

Reference:	24/00311/RESM	
Application Type:	Reserved Matters Major	
Ward:	Shoeburyness	
Proposal:	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) (Approval of reserved matters following outline permission 20/01227/OUTM dated 26/02/2021)	
Address:	Land Between Barge Pier Road and Ness Road, Shoeburyness, Southend-on-Sea, Essex	
Applicant:	C/O Agent	
Agent:	Mr Giuseppe Cifaldi of Savills	
Consultation Expiry:	15.08.24	
Expiry Date:	23.08.2024	
Case Officer:	Abbie Greenwood	
Plan Nos:	BA9923-2001A, BA9923-2002A, BA9923-2003C, BA9923-2004D, BA9923-2005D, BA9923-2011D, BA9923-2111C, BA9923-2112B, BA9923-2113C, BA9923-2114C, BA9923-2203B, BA9923-2204A, BA9923-2570A, BA9923-2571A, BA9923-2572A, BA9923-2574A, BA9923-2575, BA9923-2576A, BA9923-2578A, BA9923-2580A, BA9923-2600B, BA9923-2601B, BA9923-2602B, BA9923-2603B, BA9923-2604B, BA9923-2605B, BA9923-2606B, BA9923-2607A, BA9923-2610B, BA9923-2612B, BA9923-2640B, BA9923-2641A, BA9923-2642B, BA9923-2650B, BA9923-2652B, BA9923-2660A, BA9923-2662A, BA9923-2670B, BA9923-2672B, BA9923-2680A, BA9923-2682A, 2105160-002, 2105160-003, 2105160-300, PR243-01L Landscape Master Plan.	
Additional information:	<i>Supporting Documents for Reserved Matters Detailed Scheme</i> Planning Statement Design and Access Statement Various CGIs of the Scheme and BA9923-2210A View Location Plan	

BA9923-2006D Tenure Plan

BA9923-2007E - House Types Plan

BA9923-2008D - Storey Height Plan

BA9923-2009C – Parking Plan – Level 0

BA9923-2010D - Parking Plan - Level 1

BA9923-2012D – Roof Material Plan

Statement of Community Involvement by GNL Strategic dated Feb 2024

Ecological supporting note in response to RSPB comments on 24/00311/RESM by SES dated 09.05.24

Drawing BA9923-2204A - Site Layout - Fire Strategy

Briefing Note on contaminated materials (imported soils) by IDOM reference BN-22438-24-137 dated 25.04.24

Arboricultural Compliance Statement to Discharge Condition 18 by SES dated 06.02.24

Energy Statement by AES Sustainability Consultants Ltd Rev 3 dated 31.02.24

Supporting Documents for discharge of Conditions on Outline planning permission 20/01227/OUTM

Condition 2 (Phasing Plan)

Drawing BA9923-1005-07 (Shoebury Garrison - Phasing Plan)

Condition 8 (Existing and Proposed Site Levels)

Drawing BA9923-2002 (Topography Survey)

Drawing 2105160-300 (External Levels Strategy)

Part discharge of condition 11 (Landscaped Areas and Play Space)

PR243-01L Landscape Master Plan

Drawing PR243-02 (Leap Play Area Proposals)

Drawing PR243-03 (Lap Play Area Proposals)

Drawing PR243-04A Informal Play Areas

Condition 13 (Timetable for Implementation of Biodiversity Mitigation Measures) and Condition 16 (Timetable for Implementation of Ecology Enhancement Measures)

Residential Reserved Matters Application – Ecological Condition Discharge Document Conditions 13 to 17 by SES dated February 2024

Ecological supporting note in response to RSPB comments on 24/00311/RESM by SES dated 09.05.24

Condition 20 (Cycle Parking Details)

Drawing BA9923-2015C (Cycle Store Location Plan)

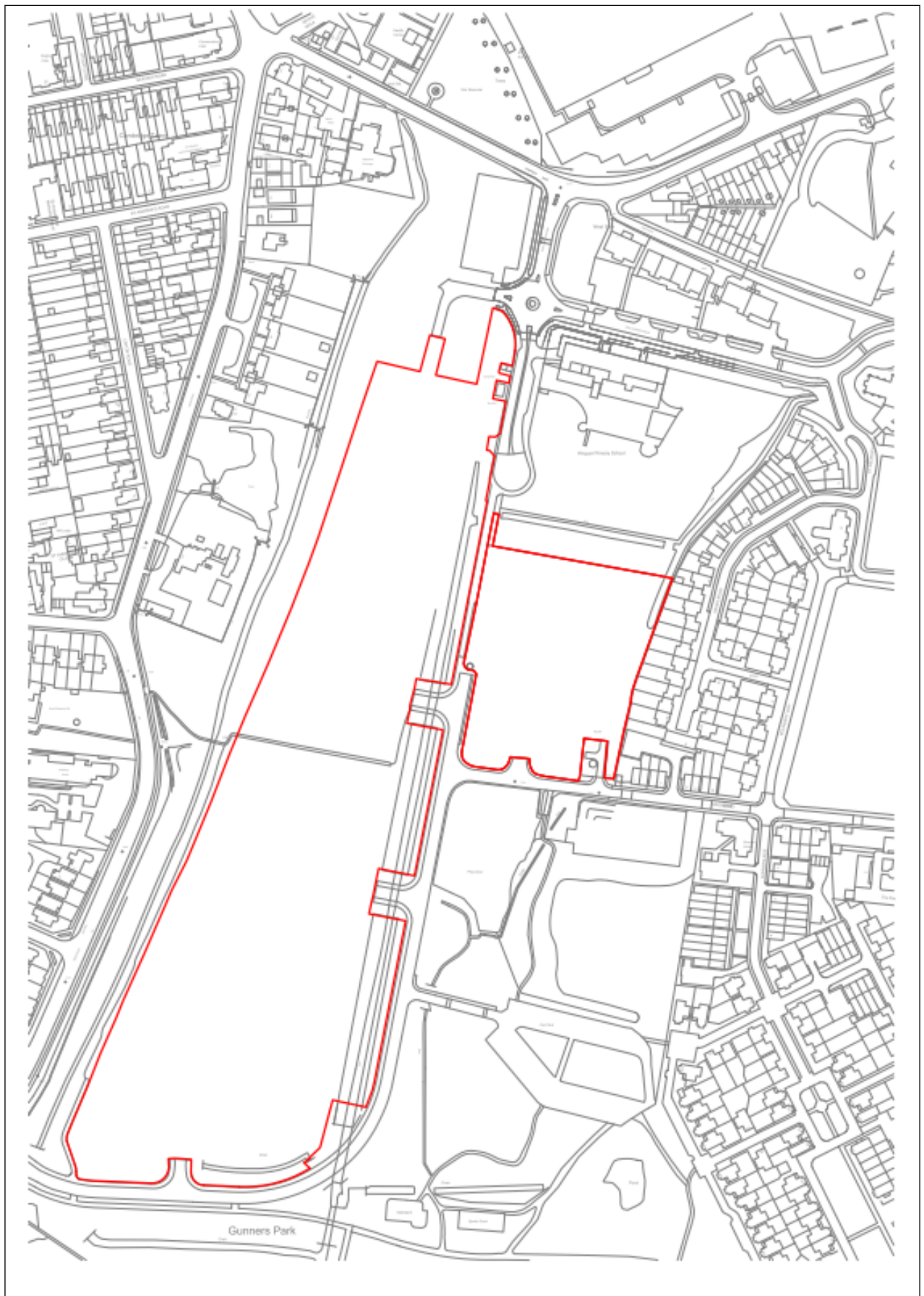
Ground floor plans for flats and perimeter houses as above

Bin and Bicycle Storage Schedule Rev A

	<p>Condition 25 (Refuse and Recycling Details)</p> <p>Drawing BA9923-2014F (Refuse Store and Collection Plan)</p> <p>Drawing 2105160-003 (Site Layout – Swept Path Analysis)</p> <p>Ground floor plans for flats and perimeter houses as above</p> <p>Bin and Bicycle Storage Schedule Rev A Condition 28 (Flood Risk and Drainage Strategy)</p> <p>Drainage Strategy Briefing Note by Ardent reference 2105160-R02 dated April 2024</p> <p>Drawing 2105160-400B Proposed Drainage Strategy Home Zones 1 and 2</p> <p>Drawing 2105160-401B Proposed Drainage Strategy Home Zones 2,3 and 4</p> <p>Letter titled 24/00311/RESM – Flood Risk and Drainage Strategy from Ardent reference BC/2105160/LLFA Response dated 04.04.24</p> <p>Ardent response to LLFA Drainage Queries dated 06.06.2024</p> <p>Drainage Calculations for Catchments A-D</p> <p>Condition 34 (Part M4(2) and (3) details)</p> <p>BA9923-2700 M4(3) and M4(2) Compliance Flats and Houses</p> <p>BA9923-2206A M4(2) Accessibility HZ1</p> <p>BA9923-2207 M4(2) Accessibility HZ2</p> <p>BA9923-2208 M4(2) Accessibility HZ3</p> <p>BA9923-2209 M4(2) Accessibility HZ4</p>
<p>Recommendation:</p>	<p>a) DELEGATE to the Executive Director for Environment and Place, the Director of Planning and Economy, and the Service Manager - Development Management and Enforcement to amend the description of development in so far as it relates to only the application reference number to reflect the decision made on application reference 24/00237/AMDT.</p> <p>b) Subject to the granting of permission for application reference 24/00237/AMDT, DELEGATE to the Executive Director for Environment and Place, the Director of Planning and Economy, and the Service Manager - Development Management and Enforcement, to APPROVE RESERVED MATTERS application reference 24/00311/RESM in relation to condition 03 of planning permission ref 24/00237/AMDT subject to conditions as set out in List A - Conditions - in Section 8 of this report below.</p> <p>c) Subject to the granting of permission for application reference 24/00237/AMDT, DELEGATE to the Executive Director for Environment and Place, the Director of Planning and Economy, and the Service Manager - Development Management and Enforcement, to GRANT DISCHARGE OF THE FOLLOWING PLANNING CONDITIONS as set out in List B in</p>

