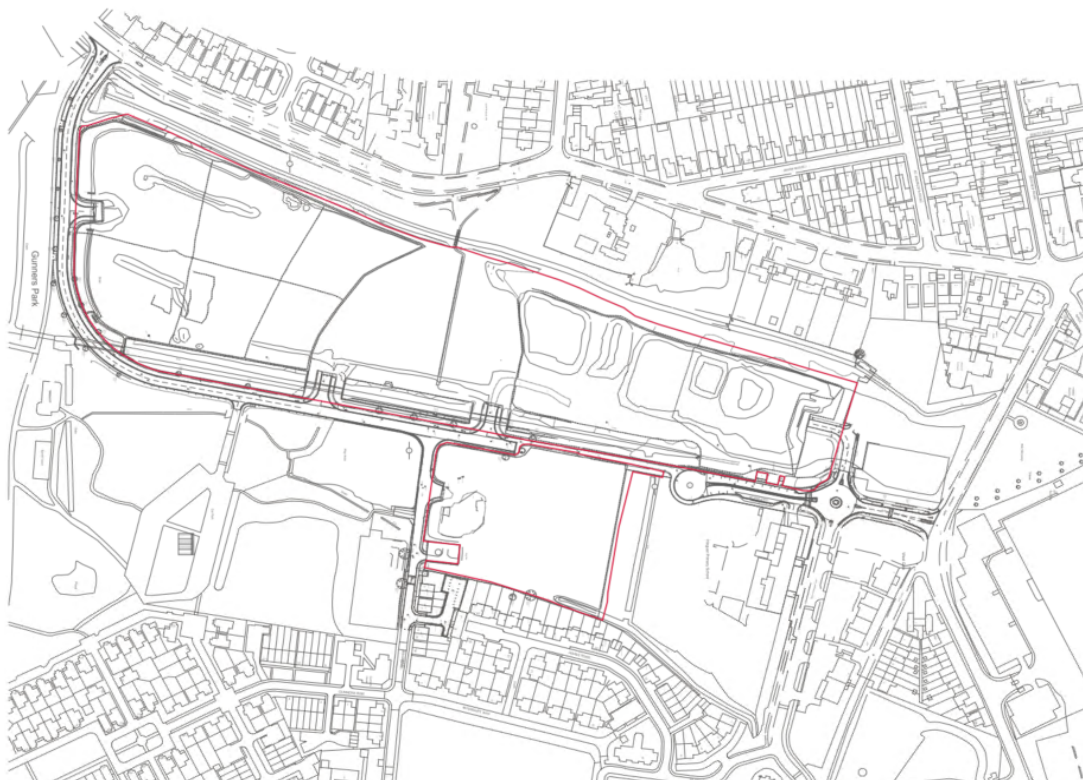


<b>Reference:</b>	23/01338/AD	
<b>Application Type:</b>	Approval of Details	
<b>Ward:</b>	Shoeburyness	
<b>Proposal:</b>	Application for approval of details pursuant to condition 03 (strategy for lorry movements) of planning permission 22/01602/RES dated 02.12.2022 (Earthworks phase only)	
<b>Address:</b>	Land Between Barge Pier Road and Ness Road, Shoeburyness, Southend-on-Sea, Essex	
<b>Applicant:</b>	Bellway Homes Limited (Essex)	
<b>Agent:</b>	Mr Guiseppe Cifaldi of Savills	
<b>Consultation Expiry:</b>	04.06.2024	
<b>Expiry Date:</b>	26.07.24	
<b>Case Officer:</b>	Abbie Greenwood	
<b>Plan Nos:</b>	N/A	
<b>Additional information:</b>	<b>Strategy for Lorry Movements, Land Between Barge Pier Road and Ness Road, Shoeburyness Revision B dated 20.06.24</b>	
<b>Recommendation:</b>	<b>APPROVE DETAILS</b>	



