Document to Building Regulations B5 and more detailed considerations on access and facilities will be provided at building regulation consultation stage.

At present Essex County Fire and Rescue Service (ECFRS) under the Fire and Rescue Services Act 2004 and the Fire and Rescue Services (Emergencies) Order 2007, do not have a statutory duty to respond to flooding issues.

Due to the limited availability of specialist water resource during flooding incidents, as on previous occasions, limit operational response to 'life threatening situations' only. Therefore support cannot be given for proposals that are likely to increase this situation or add to the volume of calls received.

Natural England

- 6.12 The application site is within or in close proximity to the following European designated sites and therefore has the potential to affect their interest features.

- Benfleet & Southend Marshes SPA (~320m)
- Benfleet & Southend Marshes Ramsar (~320m)
- Foulness (Mid-Essex Coast Phase 5) SPA (~320m)
- Foulness (Mid-Essex Coast Phase 5) Ramsar (~320m)
- Essex Estuaries SAC (~320m)

European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations').

Natural England accepts that the current outline planning application constitutes the remaining undeveloped land parcels associated with the Shoebury Garrison Master Plan (2004). As the current proposals post-date the Master Plan by over 10 years, the HRA process is identified as an essential mechanism to ensure the evidence base is up-to-date and fit for purpose in establishing a robust, informed decision on the potential impacts on the European designated sites.

With respect to potential recreational disturbance we agree that increased pressure could extend to around 2km from the development site (2.11). We also concur with the range of biophysical changes that could occur in absence of impact avoidance and mitigation measures (2.12).

Subject to the use of existing Sustainable Drainage Systems and pollution prevention measures (both topics to the satisfaction of the Environment Agency) we are content that hydrological issues can be screened out (4.3-4.8).

With regards to air quality issues, we agree that dust pollution, NOx emissions, nitrogen deposition and habitat acidification can be reasonably screened out (4.9-4.22).

The effects of trampling, erosion and dog fouling within the habitats present are discounted (4.28). As part of the visitor survey 84% of groups interviewed with dogs said they let them off the lead (4.49). With this recent evidence, the potential to cause harm remains, so we welcome the signage proposed to inform the public of the sensitivities of the designated sites (5.3).

The targeted recent winter bird and visitor surveys are clearly helpful in establishing spatial sensitivities and local impacts associated with dog walking and other human activities. Analysis of the overlap between human / dog activity and the distribution of birds (at all states of the tide) indicate that it falls below 1% threshold for impact (4.53).

The rationale behind the overall conclusion at 4.56 seems logical and well researched with up-to-date evidence (from both the recent winter bird observations and visitor monitoring). Natural England agrees that given the highly urbanised nature of Shoeburyness and the existing levels of recreational disturbance, the effects of current recreational disturbance (baseline) are unlikely to result in significant long-term displacement of SPA qualifying bird species.

However, the additional visits to the coast generated by the new housing and employment areas are likely to act in combination with effects arising from other developments, such that a likely significant effect (in combination) cannot be ruled out in absence of avoidance and mitigation measures.

The provision of multi-functional Public Open Space will help to offset partly recreational visits to the nearby European sites. Furthermore, the provision of information signage will help to influence more responsible dog walking (e.g. dogs on leads between December and February and avoidance of the intertidal mudflats/sandflats and saltmarsh) – but this is clearly a voluntary measure with no guarantee of comprehensive compliance. It is also suggested that extended patrols by the Gunners Park Nature Reserve Warden could encourage visitors to keep dogs under control and discourage access onto the mudflats/sandflats, whilst engaging and educating the public.

In full consideration of these avoidance and mitigation measures, the shadow HRA concludes that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination with other plans or projects. This conclusion has been drawn having regard for the avoidance and mitigation measures built into the proposal that seek to avoid all potential impacts (in accordance with the 'Dilly Lane Judgment', High Court judgment of J Sullivan in Hart DC v the Secretary of State for Communities and Local Government, May 2008). On the basis of information provided in the shadow HRA, Natural England concurs with this view.

The conclusion of no likely significant effect on European sites (either alone or in combination) is based on the legally binding delivery of planning conditions suggested in the applicant's HRA. To this end conditions shall be attached to any consent for the proposed development **[Officer Comment: Please refer to condition 8 whereby all mitigation measures will need to be complied with**

together with the submission of a conservation management plan below under section 8 Recommendation. Please note Essex Wildlife Trust already patrol Gunners Park Nature Reserve Ranger].