Section 8 of this report below in FULL or PARTIALLY for planning permission 24/00237/AMDT:

- **Condition 2 (Phasing Plan)**
- **Condition 8 (Existing and Proposed Site Levels)**
- **Part discharge of Condition 11 (Landscaped Areas and Play Space)**
- **Condition 13 (Timetable for Implementation of Biodiversity Mitigation Measures)**
- **Condition 16 (Timetable for Implementation of Ecology Enhancement Measures)**
- **Condition 20 (Cycle Parking Details)**
- **Condition 25 (Refuse and Recycling Details),**
- **Condition 28 (Flood Risk and Drainage Strategy)**
- **Condition 34 (Part M4(2) and (3) details)**



1 Site and Surroundings

- 1.1 The application site consists of 2 parcels of land totalling some 78,000sqm (7.8 hectares), the larger of the two, to the west of New Barge Pier Road, is some 64,500sqm; the smaller site to the east of New Barge Pier Road is some 13,500sqm. The reserved matters application subject of this report has a smaller area than the outline application as it does not include a section of land at the northern end of the site of some 2,800 sqm and it excludes the access points previously constructed from Barge Pier Road. It is not unusual for Reserved Matters to be submitted in such phased ways.
- 1.2 The site is undeveloped, but access points into the site have been previously constructed. The site is relatively flat lying at 1-3m AOD (Above Ordnance Datum). The larger part of the site is roughly rectangular and is to the south of the Lidl store and to the east of dwellings in Ness Road. The smaller part of the application site is to the east of the larger site. This area is directly south of Hinguar School, to the north of the Gunners Park play area and adjacent to the rear gardens of dwellings in Ashes Road. Gunners Park is to the southeast and south of the application site and is allocated as 'Protected Green Space'. The land to the immediate south of the main part of the site is 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. The site is mainly open scrub land with a few trees mostly along the western boundary. There are no Tree Preservation Orders (TPOs) on the site.
- 1.3 The wider surrounding area is mixed. To the east and west of the site is predominately residential. To its north are commercial uses and a school and the land to the south is undeveloped open space with the estuary beyond.
- 1.4 Shoebury Garrison Conservation Area is some 120m to the east of the site; with the boundary running along Boundary Way, Magazine Road and St George's Lane. There are listed buildings within the Conservation Area. The nearest listed buildings to the east of the application site include the Grade II listed buildings Blocks A to G at The Terraces and the Garrison Church of St Peter and St Paul. To the west, the closest listed buildings include the Grade II Listed South Shoebury Hall Farmhouse and Garden House, with the Grade II* Church of St Andrew beyond. There are also locally listed buildings to the west, including Nos 135 Ness Road and 109 Ness Road. To the north of the site is the Grade II listed Shoeburyness War Memorial. The 'Danish Camp' prehistoric settlement Scheduled Monument is some 300m to the east.
- 1.5 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, two footpaths run through the site, one north-south from New Barge Pier Road to Campfield Road along the western site boundary, which largely falls outside the site, the other east-west between Ness Road and Magazine Road.
- 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 reference 20/01227/OUTM was granted on 26th February 2021 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.' That outline planning permission granted approval for matters relating to means of access and landscaping only, with matters relating to scale, layout and appearance reserved for later consideration. In approving that outline application, this Local Planning Authority agreed the principle of this quantum of development in this location as was the approach to address flood risk at the site which involved the creation of 4 separate Home Zones with raised development platforms.
- 2.2 That outline planning permission was subject to a S106 legal agreement which secured the following planning obligations:
- 30% units of affordable housing on site (65 units) – with a 60/40 tenure split (39 social/affordable rent and 26 intermediate units).
 - £493,000.40 contribution towards secondary education.
 - Essex RAMS payment of £26,874.12 to mitigate the potential disturbance to European designated sites. [**Officer comment:** this figure will be adjusted to take account of inflation and the reduced number of dwellings compared to the outline permission.]
 - £30,000 highways contribution towards Campfield Road/Ness Road junction improvements.
 - Monitoring fee £10,000.
- 2.3 With the exception of the affordable housing contribution, which is subject to a separate deed of variation application reference 24/00420/DOV which will be considered separately to this application and the report for which appears elsewhere on this agenda, the other agreed contributions remain valid and unaltered.
- 2.4 In December 2022 a reserved matters application, reference 22/01602/RES, for the detailed design of the development platforms was approved. This current reserved matters application seeks planning permission for the detailed design, including scale, layout and appearance, of the development to be built on and around these development platforms. The proposal is for 210 residential dwellings comprising 122 flats and 88 houses arranged across the 4 Home Zones. The application does not include any commercial development or the health centre which is included in the outline application with the site boundary for this reserved matters application smaller than the original outline application boundary as it excludes an area of some 2,800sqm at the northern end of the site adjacent to the Lidl store. The proposal for 210 residential units falls within the scope of the outline application which sets a maximum quantum of development only (214 dwellings).

Details of the 4 Home Zones

- 2.5 Home Zone 1 at the southwest corner of the site facing the estuary is the largest Home Zone in the development. It contains flatted blocks, A and B, on its southern frontage overlooking the estuary. These range from 3 to 5 storeys and contain 54 flats in total. The east, west and north sides of this Home Zone are wrapped by 3 storey development comprising 25 houses and one further integrated flatted block of 6 flats. In the centre of the Home Zone a further 15 two storey houses are proposed. Home Zone 1 has 153 parking spaces.
- 2.6 Home Zone 2 in the centre of the application site and to the north of Home Zone 1

comprises 27 three storey terraced houses arranged around the perimeter of the Home Zone with a communal garden in the centre. Home Zone 2 has 54 parking spaces.

- 2.7 Home Zone 3 on the eastern parcel of land contains a mix of 21 three storey terraced houses with a central shared garden area and 32 flats arranged in 3 separate blocks of 3 - 4 storeys at the southwest corner and the northern sides of the Home Zone. There is also a toddler's playground (LAP or Local Area for Play) at the southeast corner of this Home Zone. Home Zone 3 has 81 parking spaces.
- 2.8 Finally, Home Zone 4 is made up of two matching offset 4 storey flatted blocks each containing 15 flats at the northern end of the site. Home Zone 4 has 36 parking spaces. Overall, 324 parking spaces are proposed across the site.
- 2.9 The overall dwelling mix is as follows:

Dwelling Type	Private	Affordable	Total
Flats			
1 Bed 2 Person	38	8	46
2 Bed 3 Person	6		6
2 Bed 4 Person	34	8	42
3 Bed 5 Person	23	5	28
Total Flats	101	21	122
Houses			
2 Bed 4 Person	15		
3 Bed 5 Person	38		
4 Bed 7 Person	35		
Total Houses	88		88
Total	189	21	210

- 2.10 All of the dwellings have allocated parking and cycle and refuse storage facilities. In total 324 parking spaces are proposed. All houses have private gardens to the rear and many also have access to a private balcony and shared garden in the centre of the zone. The flats all have good sized private balconies.
- 2.11 The land surrounding and between the Home Zones is proposed as landscaped public open space and includes 3 new play areas plus additional play on the way features and 3 sustainable drainage basins. Overall, the proposed scheme provides some 2,958 sqm of communal open space and the proposed play areas measure some 0.29 hectares. The landscaping includes a series of small woodland areas, native hedgerows and wildflower planting as well as landscaping within the Home Zones themselves. Overall, 350 new trees will be planted across the site. The general landscaping arrangement around the Home Zones was previously agreed under the outline planning permission.
- 2.12 This application also seeks to discharge the details of the various conditions of the outline permission including Condition 2 (Phasing Plan), Condition 8 (Existing and Proposed Site Levels), part discharge of Condition 11 (Landscaped Areas and Play Space), Condition 13 (Timetable for Implementation of Biodiversity Mitigation Measures), Condition 16 (Timetable for Implementation of Ecology Enhancement Measures), Condition 20 (Cycle

Parking Details), Condition 25 (Refuse and Recycling Details), Condition 28 (Flood Risk and Drainage Strategy), and Condition 34 (Part M4(2) and (3) details). These are assessed at the end of this report.

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
24/00237/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 05 - Heights and Levels Parameter Pan; BA9923-1602 Rev 04 - Access and Movement Parameter Plan; PR243-01 Rev L -Landscape Master 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)).	Pending Consideration.
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.
24/00153/AD	Application for approval of details pursuant to condition 7 (archaeological recording and analysis) of planning permission 20/01227/OUTM dated 26/02/2021.	Details Agreed.
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.
23/01338/AD	Application for approval of details pursuant to condition 03 (strategy for lorry movements) of planning permission 22/01602/RES dated 02.12.2022.	Details Agreed.