## 1 Site and Surroundings

- 1.1 The application site consists of 2 parcels of land totalling some 8.51 hectares (ha); the larger of the two (7.1 ha) is to the west of New Barge Pier Road, to the south of the Lidl store and to the east of dwellings in Ness Road. The smaller site (1.4 ha) is to the east of New Barge Pier Road, directly south of Hinguar School and to the north of the Gunners Park play area and adjacent to the rear gardens of dwellings in Ashes Road. The site is undeveloped except for an existing access road which was constructed as part of the wider Garrison development. The site is relatively flat lying at 1-3m AOD (Above Ordnance Datum).
- 1.2 The wider surrounding area is mixed in character. To the west and east of the site it is predominately residential. The housing to the east of the site is relatively new and was developed as part of the Garrison redevelopment (ref. 00/00777/OUT). To the north of the site are commercial uses and a school and the land to the south is undeveloped nature reserve and SSSI.
- 1.3 The Shoebury Garrison Conservation Area, including a number of listed buildings, is located some 120m to the east of the site; with the boundary running along Boundary Way, Magazine Road and St George's Lane.
- 1.4 The larger, western part of the site is bounded by Barge Pier Ditch to the east (within the application site boundary) and New Barge Pier Road to the south and by the River Shoe/flood alleviation ditch (C-X Ditch) to the west (outside the site boundary). There are no public rights of way on the site, however, there are two footpaths running through the site, one running north-south from New Barge Pier Road to Campfield Road along the western site boundary, which largely falls outside the site, the other runs east-west between Ness Road and Magazine Road.
- 1.5 The land to the south and southeast of the site is Gunners Park public open space which is allocated as 'Protected Green Space' with the land to the immediate south of the main part of the site also designated as a Local Wildlife Site (LWS), Site of Special Scientific Interest (SSSI) and Local Nature Reserve. Further south, this part of the Estuary constitutes a SSSI, Special Protection Area (SPA), RAMSAR and Local Nature Reserve.
- 1.6 The application site has no specific allocation within the Development Management Document Proposals Map. Within the Core Strategy Key Diagram the general location of the site is allocated as an Industrial/Employment Area. The Key Diagram also allocates the site to provide a primary care centre. According to the Environment Agency Flood Maps, the entire site is located within Flood Zone 3.

## 2 The Proposal

- 2.1 Outline planning permission was granted on 26.02.2021 (Application No: 20/01227/OUTM) to '*Erect up to 214 residential units (Use Class C3), provision of a new health centre up to 1000sqm (Use Class D1), up to 400sqm of retail floorspace (Use Class A1-A3), land raising, all associated car parking, new foot and cycle paths, public open space, landscaping and ancillary works and infrastructure, Install vehicular access off Barge Pier Road, New Garrison Road and Magazine Road (Outline Application)*' This permission set the parameters for development of the site and included the principle of the formation of raised development platforms within four development zones across the site.

- 2.2 Subsequent to this reserved matters application reference 22/01602/RES was approved on 2<sup>nd</sup> December 2022 for the engineering works required to raise the levels of the site to create the development platforms and associated drainage infrastructure works. This application also included part discharge of a number of conditions including condition 09 (Construction Management Plan) in relation to the engineering works phase of the outline planning permission only. Under this application a Construction Management Plan Rev C dated 07.11.22 (Earthworks phase only) was approved. The current application seeks approval of details in relation to condition 03 of this reserved matters approval reference 22/01602/RES which requires a strategy for lorry movements to be agreed with the Council prior to the commencement of the engineering works.

### 3 Relevant Planning History

- 3.1 The most relevant planning history for the determination of this application is shown on Table 1 below:

**Table 1: Relevant Planning History of the Application Site**

Reference	Description	Outcome
24/00420/DOV	Modification of planning obligation (Section 106 agreement) dated 26th February 2021 pursuant to application 20/01227/OUTM dated 26.02.2021 (as amended by 21/01887/DOV5) to modify the affordable housing obligations	Pending Consideration
24/00311/RESM	Approval of Reserved Matters including details of appearance, layout, and scale relating to the development of the site, comprising of 210 residential dwellings (Class C3) with associated infrastructure, cycle and car parking, public open space, play and refuse recycling details, submission of details for discharge of conditions 2 (Phasing Plan), 8 (Existing and Proposed Site Levels), part discharge of condition 11 (Landscaped Areas and Play Space), 13 (Timetable for Implementation of Biodiversity Mitigation Measures), 16 (Timetable for Implementation of Ecology Enhancement Measures), 20 (Cycle Parking Details), 25 (Refuse and Recycling Details), 28 (Flood Risk and Drainage Strategy), 34 (Part M4(2) and (3) details), 37 (Energy and Sustainability), 38 (Water Efficiency Measures) (Approval of reserved matters following outline permission 20/01227/OUTM dated 26/02/2021)	Pending Consideration
24/00237/AMDT	Application to vary condition 03 (approved parameter plans and landscape plan) to state - The development shall be carried out in accordance with the approved parameter plans which set out the parameters for the heights and levels of the development, the locations of the different uses across the site, the landscaping and the access and movement arrangements for the site BA9923-1600 Rev 06 - Land Use Parameter Plan; BA9923-1601 Rev 04 - Heights and Levels Parameter Pan; BA9923-1602 Rev	Pending Consideration