In some locations it may be inappropriate to tree-plant adjacent to the fence, to ensure characteristic plants within the open free-draining habitats of the SSSI unit 1 are not undesirably shaded by a new boundary scrub-line **[Officer Comment: Landscaping is reserved for a future consideration and this will be formally assessed at the 'reserved matters' stage].**

An ecological assessment of the potential impacts of the development on each of the interest features for which the aforementioned SSSIs are notified. While impacts on the European sites' qualifying features have been fully addressed through the HRA (i.e. impacts on notified birds), the two SSSIs include vegetative features which may be impacted by the development (i.e. beach plant assemblages south of Pig's Bay and rare sand dune plant assemblages on Gunners Park dependent on rabbit browsing). Both are susceptible to compaction and rampling. These should be addressed through the Phase 2 Ecological Report (avoidance and mitigation measures). **[Officer Comment: Following the submission of SSSI Impact Assessment 29.05.2015 Natural England have provided further comments stating:**

"Natural England would firstly like to take the opportunity to remind the planning authority of the conditions proposed within our letter of 1 May 2015, which will assist with safeguarding the interest of Foulness SSSI (and the internationally designated sites). In addition to the conditions advised in our previous letter, we welcome the key recommendations in section 1.4 of the submitted report. We note that the mitigation is included to address issues relating to Foulness SSSI Unit 1, website ref: 1004751. Therefore we have provided further advice on this unit below.

*It is Natural England's understanding that the SSSI unit 1 (Old Shoeburyness Ranges) mainly supports the thorny scrub species Gorse (*Ulex europeaus*), Blackthorn (*Prunus spinosa*), with some Hawthorn (*Crataegus monogyna*). It would therefore be appropriate to use these locally occurring characteristic species rather than introducing new species into the adjacent area. Furthermore, Essex Wildlife Trust currently manages areas of the SSSI to remove gorse or blackthorn trees and so there may be opportunities to transplant these trees/shrubs to suitable non-SSSI boundary locations. We therefore recommend that the applicant discusses the mitigation with the Essex Wildlife Trust.*

Natural England notes and welcomes the proposed provision set out in 6.3.5, namely: 'The associated HRA document has already recommended extending the current remit of the Gunners Park Nature Reserve warden to monitor and control recreational disturbance of coastal bird assemblages, with financial support to be provided by the developer'.

On this basis, Natural England can confirm that our concerns in this matter are likely to be adequately addressed if the relevant conservation bodies are satisfied with the resource being agreed and provided".

[Officer Comment: Mitigation measures will be dealt with by condition 8 to ensure all relevant conservation bodies are satisfied in accordance with Natural

England's comments above].

Public Consultation

6.13 Site notices displayed on the 27th May 2014 and 72 neighbours notified of the proposal. 40 letters of representation have been received stating the following:

- Is the proposed area to the north (landward side) of Barge Pier Road and is there any intention of moving the development Seaward side in the future **[Officer Comment: The development is to the north and east of Barge Pier Road and no development is proposed to the south of Barge Pier Road as part of this proposal]**.
- What plans are there to improve the roads in and out of Shoebury? The current roads are inadequate for current traffic levels. The proposal to build the new SUFC ground at Fossets Farm plus all the extra houses already built mean that there is a need for another route from Shoebury to the west side of Southend **[Officer Comment: No new routes are planned. When a planning application is received its impact on roads are assessed on its individual merits, in this instance given the extant outline planning permission 00/00777/OUT it is not considered the proposal will have a harmful impact on the highway network. Access is reserved for a future consideration]**.
- Any building on the east to the east of Ness Road will raise concrete over what is effectively a flood run-off area. This will elevate the risk to existing homes to flooding either from a sea wall breach or flash flooding as Southend recently experienced. What measures are in hand to remove this risk **[Officer Comment: The application is accompanied by a Flood Risk Assessment H521-001; Flood Modelling Report H521-002 and Sequential and Exception Test H521-004, which demonstrates that the proposal will not give rise to additional flooding in the area and no objection has been raised by the Environment Agency]**.
- The sea wall is in need of repair to the East of the Coastguard Station, who is responsible for this and when will work be carried out **[Officer Comment: The developer of the Garrison has responsibility for the wall, which will eventually be given over to Southend Council. A sum of £970,000.000 is sought as part of this application to contribute to the sea defences]**.
- Shortfall in financial contributions in excess of £1.5 million. Will this be coming out of Council Tax. Lack of Affordable Housing. As Affordable Housing is no longer included in the proposal, we question whether the Sequential Test and Exception Test are valid **[Officer Comment: The applicant has confirmed to pay for all relevant costs associated with this development including education, affordable housing, highways, sea defence as detailed under planning obligations above]**.
- Flood Risk Assessment and the need for a further geological survey and expert investigations into the cause of the saturated ground where the residential development is going to be located; also the need of a site visit by members of the Planning Committee to view the saturation **[Officer Comment: The application is accompanied by a Flood Risk Assessment H521-001; Flood Modelling Report H521-002 and Sequential and Exception Test H521-004, which is relevant to determining this application]**.
- Breach analysis: the high risk of failure of proposed Council's preferred option of sea defence in view of it having 9 floodgates increases flood risk should one

floodgate not operate **[Officer Comment: The application is accompanied by a Flood Risk Assessment H521-001; Flood Modelling Report H521-002 and Sequential and Exception Test H521-004, which demonstrates that the proposal will not give rise to additional flooding in the area and no objection has been raised by the Environment Agency].**