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).	Non-material amendment 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.	Details Agreed.
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).	Reserved Matters Approved.
21/01887/DOV5	Modification of planning obligation (Section 106 agreement) dated 26th February 2021 pursuant to application 20/01227/OUTM to amend the chargee provisions in relation to the affordable housing.	Modification Agreed.
20/01227/OUTM	Approval of reserved matters pursuant to condition 17 of planning permission 20/01479/BC4M dated 06.09.2021, comprising details of access, appearance, landscaping, layout and scale for 218 units with associated 108sqm of cafe (Use Class E); 86.8sqm of Office (Use Class E); Porters Park, associated landscaping; provision of new road with access from Chichester Road with associated public realm and infrastructure; parking and temporary parking arrangements; with accompanying information to part discharge conditions: Condition 20 (Statement of Compliance against the Design Code), Condition 30 (Archaeological Written Scheme of investigation), Condition 32 (Daylight, Sunlight and Overshadowing assessment), Condition 33 (Wind/Micro-Climate Assessment), Condition 34 (Visual Impact Assessment), Condition 45 (Foul Drainage Strategy), Condition 49 (Energy Strategy), Condition 59 (Travel Plan) and Condition 62	Planning permission Granted

	(Noise Impact Assessment).	
20/00823/BC3M	Temporary storage of soil at New Barge Pier Road.	Planning permission granted.
20/00740/RSO	Residential development of up to 250 dwellings and a health centre (class D1) vehicular access off Barge Pier Road and areas of open space and recreational areas and associated infrastructure. (Request for Scoping Opinion).	Scoping opinion issued.
20/00310/RSE	Residential development of up to 250 dwellings and a health centre, vehicular access off Barge Pier Road and associated new and enhanced open space comprising informal/natural greenspace. (Request for Screening Opinion) - Is EIA development and Environmental Statement required.	EIA development and Environmental Statement required.
18/01975/FULM	Re-grading and retention of existing on-site spoil heap, erect 9 Commercial Units (Use Class B1/B8) with ancillary Trade Counter, 1 Retail Unit (unit 8) (Use Class A1) and 1 Unit (Use Class Sui Generis) for use as Vets (unit 1), layout Car Parking Spaces and Cycle Parking, construction of vehicular and pedestrian accesses from existing roundabout and layout soft landscaping.	Planning permission granted.
14/01495/BC3M	Temporary storage of soil and install wheel cleaning apparatus at New Barge Pier Road.	Planning permission granted.
12/01198/BC3M	Temporary storage of soil and install wheel cleaning apparatus at New Barge Pier Road.	Planning permission granted.
15/02053/OUTM	Erect 172 dwellinghouses and 14,130sqm of Offices (Class B1(a) and Health Centre (Class D1) (outline application) (Amended Proposal)	Outline planning permission granted. <i>Reserved matters never submitted.</i>
14/00566/OUTM	Erect 172 dwellinghouses and 15000sqm of Offices (Class B1) (outline application)	Withdrawn.
10/01829/FULM	Erect three storey building for use as Primary Care Centre (Class D1) incorporating entrance ramp with steps and balustrade to north boundary, lay out associated parking for 171 cars, 78 cycle spaces, ambulance bay and service yard, hard and soft landscaping, erect sub-station to east elevation and erect 1.1m high mesh fencing to boundary on land adjacent to Barge Pier Road.	Planning permission granted.
07/00366/FUL	Form access road from south of roundabout on Barge Pier Road; form flood alleviation ditch to east of Ness Road between Campfield Road and New Ness Road access	Planning permission Refused.
13/01743/RESM	Details of New Gunners Park infrastructure/facilities including children's play area, toddlers play area, wheeled sports and multi-use games area, tennis courts, car parks, footpaths/cycleways and historic military structures.(Approval of reserved matters	Reserved matters approved.

	following outline permission 00/00777/OUT granted on 06/02/2004).	
00/00777/OUT	Mixed use development comprising conversion of existing buildings and erection of 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).	Planning permission granted.

4 Representation Summary

Public Consultation

- 4.1 Three-hundred and forty (340) neighbouring properties were consulted by letter, eight (8) site notices were displayed and the application was advertised in the press. Three rounds of consultation were undertaken. At the time of writing, ten (10) letters of representation have been received which make the following summarised comments:

Representation	Officer Comment
Detrimental impact on the character of the area. The flats at the south of the site are too high and out of keeping with this area. The scale has been increased to avoid flooding of the properties and this will add to the height of the development which is out of character. The design bears no resemblance to the outline [indicative masterplan] scheme.	See assessment below in regard to the impact on local character. The initial masterplan submitted as part of the Outline Planning Permission was indicative only and represented solely one scenario for how the quantum of proposed development could be accommodated on the site.
Concern over congestion and impact on surrounding infrastructure. Traffic implications.	The impact of the overall quantum of development on the surrounding road network was assessed in detail in the Outline Planning Permission and found to be acceptable. The current application is within the thresholds of the Outline Planning Permission.
Development should not be built on a floodplain/in a flood zone. This will impact on existing properties. Concern the proposal will cause flooding of neighbouring properties. Impact of land raising on surrounding properties. A flood risk assessment is needed. The outline scheme did not include land raising to	Flood risk was assessed in detail and found to be acceptable in the Outline Planning Permission. This issue therefore falls outside the scope of the current application which relates to assessment of the reserved matters only (appearance, layout and scale).

<p>6.1m AOD. The drainage ditch to the eastern boundary needs to be retained. Other sites outside the flood zone should have been considered. Building in the flood zone conflicts with national guidance in relation to flood risk and development.</p>	
<p>Concerns over increased surface water flooding for the area including concern over the effectiveness of Gogs Berth to discharge surface water in the area. There is no indication regarding how far the pipe carrying surface water travels before it enters the sea and impact on blue flag status. Does this need to be extended. Anglian water already has issues with sewage overflow in this area.</p>	<p>Surface Water Flooding is covered by Condition 28 of the Outline Planning Permission. The current application is seeking to discharge this condition in full - see appraisal of Condition 28 details below.</p>
<p>Concern over impact on the SSSI. The Environment Agency should be consulted.</p>	<p>Natural England were consulted on this application and raised no objections.</p>
<p>Impact on existing trees. Request for more trees to be added along the eastern boundary.</p>	<p>The protection of existing trees is covered by Condition 18 of the Outline Planning Permission. The amended landscaping scheme, which will be considered separately under application 24/00237/AMDT, the report for which is elsewhere on this Committee agenda, proposes to plant 350 new trees including additional trees on the eastern boundary. The details of this are covered by condition 11 of the outline planning permission.</p>
<p>Concern over loss of health centre proposed in outline application. No jobs will be created. Without the health centre this is a different scheme.</p>	<p>The current application subject of this officer report relates only to the residential element of the overall mixed-use scheme granted outline planning permission. A separate site has been retained at the northern end of the outline application area for potential commercial development reserved matter details for which can come forward separately provided they are in accordance with the terms and conditions of the outline planning permission.</p>
<p>Impact on neighbour amenity including loss of privacy for neighbours.</p>	<p>See section 'Impact on Residential Amenity' below.</p>
<p>Noise and disturbance during construction works including lorry movements.</p>	<p>A Construction Management Plan (CMP) has already been approved for the engineering works phase of the development which includes measures to mitigate the impact of construction on neighbours. A separate CMP will subsequently need to be agreed for the construction of the buildings. This is controlled by condition 09 of the Outline</p>

	Planning Permission.
A gas risk assessment is needed considering contaminants which have been found.	Contamination, including the requirement for a gas risk assessment, is controlled by Condition 41 of the Outline Planning Permission. Environmental Health have confirmed that the gas risk assessment needs to be carried out after the completion of the raised platforms.
Concern over social housing provision. Lack of affordable housing.	The proposed change to the provision of affordable housing at the site will be considered separately under application reference 24/00420/DOV the report for which is elsewhere on this Committee agenda, so falls outside the scope of this application.
The proposal fails to consider Biodiversity Net Gain (BNG).	Reserved Matters for Outline Planning Permissions do not fall within the scope of Biodiversity Net Gain as it is not a grant of planning permission but an agreement of details. The outline planning application in this case was submitted prior to the implementation of the BNG Legislation. However, the outline planning permission did consider in detail the impact on ecology and conditions 13-17 of the outline planning permission require various ecological mitigation and enhancement measures to be implemented. An amendment to the approved landscaping design will also be considered separately under application 24/00237/AMDT the report for which is elsewhere on this Committee agenda.
Neighbouring authorities should have been consulted on this application. The application should be called in by the Secretary of State.	The site is not close to the city boundary with neighbouring authorities. The development does not fall within the remit of scheme that would require submission to the Secretary of State.
The development does not comply with the outline permission which has tight rigid parameters.	Amendments to the parameter plans to ensure compliance with this proposal will be considered separately under application 24/00237/AMDT the report for which is elsewhere on this Committee agenda.

Officer Comment: These concerns are noted and those that represent relevant material planning considerations have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.

Other Consultees

Highways

4.2 There are no highway objections to this proposal. The adoption proposal is acceptable.

The applicant will be required to enter into the appropriate highways agreement for the adoption of proposed highway. All roads used by refuse vehicles must be suitably constructed.

Lead Local Flood Authority (LLFA)

- 4.3 No objections. The information submitted in regard to Condition 28 (Flood Risk and Drainage Strategy) is acceptable and this condition can be discharged. The LLFA has no comments to make on other aspects of this proposal.

Environment Agency (EA)

- 4.4 The Environment Agency have no comments to make on this application as flood risk including flood modelling was considered as part of the outline application and the Environment Agency's no objection response to this initial outline application is still relevant.

Anglian Water

- 4.5 Condition 28 Foul Water Comments: The drainage strategy briefing note 2105160-R02 Feb 24, is acceptable to Anglian Water. Surface Water is not relevant to Anglian Water.

Environmental Health

No objections. Details of the location of the proposed air source heat pumps should be provided in due course. All imported soils must be certified as required by environmental regulations. An air quality assessment should be submitted. Queries regarding waste and recycle collection arrangements.

[Officer Comment: The details of renewables are covered by condition 37 of the Outline Planning Permission. In any event, the applicant has confirmed that all imported soils will comply with the Development Industry Code of Practice on the Definition of Waste which requires all materials to consist of "Clean, naturally occurring soils and mineral materials". Air Quality implications were assessed as part of the Outline Planning Permission and are controlled by Condition 44 of this permission.]

Parks Landscape Officer

- 4.6 No objections. The Parks team view the open spaces in this development in a favourable light and welcome the introduction of varied habitats. The change from whips to 12-14cm standards (whips and standards are tree sizes of planting) is more suitable for creating wooded habitat and is now acceptable.