	04 - Access and Movement Parameter Plan; PR243-01 Rev G -Landscaping Plan, so replacing approved parameter plans and landscape plan, 032-S2-P401-D-Land Use, 032-S2-P402-E- Heights and Levels, 032-S2-P403-E- Access and Movement and 2166-00-20-B- Landscaping with amended drawings: BA9923-1600 Rev 06-Land Use Parameter Plan, BA9923-1601 Rev 04-Heights and Levels Parameter Plan, BA9923-1602 Rev 4 -Access and Movement Parameter Plan, PR243-01 Rev G-Landscaping Plan (Material Amendment of Planning Permission 20/01227/OUTM dated 26/02/2021))	
24/00153/AD	Application for approval of details pursuant to condition 7 (archaeological recording and analysis) of planning permission 20/01227/OUTM dated 26/02/2021	Granted
23/01387/AD	Application for approval of details pursuant to condition 09 (demolition and construction management plan and strategy) of planning permission 20/01227/OUTM dated 26.02.2021	Withdrawn
23/01084/NON	Application to vary and amend condition 41 (assessment of the nature and extent of contamination) - to modify trigger points for parts 1 and 2 of condition to allow for land raising works to take place - (Non-Material Amendment of planning application 20/01227/OUTM dated 26.02.2021)	Allowed
23/00804/AD	Application for approval of details pursuant to condition 02 (ditch survey and maintenance plan) of planning permission 22/01602/RES dated 02.12.2022	Granted
22/01602/RES	Approval of Reserved Matters (Appearance, layout and scale) for the engineering works required to raise the levels of the site to create the development platforms and associated infrastructure works. Submission of details for conditions 2 and part discharge of conditions 7, 8, 9, 13, 16 and 17, in relation to the engineering works of planning permission 20/01227/OUTM dated 26.02.2021 - Erect up to 214 residential units (Use Class C3), provision of a new health centre up to 1000sqm (Use Class D1), up to 400sqm of retail floorspace (Use Class A1-A3), land raising, all associated car parking, new foot and cycle paths, public open space, landscaping and ancillary works and infrastructure, Install vehicular access off Barge Pier Road, New Garrison Road and Magazine Road (Outline Application)	Granted
21/01887/DOV5	Modification of planning obligation (Section 106 agreement) dated 26th February 2021 pursuant to application 20/01227/OUTM to amend the	Granted

	chargee provisions in relation to the affordable housing.	
20/01227/OUTM	Erect up to 214 residential units (use class c3), provision of a new health centre up to 1000sqm (use class d1), up to 400sqm of retail floorspace (use class a1-a3), land raising, all associated car parking, new foot and cycle paths, public open space, Landscaping and ancillary works and infrastructure, install vehicular access off barge pier road, new garrison road and magazine road (outline application)	Granted

#### **4 Representation Summary**

##### **Highways**

- 4.1 No highway objections to the lorry movement strategy. The Council is content with the monitoring controls proposed and will monitor these through the construction stage.

##### **Environmental Health**

- 4.2 No objections. Environmental Health are satisfied with the information provided.

##### **Public Representations**

- 4.3 There is no requirement for public consultation for approval of details applications, however, 1 letter of representation received from a local resident raised the following summarised issues:

- Ness Road is not suitable for lorries and the roads are full and congested. The materials should be brought in by barge.

#### **5 Procedural Matters**

- 5.1 This application is presented to the Development Control Committee because it was called in by Cllr Woodley.

#### **6 Planning Policy Summary**

- 6.1 The National Planning Policy Framework (NPPF) (2023)
- 6.2 Planning Practice Guidance (PPG) (2024) – National Design Guide (NDG) (2021)
- 6.3 Core Strategy (2007): 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), CP6 (Community Infrastructure), CP7 (Sport, Recreation and Green Space) and CP8 (Dwelling Provision).
- 6.4 Development Management Document (2015): Policies DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM10 (Employment Sectors), DM14 (Environmental Protection) and DM15 (Sustainable Transport Management).
- 6.5 Waste Storage, Collection and Management Guide for New Developments (2019)

## 7 Planning Considerations

- 7.1 This application has to be assessed in the context of the reason that the condition was first imposed. The Local Planning Authority has to assess whether sufficient details have been submitted as required by the condition and if so, whether they are acceptable.

## 8 Appraisal

### Condition 03 (Strategy for Lorry Route - Earthworks Phase only)

- 8.1 Condition 03 states:

*The works to create the raised development platforms hereby approved shall be carried out and completed in full accordance with the timescales set out in section 3 of the Construction Management Plan (CMP) Rev C by Bellway dated 07.11.22 or any other timetable that has previously been submitted to and agreed in writing with the Local Planning Authority under the terms of this planning condition. In addition, notwithstanding the contents of the CMP approved under condition 09 of planning permission 20/01227/OUTM for the construction of the raised development platforms, prior to the commencement of the development subject of this permission, a strategy for lorry movements to and from the development site through the City, including a means for the monitoring of the adherence of the development's vehicles travelling via the agreed routes, shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall demonstrate that the primary routing on entry to, and through, the City is via the A127. The development shall be carried out in full accordance with the approved details.*

*Reason: A pre commencement condition is required in the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality and to safeguard character and appearance of the area and the visual amenities of neighbouring occupiers in accordance with Policies KP2, CP3 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015) and advice in the Southend-on-Sea Design and Townscape Guide (2009).*

- 8.2 The applicant has submitted the following in respect of condition 03:

- Strategy for Lorry Movements, Land Between Barge Pier Road and Ness Road, Shoeburyness Revision B dated 20.06.22.