- Validity of Sequential and Exception Tests with regard to wider sustainable benefits to the community and in particular relating to whether there is a need for offices and the impact on the already congested roads in that part of Shoeburyness **[Officer Comment: These have been considered in the appraisal section above]**
- The area is an important floodplain. Floodplains are a valuable feature of the natural environment. They should be held in high priority and saved from unnecessary development that would inhibit their ability to store and drain excess floodwater. It has not been demonstrated that there is sufficient overriding reason to build on the floodplain that is Old Gunners' Park. Already, can be seen the damage that has been caused by the work that has taken place here so far. The upper surface of the land which was firm and dry is now spongy and boggy. Investigation is needed to establish whether the natural drainage has been inhibited and aquifers that would convey groundwater flow, compressed and even blocked.
- 'Old Gunners Park' is a flood plain, and people have paddled canoes on it in the past. This winter is has been a very boggy mess, despite the flood alleviation ditch. Our concern is that building houses with an area for the water to go is one thing. But all these 'employment blocks' 3 and 4 storey high, totally out of character with the surrounding area and dwarfing the 2 storey eyesore of Hinguar School, and the associated hard standing for a vast amount of cars (yes we know the car park has been designated as a flood alleviation area) are of great concern. Our gardens have never flooded, but we are very worried that they will in the future if this proposal goes ahead. Our houses might even be at risk, what assurances can you give? And who is going to occupy all these office blocks? There is still one standing empty opposite Hinguar school. Not to mention all the empty units on local trading estates.
- Houses and offices will create a lot of waste water. Where is it going to go? Especially in times of surface water flooding?
- Traffic. 172 houses equates to 350 cars + whatever the employment offices will bring in. Ness Road is not capable of dealing with all this, nor is Campfield which is still prone to flooding.
- No mention is made of the cycle path and raised bank planted with trees to run along the park side of the ditch, is this no longer part of the plans?
- Please return the park to a flood plain.
- Loss of green space.
- The site of Gunners Park was handed over to residents as public open space.
- The development will result in traffic chaos.
- If the council insists on continuing building then you must put infrastructure in place including schools and amenities.
- There is a threat to wildlife **[Officer Comment: Natural England have raised no objection given the historic records of potential development on this site with reference to the outline masterplan for the wider Shoebury Garrison Area 00/00777/OUT].**
- Gladedale on the original masterplan included a provision when a certain

number of houses were completed a contribution towards the sea defences would be made which have been ignored so why trust the developer now.

- The land for the redevelopment of this site is shown as 'Marsh' or 'Hilly Marsh' on maps of the WD Garrison Area circa 1925 and only designated fit for football and rugby pitches **[Officer Comment: The Garrison Masterplan approved under application 00/00777/OUT was considered acceptable in terms of redevelopment of the land for employment purposes, therefore the principle of developing this land has been previously accepted].**
- Even if the buildings were raised above ground level, the area is still liable to be inundated by fluvial water as what happened in August 2013 when the stream known as the river Shoe overflowed its banks and floods extended into Ness Road and Campfield Road.
- The Council is continuing to install a sea wall along Shoebury Common that 99% of letters received were objected to.
- The fact that Garrison Developments are willing to contribute towards this unwanted scheme which will enable the Council to dispose of the soil dump at present in Gunners Park seems to be very convenient.
- The matter of flooding from within the current internal watercourse and drainage systems will still exist.
- The addition of soil to raise the identified areas for development would not undergo the required natural settlement or compaction requirements prior to development and in any case will have an incalculable effect on the water table.
- Out of character with the SSSI and given it's a greenfield site.
- Loss of daylight from the 2 storey offices to the rear of properties along Ness Road.
- Loss of privacy and overlooking.
- The new buildings will increase runoff to Campfield Road and Ness Road.
- A better use of the "mud pile" dumped at Gunners Park would not be to raise banks or levees by the river Shoe but to prevent it overflowing in the future and this would not work if the tide was in preventing drainage from collecting area.
- Family houses are required in this area not 2 bed units.
- The application states that this is vacant land but the land is a public park **[Officer Comment: This land was always designated for development for employment purposes following 00/00777/OUT therefore it is not a park]**
- Contrary to the NPPF by not achieving sustainable development.
- 3 and 4 storey blocks would be out of character with the surrounding developments and school creating a barrier to the vistas of parkland and estuary from Ness Road and the Garrison site.
- The parking requirement for the existing offices is inadequate and overflows in the unadopted roads of the Garrison site causing nuisance, wear and tear. Any similar officer development will do the same **[Officer Comment: The development will be assessed at reserved matters stage in relation to the parking requirement meetings the EPOA Vehicle Parking Standards (2001)].**
- This application will destroy the balance by occupying too much of the parkland and nature reserve area as a result of unnecessary overcrowd an area of outstanding beauty and the Garrison Neighbourhood.
- Housing rather than previously approved employment land will result in more activity in terms of noise and disturbance to the area.