Natural England

- 4.7 The proposed development falls within the 'zone of influence' (ZOI) for one or more European designated sites, the Essex Coast RAMS. It is anticipated that new residential development within this zone is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development and therefore such development will require an appropriate assessment.

Your authority has measures in place to manage these potential impacts through a strategic solution which we have advised will (in our view) be sufficiently certain and effective in preventing adverse impacts on the integrity of those European Site(s) within

the ZOI from the recreational impacts associated with such development. The appropriate assessment concludes that the proposal will not result in adverse effects on the integrity of any of the sites as highlighted above (in view of its conservation objectives) with regards to recreational disturbance, on the basis that the strategic solution will be implemented by way of mitigation. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects likely to occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions. If all mitigation measures are appropriately secured, we are satisfied that there will be no adverse impact on the sites from recreational pressure.

[Officer Comment: The S106 agreement for the initial outline consent secured the required RAMS payment for this development and this still stands.]

Royal Society for the Protection of Birds (RSPB)

- 4.8 No objections - The Supporting Document 'Ecology Response 09.05.24 Rev A and Amended Plan satisfactorily addresses the concerns raised in our March letter, including measures for helping Swifts and House Martins included in the design.

Active Travel England (ATE)

- 4.9 The proposed access for this residential site uses three existing access points off New Barge Pier Road and also by an extension of the northern end of New Barge Pier Road. It is noted that this road benefits from a shared, unmarked bicycle/footway providing a connection with recent housing development to the northeast of the site via Magazine Road.

The site is to the west of Hinguar Primary School and 1km south-west of Shoeburyness railway station. It is also close to National Cycle Route (NCN) 16 which runs through Southend-on-Sea and also consists of a dual lane cycle path on the southern side of the B1016. Further to this, Lidl and Sainsbury's supermarkets are directly north of the site, with Shoeburyness High School adjacent and Richmond Avenue Primary School 600-800m from the site to the north-west. These are accessible by existing footways – along with some amenities (e.g. small supermarkets) in Shoebury to the north and Thorpe Bay. The majority of the higher-order public amenities (shops, community services etc.) are located in Southend Central approximately 5-6km to the west, while Shoeburyness railway station is approximately 950m from the site - an approximate 12minute walk from the northern site access junction. Regarding bus services, service 9 which runs every 20-30 minutes and connects the site to Southend has stops located approximately 470m via the proposed east / west pedestrian link (2.5m wide footpath).

With its well-connected location, it is vital that this site maximises the opportunities that future residents, visitors, and employees have to choose active travel modes for both utility and leisure purposes, along with connecting with the aforementioned public transport services.

In conjunction with the site being in a relatively flat location with some suitable existing infrastructure, there are various aspects of the proposal which, subject to specific interventions, could facilitate high levels of walking, wheeling, and cycling for its residents. This is in particular reference to the site's close proximity to public transport facilities and the established NCN network which would provide a very pleasant journey to Southend-on-Sea. Furthermore, the proposed site incorporates generally good permeability, integrated with the open space which is integral to the development. There is also a clearly identified street hierarchy.

ATE recommends approval of the application, subject to the agreement and implementation of planning conditions and/or obligations:

- A revised Travel Plan (TP) to incorporate Active Travel mode-share targets in adherence with the Government target that by 2030, half of all short, urban journeys should be walked, wheeled, and cycled. Furthermore, this revised document should also include the process, strategies, monitoring, and evaluation along with alignment with the implementation of supporting infrastructure.
- Specific details of active travel infrastructure including pedestrian/cycle access points and compliance with LTN [low traffic neighbourhood] 1-20 e.g. the Junction Assessment Tool (JAT) and Inclusive Mobility and details of widths/location and type of lighting, seating, wayfinding signage (e.g. to the NCN route 16) and confirmation of materials.
- Details of cycle parking numbers and supporting infrastructure such as bicycle repair stations.

[Officer Comment: A Travel Plan was agreed as part of the Outline Planning Permission. This includes the intention to introduce mode share targets for staff of the health centre. This application is for residential uses only so this falls outside the scope of this application. The approved Travel Plan also sets out the processes for monitoring and review over 5 years. All crossing points within the scheme include dropped kerbs to aid mobility and a bicycle repair station has been included in the scheme at the northern end of Barge Pier Road opposite Hinguar School.]

Essex Fire Service

- 4.10 Access for Fire Service purposes has been considered in accordance with the Essex Act 1987 - Section 13 and appears to be acceptable subject to satisfactory compliance with Building Regulations B5 and subject to the fire path in Home Zone 1 being widened to 3.7m.

[Officer Comment: The fire path in Home Zone 1 has been widened to 3.7m.]

Essex Police Service

- 4.11 The LEAP and LAP play areas should be overlooked by the surrounding buildings. Essex Police would welcome the opportunity to discuss the design details of the play areas, lobbies, cycle storage area and electric vehicle charging provision with the developer. Essex Police should be consulted on the lighting conditions in due course.

London Southend Airport

- 4.12 No objections, however, if the proposed development is taller than the surrounding infrastructure a third-party instrument flight procedure assessment will be required to be completed at the cost of the developer.

[Officer Comment: This requirement can be covered through imposition of a planning condition on any approval of application 24/00237/AMDT for the amendment of the development parameters the report for which appears separately on this Committee agenda.]

Historic England

- 4.13 No comments - please seek the views of the Council's Conservation Officer.

[Officer Comment: The views of the Council's Conservation Officer are reflected in the body of the report.]

Sports England

- 4.14 The proposed development does not fall within either our statutory remit or non-statutory remit and, therefore, Sport England has not provided a detailed response in this case.

Shoebury Residents Association

- 4.15 Concerns raised in regard to the loss of affordable housing and employment uses.

[Officer Comment: These matters fall outside the scope of the application subject of this report. Proposed changes to affordable housing provision will be considered separately under application reference 24/00420/DOV the report for which appears elsewhere on this Committee agenda. A separate land parcel has been retained at the northern end of the overall outline planning permission site area for potential commercial development reserved matter details for which can come forward separately provided they are in accordance with the terms and conditions of the outline planning permission.

Procedural matters

- 4.16 This application is presented to the Development Control Committee because it is a major application and because it has been called in by Cllr Ward and Cllr Woodley.

5 Planning Policy and Legislation Summary

- 5.1 The National Planning Policy Framework (NPPF) (2023).
- 5.2 Planning Practice Guidance (PPG) (2024).
- 5.3 National Design Guide (NDG) (2021).
- 5.4 Technical Housing Standards – Nationally Described Space Standards (2015).
- 5.5 Core Strategy (2007): Policy KP1 (Spatial Strategy), Policy KP2 (Development Principles), Policy KP3 (Implementation and Resources), Policy CP3 (Transport and Accessibility), Policy CP4 (The Environment and Urban Renaissance), Policy CP6 (Community Infrastructure), Policy CP7 (Sport, Recreational and Green Space), and Policy CP8 (Dwelling Provision).
- 5.6 Development Management Document (2015): Policy DM1 (Design Quality), Policy DM2 (Low Carbon development and Efficient use of Resources), Policy DM3 (The efficient and effective use of land), , Policy DM5 (Southend-on-Sea's Historic Environment), Policy DM6 (The Seafront), Policy DM7 (Dwelling Mix, Size and Type), Policy DM8 (Residential Standards), Policy DM14 (Environmental Protection) and Policy DM15 (Sustainable Transport Management).
- 5.7 Southend-on-Sea Design and Townscape Guide (2009).
- 5.8 Technical Housing Standards Policy Transition Statement (2015).
- 5.9 Waste Storage, Collection and Management Guide for New Developments (2019).
- 5.10 Electric Vehicle Charging Infrastructure for new development Supplementary Planning

Document (2021)

- 5.11 Community Infrastructure Levy (CIL) Charging Schedule (2015)
- 5.12 Shoebury Garrison Conservation Area Appraisal (2021)
- 5.13 Town and Country Planning Act 1990 (as amended): Section 90A, Schedule 7A (Biodiversity Net Gain).

6 Planning Considerations

- 6.1 In 2021 Outline planning permission 20/01227/OUTM was granted, subject to conditions, for 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 accesses off Barge Pier Road, New Garrison Road and Magazine Road. That outline application considered various overarching matters including the principle and overall quantum of development, flood risk on and around the site, general landscaping arrangement and developer contributions, including affordable housing provision and CIL liability. These were found to be acceptable subject to control through various parameter plans which set the limits of the detailed development in relation to land use locations, building heights and land levels and access arrangements and subject to conditions and prior completion of a S106 legal agreement.
- 6.2 The detail of the proposed development is known as the “reserved matters”. In the case of this site’s overall development the reserved matters have been split into phases. The first phase related to the construction of the raised land platforms and associated infrastructure only and was agreed under application reference 22/010602/RESM in December 2022. This current reserved matters application deals with the second phase of the reserved matters development for the detailed design of the residential buildings and incorporates full or part discharge of a number of the conditions on the outline planning permission relating to this aspect of the proposal including phasing, site levels, detailed design of the play areas, timetable for the implementation of biodiversity mitigation and ecological enhancement measures, details of cycle parking and refuse and recycling storage, detailed sustainable drainage design and building regulations part M4(2) and M4(3) compliance. In addition to assessing detailed considerations and overall quality of the development in regard to its scale, layout and appearance including design and impact on nearby heritage assets, standard of accommodation including accessibility, impact on neighbour amenity, highways and transportation, a key consideration for any reserved matters application is its compliance with the parameter plans previously agreed under the outline permission. In this case, due to the constraints of the site, evolution of the detailed scheme from its outline inception has resulted in some changes from the approved parameters plans so a separate application, reference 24/00237/AMDT, has been submitted which seeks to adjust the approved parameter plans to ensure consistency between them and the content of this reserved matters application. The acceptability of the adjusted parameter plans will be considered separately under that application the report for which appears elsewhere on this agenda. It therefore follows that the acceptability of this current reserved matters scheme is dependent on the amended parameter plans being separately approved under 24/00237/AMDT prior to the determination of this application.
- 6.3 As noted above developer contributions, including the provision of affordable housing were previously considered and secured with a S106 legal agreement to enable the grant

of outline planning permission so do not form part of the assessment of this reserved matters application. Separately application, reference 24/00420/DOV, has been submitted which seeks to vary the agreed affordable housing provision at the site. The report for that DOV application appears elsewhere on this Committee agenda and to be considered on its individual merits. Approval of this reserved matters application will depend on approval beforehand of the separate the Sn 73 (AMDT) application to enable conformity between the proposed adjusted parameter plans and the detailed content for the scheme proposed through this reserved matters application.