- 8.3 The route taken by the lorries delivering surcharge material to the site is set out in the Construction Management Plan (CMP). Surcharge means placing soil fill over a soft soil deposit to compact it for development purposes. Revision C of the CMP was agreed as part of the reserved matters approval for the engineering works required to create the development platforms (reference 22/01602/RES) and included an agreed lorry route which enters and leaves the city via the A127 as required by condition 03.

- 8.4 The Lorry Strategy submitted with this application sets out how the movement of delivery lorries will be monitored. The document states:

- *Bellway will appoint a haulier that uses lorries with live tracking so that the lorry route can be downloaded upon request and will be monitored by the site manager on a weekly basis;*
- *Bellway will employ a banksman at the site who will record the registration of lorries*

- going to and from the site. This information will be used to cross reference the route the vehicle has taken in the event that a complaint is raised to the site manager;
- Upon appointment of the contractors for the development, the names of those companies will be included on the public consultation website for the development. The address for this website will be shared with the Councillors, Officers, the Residents Association, local residents and will be posted on social media. **[Officer Note: This website is available at this link <https://www.bellway-estuaryview.co.uk/> - it currently provides an overview of the scheme and an opportunity for interested parties to provide feedback direct to the developer and was used by the developer to engage with the public during various of the public consultation stages of the development process.]**
  - In the event that residents or stakeholders are concerned that a lorry has not followed the correct route, the following complaints procedure will be in place:
    - The name and contact number of the site manager will be on the website and also displayed on an information board at the site. This information will also be shared with officers to keep on file. The site manager can be contacted to report a divergence from the route;
    - Residents can also use [Bellway.co.uk](https://www.bellway.co.uk) and following instructions to the complaints procedure and either contact the Customer Care team ([Essexcustomer@bellway.co.uk](mailto:Essexcustomer@bellway.co.uk)) who will provide a response within 7 days. Bellway has an escalation process for complaints which is detailed on the website.
    - In the event of emergencies they can contact the (Bellway) Divisional Office on 01245 259989.
  - Where a complaint is received regarding deviation from the agreed route, Bellway will review the reasons for diverting. Bellway will also regularly remind hauliers of the agreed route and set out Bellway's obligations for maintaining these movement routes.

*Bellway are committed to using appropriate routes for the transfer of material to the site. We have worked extensively with Councillors to review a selection of routes and ensure that the requirements of condition 3 are met.*

*We will work with our selected hauliers to ensure that lorries use the proposed route and have adequate controls in place to record and address any divergence from the route and an appropriate complaints procedure in the unlikely event that lorries use unauthorised routes.'*

- 8.5 The proposed monitoring process, including the described complaints procedure is considered to be satisfactory. No objections have been raised by Highways or Environmental Health.
- 8.6 Overall, it is considered that the requirements of condition 03 are met and that the details are acceptable in all relevant regards. This application is therefore recommended for approval.

### **Equality and Diversity Issues**

- 8.7 The Equality Act 2010 (as amended) imposes important duties on public authorities in the exercise of their functions and specifically introduced a Public Sector Equality Duty. Under this duty, public organisations are required to have due regard for the need to eliminate unlawful discrimination, harassment and victimisation, and must advance

equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. Officers have in considering this application and preparing this report had careful regard to the requirements of the Equalities Act 2010 (as amended). They have concluded that the decision recommended will not conflict with the Council's statutory duties under this legislation.

## **9 Recommendation**

### **GRANT DISCHARGE OF THE FOLLOWING CONDITION:**

#### **Condition 03 (Strategy for Lorry Movements) (Earthworks phase only)**

**The details of the lorry monitoring procedure, as set out in the Strategy for Lorry Movements, Land Between Barge Pier Road and Ness Road, Shoeburyness Revision B dated 20.06.2024, are acceptable and agreed in accordance with the requirements of condition 03 of planning permission reference 22/01602/RES in relation to the construction of the raised development platforms only.**

#### **Informative**

**01 The applicant is advised that this approved Lorry Movements Strategy would apply to any version of the engineering stage Construction Management Plan which may be submitted to and approved in writing by the Local Planning Authority.**