- Overpopulate the area and disproportionate to the surrounding area.
- Overlooking and drainage issues to properties in Ashes Road.
- There is no need for any more office space.
- Large industrial warehouses would not be in keeping with the area.
- Houses won't get insurance in this location.
- Following a review of deeds of occupiers in Ness Road there is an absolute exclusion on any development to the south of the line drawn from South Shoebury Hall in a south easterly direction, which appears now to be incorporated into the area.
- The land that is subject to this application has a long history of flooding.
- Land previously dry and used extensively for leisure purposes is now marshland and many problems have arisen with the ditches and drainage system.
- Residents of Shoeburyness deserve better and should not have this application granted regardless of the consequences **[Officer Comment: All material planning considerations have been reviewed and considered].**
- As this application is so closely linked with Shoebury Common and the proposed contribution from Garrison Developments the application should be assessed independently.
- The existing sea wall defences and sea groynes were allowed to deteriorate due to neglect under the complacency of SBC and C&M Homes and this development should not be allowed to proceed before repairs to the sea defences have been carried out. This development should not be allowed until all works to the sea defences have been carried out **[Officer Comment: Works to the sea wall and groynes are due to be completed shortly].**
- The supporting documentation does not reflect the current condition of the drainage ditches at the site with a high proportion of which are overgrown, blocked and not operating. The public purse will end up picking the bill for the costs that should be borne by C&M and/or Garrison Developments **[Officer Comment: The maintenance of ordinary watercourses is a duty recently imposed on LLFAs under the Floods and Water Management Act (2010). The Council is currently in the process of identifying all such assets across the borough and putting measures in place to ensure adequate on-going maintenance. This is not considered to affect the modelling of the area's drainage system carried out by the developer's drainage engineers].**
- There is concern with respect to the safety of the ditches and red brick bridges which appear to have cracks in them. **[Officer Comment: This matter is being dealt with separately and is not considered material to the determination of this application].**
- It is not clear has the importance of the drainage ditches to the Shoeburyness catchment area run off been fully taken into account in this proposal **[Officer Comment: Yes, the entire area and its drainage system were included in modelling by the developer's drainage engineers under the submitted details documented in the Flood Risk Assessment H521-001; Flood Modelling Report H521-002 and Sequential and Exception Test H521-004 and refer to the Environment Agency comments in paragraph 6.10].**
- Has the scenario been fully explored of an extreme storm event with accompanying extreme surface water flooding in Shoeburyness catchment area coinciding with high tide, when the surface water will not be able to be discharged into the sea until the tide level falls **[Officer Comment: Yes, the**

capacity of the water storage area lying between the bund south of New Barge Pier Road and the sea wall was designed to store the wave overtopping from a 1 in 200 year tidal event plus the surface water discharge from a 1 in 100 year rainfall event].

- Why has SBC, the leading authority considered acceptable for the ditches to remain in an appalling overgrown state [**Officer Comment: See comment above relating to the maintenance of ordinary watercourses/drainage ditches**].
- At paragraph 6.5 of the Flood Risk Assessment that is included in the Associated Documents that accompany Planning Application 14/00566/OUTM it states "...the Environment Agency confirmed that *"We will make it clear that no development should go ahead until any necessary defence improvements are in place."* I am very concerned that the above statement is open to misinterpretation because it does not specifically identify the location of the "defence improvements" and I would respectfully suggest also that what is meant by "any" needs to be clarified as well. My interpretation is that "defence improvements" should include all repairs that are needed, and are long overdue, to the western section of the sea wall from Shoebury Common to the Heavy Quick Fire Battery area. [**Officer comment: The Environment Agency have raised no objection to this application providing the following condition is imposed:**

"Prior to the commencement of development of the residential and commercial units, the proposed flood defence improvements at Shoebury Common, to the west of the site, shall be fully constructed and signed off, together with any onsite flood mitigation works. If the flood defence improvement scheme does not go ahead then the FRA will need to be revised to reflect the change in the standard of protection of the defences."

The Council is currently reviewing the sea defences at Shoebury Common and have engaged Mott MacDonald to advise on the scope of this work. Should the sea defence proposals change then the applicant will not be able to comply with this pre-commencement condition and the scheme will be reviewed. For the purposes of this planning application there is a consented flood defence scheme in place. In respect of the western section of the sea wall within the Garrison there are no further planned works beyond those required under the Section 106 agreement associated with application 00/00777/OUT].

- "Regarding the "Low Risk" classification on the Environment Agency (EA) map "Risk of flooding from Surface Water Flooding": I note the recommendation for me to contact the EA directly. However, I would advise that the EA have previously made it very clear to me that, for the location of Gunners Park, the responsibility relating to surface water flooding lies with the Lead Local Flood Authority, being SBC. I would therefore respectfully suggest it is not appropriate for me to approach the EA on this issue." [**Officer Comment: We would repeat that the classification is an EA classification on an EA map and was neither made with input from the Council nor requested by us. We cannot comment on the EA classification. It does not inform our actions or approach to the flood risk in the area, which are based on engineering modelling and experience**].
- "What are the functions of the non- surface water drainage ditches that are shown on the map as belonging to Anglian Water and Garrison Developments? Why do these not require to be cleared?" [**Officer Comment:**

They function in a similar manner to the main conveyance channel. The difference lies in the fact that the main channel must discharge the flow from the entire North Shoebury catchment, while the other small ditches take flow from small catchments and are required to store the water until they drain through the system. These watercourses will still require to be cleared from time to time, but not with the same frequency as the main channel].