Appraisal

Principle of Development

Mix of Uses

- 6.4 The provision of new high-quality housing is a key Government objective.
- 6.5 Amongst other policies to support sustainable development, the NPPF seeks to boost the supply of housing by delivering a wide choice of high-quality homes. In relation to the efficient use its paragraphs states:

128. Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed and beautiful, attractive and healthy places.*

- 6.6 Policy CP8 of the Core Strategy identifies that the intensification of the use of land should play a significant role in meeting the housing needs of Southend. The results of the Housing Delivery Test (HDT) published by the Government and the Council’s Five-Year Housing Land Supply (5YHLS) figures show that there is underperformance of housing delivery in the City.
- 6.7 The outline permission, reference 20/01227/OUTM, approved the overarching principles for the development of this site including the mix of uses. It gave planning permission for up to 214 dwellings and the provision of a new health centre of up to 1000sqm (Use Class D1) and up to 400sqm of retail floorspace (Use Class A1-A3). The current reserved matters application is seeking to provide the detailed scheme for 210 dwellings on the site. This is below the maximum threshold of 214 dwellings so complies with the outline planning permission in this regard. No other uses are proposed as part of this particular reserved matters application. The principle of this quantum of dwellings, is consistent with the outline planning permission and the proposal is acceptable and policy compliant in this regard.

Flood Risk

- 6.8 The site lies within Flood Zone 3 which is the highest flood risk category. The Flood Risk Assessment submitted with the 2020 outline application assessed in detail the

implications of this flood risk on the proposed development and also on the surrounding area. The existing land level is below the flood level so in order to address this risk the outline scheme proposed a series of raised development platforms across the site. This enables the new dwellings to have their habitable accommodation and amenity spaces at a level which is higher than the predicted flood risk level ensuring the development is safe. Detailed modelling of this solution was undertaken as part of the outline application flood risk assessment and the results confirmed that, for the specific arrangement of raised platforms proposed, this solution was viable and that it would not increase flood risk for the surrounding area. This was verified by the Environment Agency who raised no objections to the principle of this approach within the outline application. The Environment Agency have also confirmed that for this current reserved matters application, which is consistent with the outline planning permission, this modelling is still relevant and they have raised no objection to this application. The proposal is therefore acceptable and policy compliant in relation to flood risk. Full details of surface water drainage are required by condition 28 of the outline planning permission and have been submitted within this application to seek to discharge this condition. This is discussed in the conditions section below.

Dwelling Mix

- 6.9 Policy DM7 of the Development Management Document states ‘*All major residential development is expected to provide a dwelling mix that incorporates a range of dwelling types and bedroom sizes, including family housing, where feasible, to reflect the Borough’s housing need and housing demand.*’ Policy DM7 sets out the preferred dwelling mix for developments within the City and favours larger family units, however, as noted above, the results of the Housing Delivery Test (HDT) published by the Government and the Council’s Five-Year Housing Land Supply (5YHLS) figure shows that there is a deficit in housing land supply in the city. These findings render Policy DM7 and the preferred mix of housing as out of date and confirm there is need for all dwelling types and sizes.
- 6.10 The dwelling mix was not formally agreed in the outline application because the information provided on this matter related to the indicative masterplan scheme only. The mix illustratively indicated within the indicative masterplan was consistent with that set out in Policy DM7 both in terms of market and affordable housing and this helped to demonstrate that within that scenario a proposed quantum 214 units would be achievable on the site.
- 6.11 The preferred dwelling mix set out in Policy DM7, the indicative masterplan outline scheme and for this proposed reserved matters (RM) detailed scheme is as follows:

Market Housing

Dwelling Size	Policy DM7 preference	Outline Mix	Proposed RM Mix
1 bed	9%	9%	38 units (20%)
2 bed	22%	20%	55 units (29%)
3 bed	49%	51%	61 units (32%)
4 bed	20%	20%	35 units (19%)
Total			189 units

Affordable Housing

Dwelling Size	Policy DM7 preference	Outline Mix	Proposed RM Mix
1 bed	16%	15%	8 units (38%)

2 bed	43%	45%	8 units (38%)
3 bed	37%	38%	5 units (24%)
4 bed	4%	2%	0 units (0%)
Total			21 units

6.12 The mix for this detailed, reserved matters scheme has increased the number of smaller units proposed whilst maintaining a well-balanced mix of unit sizes across the site overall including a significant proportion of larger units. This is appropriate for a scheme of this nature and context. As noted above the Council is in need of housing of all types so a more flexible approach to housing mix than set out in outdated Policy DM7 is now required. It is therefore considered that the proposed housing mix is acceptable and the scheme is policy compliant in this regard.

6.13 The provision of 30% - 65 affordable dwellings (39 social/affordable rent and 26 intermediate units) was secured within the Sn 106 legal agreement for the outline planning permission. The detailed scheme within this reserved matters application provides 10% - 21 affordable housing units, all to be provided as affordable rented reflected in the table above. That particular matter will be considered on its own merits through assessment of the separate deed of variation application, reference 24/00420/DOV, the report for which is elsewhere on this Committee agenda.

Airport Considerations

6.14 London Southend Airport have objected to the proposal but have advised that if the development is taller than the surrounding infrastructure, a third-party instrument flight procedure assessment will be required for safeguarding reasons. This will enable flight data to be updated to facilitate safe and efficient aircraft operations. The proposal includes a limited element of 5 storey development which is taller than the surrounding townscape. Therefore this assessment is required and this can be secured by condition.

Summary

6.15 Overall the proposed use, flood risk solution and dwelling mix are consistent with that agreed under the outline planning permission and the proposal is acceptable and policy compliant in this regard.

Design and Impact on the Character of the Area including Heritage Assets

6.16 Section 72(1) of the Planning and Listed Building and Conservation Areas Act 1990 states that special attention should be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Section 66(1) of this Act states, that for development which affects a Listed Building or its setting, special regard shall be had to the desirability of preserving the building or its setting or any feature of special architectural interest that it possesses.

6.17 Paragraph 207 of the NPPF states '*Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or total loss...*' and paragraph 208 of the NPPF states '*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*'

6.18 Local and national planning policies and guidance seek to ensure that new development

is well designed. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

- 6.19 Paragraph 131 of the NPPF states *'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'*
- 6.20 Local development plan policies seek to ensure that new development is designed so that it adds to the overall quality of the area and respects the character of the site, its local context and surroundings, provides appropriate detailing that contributes to and enhances the distinctiveness of place; and contribute positively to the space between buildings and their relationship to the public realm. Policy DM1 and the Council's Design and Townscape Guide provide further details on how this can be achieved.
- 6.21 The application site is the last part of the Shoebury Garrison Masterplan approved under application 00/00777/OUT for the reuse of the former MOD (Ministry of Defence) site to be developed. It comprises an area of undeveloped land which was formerly Gunners Park before the park was relocated to the south-east of the headland fronting the estuary. It is mostly open scrub land banked by drainage ditches. There is a line of trees outside the site along the western boundary. Nearby to the east is Shoebury Garrison Conservation Area including a number of listed buildings. Although the site does not share a boundary with the conservation area, development of the scale proposed in this location could have an impact on the setting of these heritage assets.
- 6.22 Outline planning permission was granted in 2021 for up to 214 dwellings on the site along with the option for some limited retail uses and a health centre. This application included parameter plans which set the limits for the development in terms of heights and levels, the location of land uses and site access as well as an overarching landscape masterplan design. These plans also fixed the overall design concept for the site as a series of 4 distinct areas of development, called Home Zones, surrounded by public open spaces. As the site is within a flood zone, the outline permission also agreed the approach to mitigate against flood risk at the site which, as noted above, involves raising the land in the centre of the Home Zones above the flood level. The outline permission therefore sets the framework for the detailed design, however, matters relating to the layout of these Home Zones, the scale and form of the buildings and their appearance were reserved for later consideration. It is these matters which form the basis of consideration in this section of this reserved matters application. As noted above, an application is also pending which seeks to adjust the parameter plans of the outline permission to ensure that there is consistency between them and the detailed design now proposed in this application.
- 6.23 This development is of the size which will create a new neighbourhood for the city with its own identity and sense of place. In doing this the designers have also sought to draw in some design references from the character of the wider Garrison to ensure that it sits well within the existing Garrison developments. This includes using a relatively uniform pattern of development fronting open spaces, the use of simple gabled roof forms and a limited palette of good quality materials including buff/brown brickwork and grey roofs. These elements form the basis of the scheme design but they have evolved to also take on their own identity including through the use of added decoration in the brickwork and incorporating feature balconies to take best advantage of the estuary outlook. This approach builds on the existing high quality and distinctive design at the Garrison and is appropriate.
- 6.24 The Design and Access Statement (DAS) submitted with the application provides a

description of each of the 4 Home Zones and these are provided below together with an appraisal of each.

DAS Home Zone 1

'Home Zone 1 is the only area where vehicular access is achievable up to the raised platform. The development parcel therefore will facilitate housing within the heart of the block and create a semi public landscaped shared surface environment.