- The effect on the flood plain.
- Maintenance of water courses in the area.
- Responsibility for the flood defences.
- Soil heap from Cliff's.
- Loss of recreation area and habitat.
- Access and traffic flow.
- Overdevelopment/infrastructure upgrade.
- This is far too important an area for outline approval to be given to this mass infringement without a solid commitment to furnish fullest details on the above and without a requirement to return to DCC with answers before full permission is granted.
- This over-expansion into flood plain cannot be sanctioned and that all approvals, past and new, should be rescinded/refused.
- The development will destroy the uniqueness of the coastal area and compromise the flora and fauna on the common.
- Loss of this historic and natural area would outweigh any short term gain from this development.
- This development will add to the wear and tear of roads that are not adopted but managed by the Garrison residents.
- New larger roads should be put forward.
- Not enough car parking.
- Planning obligations and CIL should be attached to any permission granted.
- New homes in this area will affect insurance.
- Inadequate policing.
- Return area to a park **[Officer Comment: The principle of developing this site has been established following approval of application 00/00777/OUTM].**
- Sequential test unrealistically restricted geographically and is inconsistent with local planning scope.
- Developers have no realistic agreements with key authorities including the Environment Agency, Anglia Water and Police Authority.
- Consideration of relevant impacts of the proposed development on local factors has not been addressed including local unemployment, impact on overburdened traffic flows, impact on dangerously concentrated electricity distribution.
- The application should only be considered once onsite flood mitigation works have been implemented.
- Although the developer has permission for commercial units this does not automatically mean they will gain permission for houses.
- The Council is adhering to out of date planning policy **[Officer Comment: This application has been assessed in accordance with current planning policy including the NPPF, DPD1 Core Strategy, DPD2 (Development Management), Borough Local Plan and the Design and Townscape Guide].**

- The sequential test is being applied without regard for health and safety of the community.
- Flooding risk is a political issue recent articles in the press have highlighted the impact of flooding on local communities and the inability of the Environment Agency and Government and Local Authorities to warn communities or act proactively to protect those communities at risk. More important the essential maintenance of watercourses had not been continued due to funding cuts. Residents require guarantees that the Council, Councillors and the developer will allocate funding in perpetuity to maintain flood mitigating watercourses serving the site.
- The developer has proposed 15000m² of office development. The Council should note that the same developer has yet to dispose of brand new 975m² on the adjacent plot. This clearly demonstrates the site is not right for such a development.
- The commercial element has planning conditions regarding flood mitigation how can the Council guarantee that these planning conditions will be monitored and enforced.
- The site is adjacent to a SSSI, which is protected by law and it is not clear whether the site has been adequately assessed **[Officer Comment: Natural England have raised no objections subject to appropriate conditions].**
- Car parking required by current planning legislation and provided for by the only occupied office block in New Barge Pier Road is inadequate **[Officer Comment: Access is reserved for a future consideration and parking would be required to adhere to current standards within DPD2 (Development Management) emerging policy DM15].**

6.14 One additional letter of representation has been received from the Shoeburyness Residents Association stating:

- This proposal should not be approved without major investment in local roads especially Ness Road and Campfield Road as these roads are already extremely busy with car, bus, articulated and other lorry traffic. We have recently written to our local councillors raising major concerns about the current traffic problems and were this development to go ahead the situations would only get much worse with what we calculate would be many hundreds of extra vehicle movements each day **[Officer Comment: The site was granted planning permission for use as Business Park in 2004, and the road infrastructure requirements were assessed and carried out as required. Recent assessment has shown that the current proposal would not generate a greater level of traffic than has already been planned for].**
- The proposed 4 storey office blocks are far too high as they would tower over the two storey local properties.
- Education is one major concern locally and the £1.5 million contribution would be very welcome as would the £0.97 million contribution towards the cost of new sea defences but it is important that this would be available if the current accepted scheme were to be replaced by a new scheme in the new year **[Officer Comment: Should a different sea defence scheme be brought forward by the Council, the planning application will be reassessed on this basis, and it may be that a revised contribution is sought from the developer].**
- River flooding on this land is already an all too regular occurrence and this would be made worse by the development as much of the existing earth flood

plain would be covered over by the development of homes and offices and parking areas all of which would prevent the water draining away. There is no indication of any action to be taken to address this problem and prevent it getting worse **[Officer Comment: The Environment Agency have raised no objection on flooding grounds as detailed under paragraph 6.10 of the main report whereby the Flood Risk Assessment demonstrates that the development will be safe for its lifetime, without increasing flood risk elsewhere].**

- There is also no indication as to what improvements will be made to cope with the additional water and sewage requirements **[Officer Comment: Condition 6 on page 39 details the requirement for detailed surface water drainage scheme to be submitted and agreed in writing by the local planning authority].**
- The Garrison Development master plan, approved under 00/00777/OUT was considered a decade ago and since that time a number of housing and employment developments completed which impact on the suitability, sustainability and need for that approval of this decision. The previous decision should not be used to support this current application.
- The site should not be considered as a windfall site, due to its recognised vulnerability, an alternative site to provide housing should be found where flood risk is not a consideration.
- Flood Risk Assessment has been carried out by the developers consultants and why is there such a reliance on this to dispute the multiple objections to the proposals on an external report commissioned by the developer seeking approval for their scheme.
- Any displacement of water caused by developing and raising the land has not been fully addressed. The developers flood modelling report acknowledges that Ness Road will act as a conduit to flood waters entering the raised site.
- The report titled "South Essex Catchment Flood Management Plan, December 2009" issued by the EA with references to paragraph 3 current and future flood risk (surface water flooding, particularly in large urban areas such as Southend-on-Sea, Rochford, Wickford and Grays, due to the impermeable surfaces of these urban areas). Bullet point 6 of proposed actions refers to encouraging planners to develop policies for new development and regeneration (including commercial sites) to incorporate resilience measures so that the location, layout and design of development can help to reduce flood risk. Planners should prevent inappropriate development in the floodplain using measures set out in the Planning Policy Statement 25 (PPS25) and ensure that any new development does not increase the risk to existing development. Any new development or regeneration should provide opportunities to improve the river environment and make space for water. The above demonstrates that the EA do not support this application. The main concern is for river and surface water flooding putting lives and homes at risk unnecessarily for a developer to make a profit. Commercial property can be easily repaired and homes cannot. **[Officer Comment: PPS25 has been superseded and the application has been assessed in accordance with the NPPF. The Environment Agency have raised no objection to this development].**

7 Relevant Planning History

7.1 Mixed use development comprising conversion of existing buildings and erection of
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new buildings for: parkland and open space; up to a total of 465 dwellings; up to 23,750sq.m of business floorspace (Class B1(a) and (B)); up to 1625sq.m of non-residential (Class D1) uses, including A. a health centre within the mixed use area, B. the former Garrison Church as a community hall, and C. the former battery gun store as a heritage centre; up to 5,900sq.m of leisure (Class D2) uses; up to 800sq.m of retail (Class A1); up to 600sq.m of financial services (Class A2) use; formation of hotel (Class C1) with approximately 40 bedrooms; land for a new school; erection of landmark residential building; construction of new access roads; and associated works (Outline)- Granted in 2004 (00/00777/OUT).

8 Recommendation

(a) Members are recommended to DELEGATE AUTHORITY TO THE GROUP MANAGER FOR PLANNING & BUILDING CONTROL, HEAD OF PLANNING & TRANSPORT or CORPORATE DIRECTOR OF PLACE to GRANT OUTLINE PLANNING PERMISSION subject to the removal of the Natural England objection and completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended).

- **Affordable Housing 30%- 52 houses 31 x 2 bed units; 19 x 3 bed units; 2 x 4 bed units;**
- **£1,495,286.89 education contribution towards primary education;**
- **£16,000 for two bus stops and £5000 to improve access path;**
- **Flood Sea Defence contribution £970,000.000;**
- **Prior to the commencement of the residential units a marketing strategy for the commercial element of the site;**
- **Area of Open Space as shown on plan 6100/1101 Rev E to be permanently retained for public access and flood alleviation;**
- **Open Space maintenance strategy to be submitted and agreed on submission of the landscaping details as a reserved matters planning application and no development shall commence on the site until this strategy has been agreed**
- **As a minimum, the Open Space must include a parkour facility, outdoor fitness equipment and raised walkways, all of which must remain publicly accessible at times of flood;**
- **Maintenance sum for a 10 year period (to include funding for a park ranger and interpretation signs) to be agreed prior to commencement;**
- **Open Space to be transferred to SBC after it has been maintained by the land owner for a two year period from the date of practical completion; maintenance sum payable on transfer.**

Drainage

- **A minimum 5m wide strip must remain accessible to the Council at all times adjacent to the C-X ditch (which runs along the full length of the western side of the site) for maintenance purposes**
- **Maintenance strategy for Barge Pier drainage ditch to be submitted and agreed on submission of the landscaping details as a reserved matters planning application and no development shall commence on the site until this strategy has been agreed.**

b) The Corporate Director of Place or Head of Planning & Transport be

authorised to determine the application upon completion of the above obligation, so long as the planning permission when granted and the obligation when executed, accord with the details set out in this report and the conditions listed below:

1. a. Application for approval of the reserved matters including appearance, access, scale, landscaping, layout and appearance shall be made to the local planning authority not later than 5 years beginning with the date of this permission.
- b. The development hereby permitted shall be begun not later than whichever is the later of the following dates:
 - i) the expiration of 5 years beginning with the date of this permission;
 - ii) the expiration of 2 years beginning with the approval of the last reserved matter to be approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

- 2 Finished ground floor levels for the residential elements of the development shall be provided at a minimum level of 3.25mAOD.

Reason: To ensure ground floor levels are provided above the flood level with the NPPF and policy KP2 of Core Strategy.

- 3 Finished ground floor levels for the commercial development shall be provided at a minimum level of 3.1mAOD. Any void space beneath the commercial units must remain open to allow for the storage of flood water should the defences fail and no temporary storage of any materials, whether temporary otherwise, shall be permitted within this void space.

Reason: To ensure ground floor levels are provided above the flood level and the void space is maintained for floodplain storage over the lifetime of development in accordance with the NPPF and policy KP2 of Core Strategy.