The apartment buildings rise to five storeys at the highest point on the south eastern point and step down to four and three storeys. The roof forms are gabled with steeply pitched roofs to create a strong presence to the street scene. Articulation is achieved through the application of a variety of projecting and recessed balconies to create depth, light and shade. This is further enhanced by staggering the projecting balconies on some facades.

The Houses to the perimeter are three storeys and are arranged as repeating gabled houses on the eastern and northern frontages and as pairs on the western edge creating variety in elevational treatment. The houses incorporate recessed balconies in double height spaces with dual aspect apertures at corners. Double height oriel windows add further detail at important locations around the site. The fenestration for houses and apartments is large format and subdivided into appropriate size casements to allow efficient light and ventilation.

The primary material is brick and in three colours which reflect the muted colours of the shoreline. These are buff and two shades of brown. The base of the perimeter to the Home Zone is in the darker brown brick with alternate projecting coursing to introduce a textured finish and a contrast to the upper parts of the external walls. This is also continued all the way to the top of the gabled elements of the apartment buildings. A triple stacked soldier course band forms the top of the base and the transition to the upper storeys. Feature surrounds to double height balcony recesses emphasise the openings and create a frame to these important elements. The eastern frontage houses also have duo tone brickwork.'

- 6.25 In line with the outline planning permission, Home Zone 1 contains the tallest buildings of the development of up to 5 storeys to its south-eastern corner facing the estuary. These buildings will be the most visible across the site and the first seen on entering Barge Pier Road. The design of these have undergone many iterations to ensure that their scale, form and detailed design positively integrates with the rest of the scheme and with the surrounding area generally. They have been arranged in two distinct but corresponding blocks stepping up in height to the south-east corner of the Home Zone but separated by a viewing platform and articulated with rows of recessed and projecting balconies, decorative brickwork and feature gables. The ground level of these buildings is below the flood risk level so contains only undercroft parking and storage areas which have no active frontage, so these areas will be fronted by a feature pergola with associated planting to provide a more attractive streetscene at the lower level. This feature has been specifically designed to reference the distinctive diagonal pattern of the sub structure of Barge Pier near the site to the south. Not only does this provide a distinctive and relevant design feature at ground level but it will also have the effect of lifting the development above ground level effectively reducing the scale of the development by 1 floor. This is a positive aspect of the design.
- 6.26 The stepped form of these flatted blocks helps them to positively transition into the remainder of the Home Zone which has a more uniform pattern of 3 storey gabled development of mainly terraced housing in various groupings. The vertical rhythm of the buildings and subtle changes in brick colour for the houses in prominent positions on the

site works well to accentuate key elements of the built form in the streetscene and to maintain the finer grain of the area.

- 6.27 There are a variety of house designs unified by a similar theme including gabled frontages with tall windows and recessed feature balconies which brings cohesion to the scheme generally. Those on the perimeter have garages and storage at ground level informed by the flood risk design solution but the reduction of active frontage is balanced by feature windows and balconies above and the inclusion of brick patterning which enriches the designs. The exposed flanks of corner buildings have been articulated with feature projecting windows to provide a positive response to the street and in wider views.
- 6.28 The perimeter of the Home Zone breaks at various points to allow access into the centre either by road or on foot and the design ensures that the views into the centre of the Home Zone at these points are terminated with well-articulated buildings and landscaping and this is a positive aspect of the design. The central space has a part pedestrianised circulation route (fire access only) and is mainly block paving with extensive landscaping and will provide a pleasant outlook and additional useable space for the surroundings. The perimeter houses have high quality rear garden boundaries with direct access into this space and this provides them with an alternative accessible route into their main habitable areas.
- 6.29 Overall, the scale, form, layout and appearance of Home Zone 1 is considered to be acceptable and the proposal is acceptable and policy compliant in this regard.
- 6.30 The DAS provides the following summary of Home Zone 2.

'DAS Home Zone 2

Home Zone 2 is entirely made up of three storey houses arranged in a perimeter block with regular gabled frontages. The eastern and western frontages have a consistent building line whereas the northern and southern frontages have a staggered frontage following the perimeter of the development parcel.

The overarching character for the development flows through this Home Zone with the same palette of materials being used. The base of the houses will be the darker brown brick with the alternating projecting coursing and topped at first floor level with a 150mm deep stone or similar string course.

All houses have double height recessed balconies with feature surrounds and are dual aspect where the dimension of the stagger will allow. Double height oriel windows are located on the flank walls of the staggered houses on the northern and southern terraces. Alternating projecting linear brick coursing is also used for detailing features to window and door panels.'

- 6.31 The more uniform approach to this Home Zone, which comprises only 3 storey family housing in a perimeter arrangement, provides balance to the higher densities in the other Home Zones, and the gabled frontages of the terraces have a positive relationship and form a balanced streetscene with the similar terraced housing opposite in Home Zones 1 and 3 creating a balanced streetscene fronting Barge Pier Road and the public space and this will bring cohesion to the scheme as a whole.
- 6.32 The building lines of the terraces are also stepped at either end of the Home Zone following the curve of the road and this helps to break the length of the terraces, adds interest to the streetscene and improves its relationship with the surrounding parkland. The road around the perimeter is block paved on two sides, reducing its visual impact and helping it to blend into the landscape setting and this is also positive.

- 6.33 All the houses have direct access from their rear gardens to a central private community garden area with lift access from the street below. This has been designed to meet accessibility requirements of the scheme but will also provide a positive and safe, additional amenity space for residents to interact and enjoy. The rear boundaries of the houses have been designed to include an element of more open trellising which will provide a direct visual connection to this space from inside the dwellings helping to foster ownership of this space and enhance their rear outlook. Officers consider that what was a constraint of the site has been turned into a positive feature of the development and this is to the benefit of the scheme.
- 6.34 Overall, the design, form, layout and appearance of Home Zone 2 is acceptable and the proposal is policy compliant in this regard.
- 6.35 The DAS provides the following summary of Home Zone 3.

'DAS Home Zone 3

This is a mix of apartments blocks and houses...The four-storey apartment building on the junction of Magazine Road and New Barge Pier Road forms a focal corner in accordance with the outline approval with multiple gabled elements to help turn the corner. The materials palette and detailing is similar to the apartments on Home Zone 1 for this apartment building as opposed to the two linear apartment blocks that face the school boundary. Here the buildings step down in scale to three storeys and the band course between the base and the upper storeys is reduced to two courses of stack bonded bricks. The surrounds to the recessed balconies are also treated in a contrasting brick detail as opposed to the stone surround to create a subtle distinction between the north and southern edges to the Home Zone.

The short terrace of houses along the New Barge Pier Road frontage reflect the detailing on the opposite side of the road with Home Zone 2 to create a consistent architectural language along this corridor.

The houses in the centre of Home Zone 3 are 3 storeys and are designed with a flat roof terrace which aids the transition in scale between the proposed development and the existing houses on Ashes Road. These are to be built in a buff brick entirely but incorporating similar brick detailing and the 150 deep string courses separating the base from the upper storeys. The flank walls on the eastern façade incorporate 'tax windows' to create articulation and interest whilst safeguarding the privacy of the existing residents in Ashes Road. These houses also have the double height balcony as well as a roof terrace for private amenity.'

- 6.36 Home Zone 3 has a more varied character. On the most prominent south-west corner fronting Barge Pier Road and Magazine Road is the taller flatted block. In design and townscape terms this is an appropriate place for a marker building and is consistent with the outline application vision for this Home Zone. Similar to Home Zone 1 the lower floor of this block is used for parking and has limited active frontages so screen planting is proposed in the form of a free standing trellis feature with climbing plants along the main frontages which provides a suitably attractive solution. This solution has also been adopted on key elevations for all other flatted blocks across the site providing a coherent feature within the development overall. Maintenance of these screen features can be controlled by condition.
- 6.37 Behind this block is a group of flat roofed town houses which provide a contrast to the gabled houses seen elsewhere on the site. There are enough of these to create a

cohesive group in the streetscene and their design has elements in common with the gabled houses ensuring they will not appear out of context. These variations in design across the scheme will give each Home Zone a distinct character adding to the sense of place and this is appropriate.

- 6.38 As noted above, the character of this Home Zone reverts back to gabled housing fronting Home Zone 2 to provide a balanced streetscene to Barge Pier Road. The flats to the rear incorporate elements of both styles, reinforcing the character of this zone.
- 6.39 Overall, the design, form, layout and appearance of Home Zone 3 is acceptable and the proposal is policy compliant in this regard.
- 6.40 The DAS provides the following summary of Home Zone 4.

'DAS Home Zone 4

There are two four storey apartment buildings which are plotted in a staggered formation to avoid any conflict with potential overlooking. These buildings employ the same detailing as the northern apartment blocks in Home Zone 3 except where the band course steps up to 3 courses of stack bonded brickwork separating the base from the upper storeys. The plan form for each building is identical but they are plotted so that the main entrance is in the same axis as the access road. The eastern block will be in buff brick above the base whereas by contrast, the western block will be in a lighter brown brick above the darker base.'

- 6.41 Home Zone 4 comprises two flatted blocks and has a simpler character and layout than the other Home Zones. The scale and form of the blocks here sits comfortably against the detached form of the school and supermarket near to this end of the site. The feature gables of these flats positively reference those of the other Home Zones ensuring it feels part of the overall development. These blocks sit directly in the landscape with only planted boundaries and green screening and this gives them a pleasant outlook and setting. The design, form and appearance of Home Zone 4 is therefore acceptable and the proposal is policy compliant in this regard.
- 6.42 The quality of materials and detailing across the scheme will be key to its overall success and its integration into the wider area including its relationship with the setting of nearby heritage assets. The overall relative simplicity of the building forms is significantly elevated by the detailing of the buildings and in particular the extensive use of sufficiently subtle brick patterning including at the eaves, between the ground and upper storeys and to accentuate key parts of the scheme such as the entrances, corners and around the windows. It is this level of detail that will add richness to the design and reinforce the sense of place and ensure that the development sits well against the adjacent conservation area and listed buildings.
- 6.43 Overall, the quantum of development is consistent with the outline planning permission and, looking at the scheme as a whole, the scale and form of the buildings, how they have been arranged in the landscape and how they have been detailed is considered to be compatible with the context of the site. The design has also achieved a positive response to the accessibility and flood risk constraints of the site through the inclusion of community gardens, shared spaces, landscaped sustainable drainage features and feature pergolas which will enhance the distinctiveness of the scheme. The impact of the development will also be offset by the extensive soft landscaping and public open spaces around the Home Zones and this will help to integrate the development into the wider Garrison setting. It is considered that the detailed design of the reserved matters scheme will have an acceptable impact on the character of the area including the setting of the

adjacent conservation area, listed buildings and other heritage assets. The proposal is acceptable and policy compliant in this regard.

Amenity Impacts

- 6.44 Local and national planning policies and guidance seek to secure high quality development which protects amenity. Policy DM1 of the Development Management Document specifically identifies that development should protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight. Further advice on how to achieve this is set out in the Council's Design and Townscape Guide.
- 6.45 The nature of the development, which comprises 4 Home Zones surrounded by landscaped open space, means that the built form is generally set away from the boundaries of the site and its neighbours. Within Home Zone 1, the 3 storey houses on the western side are closest to the neighbouring development but these are still some 22m from the western boundary of the site and over 75m to the nearest houses on the opposite side of Ness Road. The taller flatted blocks in this Home Zone, which range up to 5 storeys, are orientated to the south-east of the Home Zone, and at some 120m, would be significantly away from the existing neighbours. This relationship is acceptable in all relevant regards.
- 6.46 The development in Home Zone 2, in the centre of the site, is closer to the east boundary of the site, but the 3 storey houses proposed here are still at least 14m from the boundary and maintain a separation of at least 53m to its nearest neighbour in Trafalgar Court, Ness Road. The development will therefore not have a detrimental effect on the amenities of these neighbours in any relevant regard.
- 6.47 The proposed 3 storey houses in Home Zone 3 to the east of the site are the closest to neighbouring development with the flank elevations of plots 80 and 81 being between 10m and 13m from the boundary with properties in Ashes Road and there is a separation of at least 26m to the rear elevations of these neighbours. The development is 10m tall in this location, there are no windows in the eastern sides of the development facing these existing neighbours. The houses have roof terraces at the upper level with privacy screens proposed to the eastern end to prevent any outlook towards the existing neighbours. Condition 06 of the outline planning permission requires details of all privacy screens to be agreed prior to occupation so details of this screen will be agreed in due course.
- 6.48 Flatted block C in Home Zone 3 is located to the north-east corner of the site and its flank elevation faces towards the houses in Ashes Road. The separation distance to the boundary is some 17.5m with a further 15.5m to the rear elevations of these neighbours. Block C is 3 storeys and has secondary windows to habitable rooms and side openings to the front and rear balconies within its eastern flank. The separation distances are sufficient to ensure that the proposed development would not appear overbearing and not to require these flank openings to be obscure glazed. The relationship between Block C and the houses in Ashes Road is considered to be acceptable in all relevant regards. In terms of the outlook for these neighbours, whilst the separation distances and scale of the development at 3 storeys does not give rise to concerns in this regard in any event, it is noted that the proposed landscaping plan shows 16 trees are to be planted in the area between the built form of the development and the eastern boundary of the site. This will provide further softening of this outlook for the existing neighbours. This is a positive aspect of the scheme.

- 6.49 Blocks B and C of Home Zone 3 and block B of Home Zone 4 face towards the grounds of Hinguar Primary School. The flats in Home Zone 3 are between 13.7m and 16m from the southern boundary of the school and this closest section of the school site is separated from the main playing field by a drainage ditch which increases this separation distance by another 23m. Block B of Home Zone 4 is on the opposite side of the road and is some 42m to the school boundary. The relationship between the proposed development and the school is considered to be acceptable in all relevant regards.
- 6.50 The 4 storey flatted blocks in Home Zone 4 at the northern end of the site are set in from the site boundaries and surrounded by landscaping. Block A to the west side is over 17m from the west boundary of the site, some 47m from the rear boundaries of the houses in Ness Road to the west and around 80m from their rear elevations. This acceptable relationship is further softened by the extensive tree cover along the rear of the existing properties in this location. The relationship between the development in Home Zone 4 and the neighbours in Ness Road is acceptable in all relevant regards.
- 6.51 In terms of noise and disturbance, the nature of the development as housing is compatible with the character of the area and does not raise any concerns in regard to noise and disturbance to existing neighbours.
- 6.52 Overall, subject to a condition requiring obscure glazed screens on the eastern elevation of the roof terraces to plots 80 and 81 in Home Zone 3, the proposed development is considered to have an acceptable impact on the amenities of existing neighbours in all relevant regards.

Standard of Accommodation

- 6.53 Delivering high quality homes is a key objective of the NPPF. Policy DM3 of the Development Management Document states that proposals should be resisted where they create a detrimental impact upon the living conditions and amenity of existing and future residents or neighbouring residents.

National Technical Housing Standards

- 6.54 All new homes are required to meet the Nationally Described Housing Standards in terms of overall floorspace and bedroom sizes. The required sizes are shown in table 1 below.

Table 1. Minimum gross internal floor areas and storage (m²)

Number of bedrooms (b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
1b	2p	50	58		1.5
2b	3p	61	70		2.0
2b	4p	70	79		2.0
3b	4p	74	84	90	2.5
3b	5p	86	93	99	2.5
3b	6p	95	102	108	2.5
4b	5p	90	97	103	3.0
4b	6p	99	106	112	3.0
4b	7p	108	115	121	3.0

6.55 Out of the proposed total of 210 dwellings, 122 are apartments and 88 are houses of the following types.

Flats

- 46 x one bedroom two person flats
- 6 x two bedroom three person wheelchair (M4(3) flats
- 27 x two bedroom four person flats
- 15 x two bedroom four person wheelchair (M4(3) flats
- 28 x three bedroom five person flats

Houses

- 15 x two bedroom four person houses
- 38 x three bedroom six person houses
- 35 x four bedroom seven person houses

6.56 Table 2 below sets out the net internal areas and bedroom sizes for the proposed dwelling types:

Table 2 net internal areas and bedroom sizes

	Net Internal Area sqm	Bed 1	Bed 2	Bed 3	Bed 4	Store	Meets NTHS
Flats							
1 bed 2 person Type 1	50.2m ²	13.6m ² W3.3m				2.4m ²	Yes
1 bed 2 person Type 2	50.2m ²	14.8m ² W3.4m				2.2m ²	Yes
1 bed 2 person Type 3	59.8m ²	13.9m ² W3m				3.2m ²	Yes

1 bed 2 person Type 5	50m ²	14.5m ² W3.2m				3m ²	Yes
1 bed 2 person Type 6	50.2m ²	13.0m ² W3.4m				2.4m ²	Yes
1 bed 2 person flat Type 7	51.5 m ²	13.7m ² W3.6m				2.4m ²	Yes
1 bed 2 person Type 8	50.2 m ²	13.5m ² W3.6m				2.4m ²	Yes
2 bed 3 person flat Wheelchair Type 1	71.7 m ²	14m ² W3.6m	8.2m ² W21.5m			2.9m ²	Yes
2 bed 3 person Wheelchair Type 2	71.7 m ²	15.6m ² W3.5m	10.2m ² W2.5m			3m ²	Yes
2 bed 4 person Type 1	71.7 m ²	13.3m ² W3.2m	13.9m ² W3.2m			3.4m ²	Yes
2 bed 4 person flat Type 3	74.3 m ²	13.7m ² W3m	12.7m ² W2.7m			2.9m ²	Yes
2 bed 4 person Type 10	74.1 m ²	14.9m ² W3.5m	12.7 m ² W2.8m			2.9m ²	Yes
2 bed 4 person Type 11	71.1m ²	11.7m ² W3m	11.7m ² W3m			3.8m ²	Yes
2 bed 4 person Type 12	76.3 m ²	15.3m ² W2.8m	13.6 m ² W2.7m			3 m ²	Yes
2 bed 4 person Type 14	78.3 m ²	13.5m ² W3.3m	12.6m ² W3.2m			3m ²	Yes
2 bed 4 person flat Type 15	71.7m ²	14m ² W2.8m	13.4m ² W3.3m			2m ²	Yes
2 bed 4 person flat Wheelchair Type 1	86.2m ²	19.8m ² W3m	13.0m ² W3.6m			3.1m ²	Yes
2 bed 4 person flat Wheelchair Type 2	84.2 m ²	19.8m ² W3m	13.1m ² W2.9m			3.2m ²	Yes
3 bed 5 person flat Type 1	86.2m ²	15.2m ² W3.7m	11.9m ² W2.8m	9.8m ² W2.6m		2.7m ²	Yes
3 bed 5 person flat Type 2	87.8m ²	14m ² W2.8m	12.5m ² W2.7m	8.1m ² W2.7m		3.2m ²	Yes
3 bed 5 person flat Type 3	86.3 m ²	15.5m ² W2.8m	15.4m ² W3.3m	7.5m ² W2.5m		3.2m ²	Yes
3 bed 5 person flat Type 4	86.0 m ²	13.4m ² W3.4m	12.1m ² W2.7m	8.3m ² W2.3m		2.8m ²	Yes
3 bed 5 person flat Type 8	87.1 m ²	14.0m ² W2.6m	11.5 m ² W2.8m	9.1 m ² 2.2m		2.6m ²	Yes
3 bed 5 person flat Type 9	92.3 m ²	14.1m ² W3.3m	12.8 m ² W2.9m	9.9 m ² W2.2m		2.8m ²	Yes
3 bed 5 person flat Type 10	91.4m ²	14.1m ² W3.3m	12.2m ² W2.7m	10.9m ² W2.2m		3.1m ²	Yes
Houses							
2 bed 4 person Type 1	84.2 m ²	14.5m ² W2.8m	13.2m ² W 2.9m			2.6m ²	Yes
2 bed 4 person Type 2	79.0 m ²	13.8m ² W3.6m	13.4m ² W3m			2.5m ²	Yes