- 4 Prior to the commencement of development of any residential and commercial units, the proposed flood defence improvements at Shoebury Common, to the west of the site, shall be fully constructed and signed off, together with any onsite flood mitigation works. If the flood defence improvement scheme does not go ahead then the FRA will need to be revised to reflect the change in the standard of protection of the defences.

Reason: To ensure the site is protected to the standard that the development is designed and modelled to within the submitted Flood Risk Assessment NPPF and policy KP2 of Core Strategy.

- 5 A compensatory flood storage area of not less than 1.86ha shall be provided on site in accordance with the approved plans to accommodate for the land rising to raise platform levels for the residential and commercial elements of the development.

Reason: To provide compensation for land raising across the site NPPF and policy KP2 of Core Strategy.

- 6** No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm (including appropriate allowances for climate change) will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall include confirmation of the following:
- Details of how and by whom individual elements of the scheme shall be maintained and managed after completion shall be submitted prior to first occupation of the development.
 - It must be ensured that any replacement of permeable paving which may be required in the future is carried out with the same infiltration properties and storage capacity as designed.

Reason: To prevent the increased risk of flooding, both on and off site and to ensure that the SUDs hierarchy has been adequately addressed and to ensure the long term maintenance of the scheme NPPF and policy KP2 of Core Strategy.

- 7** No development shall take place until a Construction Environmental Management Plan has been submitted to and approved by the local planning authority. The Plan shall include the following details:
- (a) Programme of works; (b) Code of practice; (c) 24 hour emergency contact number; (d) Hours of building works and measures taken to ensure satisfactory access and movement within the site taking into consideration any existing occupiers; (e) Lorry routing and traffic management (including control of delivery of materials); (f) Control of noise; (g) Control of dust; (h) Site waste management; (i) Details of the local sourcing of material; (j) Measures to prevent pollution of ground and surface water; (k) Measures to protect areas of vegetation and wildlife within the vicinity of the development during construction works; (l) Compliance with legal consents relating to nature conservation specifically protected species; (m) Details of how the Construction Environmental Management Plan will be monitored on site

Reason: To minimise the environmental impact and disturbance to existing residents, vegetation and wildlife during construction of the development in accordance with NPPF, DPD1 (Core Strategy) 2007 policy KP2 and CP4; and Borough Local Plan 1994 policy U2 and T8.

- 8** Development shall not commence on any part site hereby approved until the mitigation measures as set out in the Phase 1 Habitat Assessment 19th December 2014, Habitats Regulations Assessment Report April 2015 P14/68-1B and SSSI Impact Assessment reference: DFCP 3398 dated 29th May 2015, have been carried out and completed in accordance with a Conservation Management Plan to be submitted to, and approved by, the local planning authority. The following surveys (details of which are to be submitted and approved by the local planning authority) prior to commencement of work on site including: Reptile Survey; Invertebrate survey; Bird survey; Great Crested Newt Survey.

Reason: To reduce the effect the development has on the biodiversity of the environment in accordance with the National Planning Policy Framework and DPD1 (Core Strategy) 2007 policy KP2 and CP4.

- 9** No development shall take place until details including samples of the materials to be used on the external elevations; boundary treatments and hard surfaces have been submitted to and approved by the Local Planning Authority. The development shall only be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management) emerging policy DM1, Borough Local Plan 1994 policy C11, and SPD1 (Design and Townscape Guide).

- 10** All planting in the approved landscaping scheme for each phase of the development shall be carried out within 12 calendar months of the completion of that phase of development. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the local planning authority.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of landscaping, pursuant to Policy C14 of the Southend on Sea Borough Local Plan.

- 11** No development shall commence until a site investigation has been undertaken to determine the nature and extent of any contamination, and the results of the investigation, together with an assessment by a suitably qualified or otherwise competent person, and details of a scheme to contain, treat or remove any contamination, as appropriate, have been submitted to and approved by the Local Planning Authority. Prior to the first occupation of the development hereby permitted (or, where the approved scheme provides for remediation and development to be phased, the occupation of the relevant phase of the development) the approved remediation scheme shall be fully implemented (either in relation to the development as a whole or the relevant phase, as appropriate), and a certificate shall be provided to the Local Planning Authority

by a suitably qualified or otherwise competent person stating that remediation has been completed and the site is suitable for the permitted end use. Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: In the interests of the safe development of the site, in accordance with Policy U2 of the Southend on Sea Borough Local Plan 1994, DPD2 (Development Management) emerging policy DM14.

- 12 No development or preliminary groundwork of any kind shall take place until the applicant has secured the implementation of a programme of Archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

The developer shall afford access at all reasonable times to any archaeologist nominated by the local planning authority and shall allow them to observe the excavations and record items of interest and finds.

Reason: To allow for the excavation and recording of any information of archaeological importance, pursuant to Policy C1 of the Southend on Sea Borough Local Plan.

- 13 No part of the commercial and residential development shall be occupied until a Travel Plan has been submitted to and approved by the local planning authority, incorporating the principles set out in the Core Strategy Policy CP3, such details to include a timetable for the implementation of the plan.

Reason: To promote the principles of sustainable transport, in accordance with Policy CP3 of the Core Strategy and Policy T8 and T11 of the Borough Local Plan and the Design and Townscape Guide.

- 14 No external lighting shall be erected until details of its siting, design; luminance, screening and dimensions have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and amenities of the area and in particular to protect the amenities of nearby residential properties and the employment provision within the borough, in accordance with Policy CP1 of the Core Strategy and Policies E5 and H5 of the Southend on Sea Borough Local Plan.

- 15 The commercial units, hereby permitted, shall only be used for the purposes falling with Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the character and amenities of the area and in particular to protect the amenities of nearby residential properties and the employment provision within the borough, in accordance with Policy CP1 of the Core Strategy, DPD2 (Development Management) emerging policies DM10 and DM11, Policies E5 and H5 of the Southend on Sea Borough Local Plan.

- 16 Details of the proposed hours and days of opening in conjunction with B1 Class uses shall be submitted to and approved in writing prior to occupation of each unit respectively. Thereafter the B1 uses shall be operated only in accordance with the approved hours of opening.

Reason: To safeguard the character and amenities of the area and in particular to protect the amenities of nearby residential properties and the employment provision within the borough, in accordance with Policies E5 and H5 of the Southend on Sea Borough Local Plan.

- 17 No dust or fume extraction or filtration equipment, or air conditioning, ventilation or refrigeration equipment shall be installed until full details of its design, siting, discharging points and predicted acoustic performance have been submitted to and approved by the local planning authority. The equipment as installed shall be retained in good working order at all times thereafter. The development shall only be implemented in accordance with the approved details.

Reason: To safeguard the character and amenities of the area and in particular to protect the amenities of nearby residential properties and the employment provision within the borough, in accordance with Policies E5 and H5 of the Southend on Sea Borough Local Plan.

- 18 No dwelling shall be first occupied until at least two parking spaces to serve that dwelling have been laid out, together with properly constructed vehicular access to the adjoining highway, all in accordance with details which shall have been submitted to and approved by the local planning authority, such provision to be permanently reserved for the parking of vehicles of occupiers and callers to the property and not used for any other purpose whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order).

Reason: To make provision for parking off the highway, in the interests of highway and pedestrian safety and to safeguard the character and amenities of the area in accordance with Policy CP3 of the Core Strategy DPD1, DPD2 (Development Management) emerging policy DM15 and policies T8, T11 of the Borough Local Plan and the Design and Townscape Guide.

- 19 Before the development hereby permitted is begun a scheme for generating not less than 10% of the predicted energy requirement of the development from decentralised renewable and/or low carbon sources shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2 and CP4, and SPD1 (Design and Townscape Guide).

- 20** Prior to first occupation of the development a Waste Management Plan for the development shall be submitted to and approved in writing by the Local Planning Authority in relation to the residential and commercial premises. The plan shall detail how the development will provide for the collection of general refuse and re-usable and recyclable waste and what strategies will be in place to reduce the amount of general refuse over time. Waste management at the site shall be carried out in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the environment and ensure adequate and appropriate storage, recycling and collection of waste resulting from the development in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4.

- 21** The development hereby approved shall include not less than 15,000sqm of office B1(a) floorspace and no more than 172 dwellinghouses.

Reason: In order to define the scope of this permission in the context of the character and amenity of the area, in accordance with policies KP2 and CP4 of the Core Strategy 2007, emerging policy DM11 of DPD2 (Development Management) and to ensure the development meets the requirements of the development plan.

- 22** No development shall be within 15 metres from the boundary of a sewage pumping station if that development is sensitive to noise or other disturbance unless agreed in writing by the local planning authority.

Reason: To ensure surface and/or foul water is adequately managed and a satisfactory residential environment, in the interests of pollution control and amenity, and in accordance with DPD1 (Core Strategy) 2007 policy KP2.

- 23** The development hereby permitted shall be carried out in accordance with the approved plans 6100/1101 E; 6100/1002A.

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

(c) In the event that the planning obligation referred to in part (a) above has not been completed by the 23rd July 2015 such that planning permission would have been granted, then the Corporate Director Place or Head of Planning & Transport be authorised to consider whether permission should be refused on the grounds that it has not proved possible to complete a S106 agreement within an appropriate timescale, and that the proposals are unacceptable in the absence of the obligation that would have been secured; if so, the Corporate Director of Place, Head of Planning & Transport are authorised to determine the application and agree appropriate reasons for refusal under delegated authority.

Informative

- This permission is governed by a legal agreement between the applicant and the Borough Council under Section 106 of the Town and Country

- Planning Act 1990. The agreement relates to contributions to education, highways, affordable housing, seal defence, open space and monitoring fee.**
- You need to speak to our Highway and Traffic Management Service about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. The Council as local highway authority will carry out any work which affects the highway. For more advice, please phone 01702 215003. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the Borough Council (as highway authority).**
 - The owner of the properties should register with the Agency's Flood Warning Service prior to occupancy of the development.**
 - The applicant is advised to limit commercial building heights to not more than 12.1m high, measured from the finished ground levels set out in the application, in the interests of the character of the area and residential amenity.**