2 bed 4 person Type 3	83.7 m ²	14.3m ² W2.8m	13m ² W 3m			3.6m ²	Yes
2 bed 4 person Type 4	79.8 m ²	14.3m ² W3.4m	12.5m ² W3m			3.5m ²	Yes
3 bed 6 person Type 1	144.6m ²	13.7m ² W3.5m	11.7m ² W3m	11.7m ² W3m		5.9m ²	Yes
3 bed 6 person Type 2	157.6m ²	13.9m ² W3.4m	11.6m ² W3m	12.4m ² W2.9m		6.3m ²	Yes
4 bed 7 person type 1	147.4m ²	13.9m ² W3.4m	11.9m ² W3.2m	9.2 m ² 2.9m	11.5m ² 3.4m	3m ²	Yes
4 bed 7 person Type 2	148.4m ²	14.7m ² W3.7m	11.7 m ² W3m	11.7m ² W2.8m	9.0 m ² 3m	4 m ²	Yes
4 bed 7 person Type 3	160.1m ²	15.7m ² W3.1m	13.5m ² W2.9m	13.2m ² W2.7m	9.8m ² W2.2m	5m ²	Yes

6.57 The table shows that all dwelling types are compliant with the National Technical Housing Standards. The proposal is therefore acceptable and policy compliant in this regard.

Privacy, Light and Outlook within the Development

6.58 All the habitable rooms have good light and outlook and the proposal is acceptable and policy compliant in this regard.

6.59 The houses are efficiently spaced across the development and generally maintain a separation distance of 10m from the rear boundary of neighbouring plots and at least 20m back-to-back distances which is acceptable in privacy and interlooking terms. The only exception to this is plots 26-31 within the centre of Home Zone 1 which achieve 7.8m to the rear boundary and 15.6m back-to-back distances. These houses have been designed with no first floor habitable room windows to the rear so will not give rise to overlooking of the neighbouring plots. The only first floor rear windows are for bathrooms which will be obscure glazed with limited openings and this can be controlled by condition.

6.60 The flatted blocks are generally well separated from each other and from the houses. Block C in Home Zone 1 which infills the corner between two terraces has been configured so that the rear windows look onto communal areas so do not give rise to any harmful overlooking. Overall therefore, it is considered that the relationships between the plots within the development are acceptable in terms of the amenity of future occupiers in all relevant regards subject to an obscure glazing condition for plots 26-31.

M4(2) and M4(3) – Accessibility

6.61 Policy DM8 requires 10% of new dwellings to be Building Regulations M4(3) compliant (Wheelchair accessible) units and the remaining 90% to be Building Regulations M4(2) accessible and adaptable dwellings. This is secured by condition 34 of the outline planning permission. This requirement presents a challenge for the houses which wrap around the development platforms as their habitable rooms are located at first floor, up a flight of stairs so alternative accessible means of access to this level must be provided to meet this condition. The application is seeking to discharge this condition as part of the overall submission and the solution proposed for this is discussed in detail below. In summary, a unique solution is proposed for the perimeter houses which have their habitable accommodation at the upper level above the flood risk level. In these properties alternative level access is provided to the rear at first floor via a community garden. The other dwellings at the site are compliant as they include lift access, or in the case of the central housing in Home Zone 1, are set above the flood risk level so habitable space can be provided at their ground level. The proposal is therefore acceptable and policy

compliant in this regard.

Amenity Provision

- 6.62 In relation to the provision of amenity space, Policy DM8 states that all new dwellings should *'Make provision for usable private outdoor amenity space for the enjoyment of intended occupiers; for flatted schemes this could take the form of a balcony or easily accessible semi-private communal amenity space. Residential schemes with no amenity space will only be considered acceptable in exceptional circumstances, the reasons for which will need to be fully justified and clearly demonstrated.'*
- 6.63 All proposed houses have private gardens to their rear on the raised development platforms. These range from 50-140sqm in area which is appropriate for the size and nature of the units proposed. The houses in Home Zones 2 and 3 also have use of the shared communal gardens within the centre of those Home Zones which can be accessed directly from their private gardens. These areas significantly enhance the amenity space offer for these properties and are a benefit to the scheme overall.
- 6.64 With the exception of Blocks A and B in Home Zone 1, which have a shared communal amenity area between the buildings with views over the estuary, the private amenity provision for the flatted blocks are balconies. These flats are also set directly within the new and extensive surrounding landscaped public open space which is easily accessible to the residents.
- 6.65 The amenity provision for the proposed development as a whole is considered to be acceptable and the development is policy compliant in this regard.

Permitted Development Implications

- 6.66 Given the general proximity of the development to neighbouring properties, the general relationship with the grain and character of the area and the overall sizes of the rear garden amenity spaces, in the round, it is considered appropriate in this case that permitted development rights should be controlled by condition so that the implications of any future extensions or outbuildings on the character of the area and neighbours' amenity can be fully assessed. It is also considered that permitted development in relation to the creation of hard surfacing should be restricted to control any potential loss of landscaping to the front of the houses which is considered to be an important aspect of local character. This can be controlled by condition.

Summary

- 6.67 Overall, therefore, subject to conditions relating to obscure glazing and restricting permitted development rights, it is considered that the proposal would provide a good standard of accommodation for future occupiers and is acceptable and policy compliant in this regard.

Traffic and Transportation Issues

- 6.68 Paragraph 115 of the NPPF states that: *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or, the residual cumulative impacts on the road network would be severe."*
- 6.69 Policy CP3 of the Core Strategy and Policy DM15 of the Development Management Document aim to improve road safety, quality of life and equality of access for all. Policy DM15 of the Development Management Document states that development will be

allowed where there is, or it can be demonstrated that there will be, physical and environmental capacity to accommodate the type and amount of traffic generated in a safe and sustainable manner.

Impact on the Surrounding Highways Network

6.70 The site is in a sustainable location close to public transport links and local amenities. A full Transport Statement was submitted as part of the approved outline planning application. This document assessed the impact of the proposed outline development, for up to 214 houses, a health centre of up to 100sqm and commercial units of up to 400sqm, on the local highways network including comparing it to the previously extant scheme 15/02053/OUTM for 172 houses plus 14,130 sqm commercial development and a health centre. This Transport Statement concluded that the proposed development is acceptable in all relevant regards and was accepted by the Council's Highways Officer subject to the implementation of the submitted Travel Plan and a contribution of £30,000 towards junction improvements at the Ness Road / Campfield Road junction to improve general traffic flow in the area. The Travel Plan is controlled by Condition 21 of the outline planning permission and the financial contribution was secured as part of the S106 legal agreement attached to the outline planning permission which will be paid prior to the commencement of the development. The principle of the development therefore remains acceptable in this regard.

Estate Road Layout

6.71 The proposed estate road layout is consistent with the amended access parameter plan separately proposed under application reference 24/00237/AMDT the report for which is elsewhere on this agenda. This shows the new estate roads linking into the existing entry points at the site. They include a mix of standard type E access roads [access streets within a 20mph network that give direct access to dwellings] at the entrances to each Home Zone which transition into more attractive shared surface block paving and some private drives in the less trafficked parts of the scheme. Some traffic calming measures, such as raised tables, are also proposed to improve pedestrian safety. Turning heads for refuse vehicles are also included within each Home Zone and a Fire Strategy Plan has been submitted which shows access for emergency vehicles to all parts of the site. Essex Fire Services confirm that this is acceptable. The arrangement of the development on and around development platforms has limited the permeability for vehicles through some of the Home Zones, however, a range of pedestrian routes cross the site, including through the centre of the largest home zone 1 and through surrounding public open space which link into the surrounding area and this is a positive aspect of the scheme.

6.72 Overall, the proposed road layout seeks to balance the needs of highway users against other forms of movement ensuring that the roads are not an overly dominant feature of the development. This is entirely appropriate for this type of development which is seeking to create a new neighbourhood. The Council's Highways Officer raises no objections to the design of the road layout. The proposal is acceptable and policy compliant in this regard.

Parking

6.73 Minimum parking standards are set out Policy DM15 as 1 space per flat and 2 spaces for 2+ bedroom houses. 1 secure cycle space per unit is also required by this policy. Condition 19 of the outline planning permission requires 502 car parking spaces to be provided on site to serve the whole development including the commercial and health centre uses proposed within the outline masterplan. This included 210 spaces for the 115 flats and 198 spaces for the 99 houses (214 dwellings in total) proposed within the outline

development. This allocation is significantly more than is required by Policy DM15. A policy compliant level of parking for the outline scheme would have required 115 spaces for the flats and 198 spaces for the houses (313 spaces).

- 6.74 The unit mix of the development has changed from that proposed at outline stage within the indicative masterplan. The current application includes slightly more flats at 122 and slightly less houses at 88 and overall, there are 4 fewer dwellings proposed than in the outline scheme. A minimum of 298 parking spaces would be required for a policy compliant scheme in this instance. 324 parking spaces are proposed in total across the site. This comprises 1 parking space for every 1 and 2 bed flat and 2 parking spaces for every 3 bed flat and every 2-4 bed houses. This is 26 spaces more than would be required to meet Policy DM15 minimum standard as 2 parking spaces have been provided for each of the 3 bed flats when the policy requires a minimum of only 1 parking space for these flats.
- 6.75 The car parking spaces are generally proposed as undercroft parking within the flatted blocks and within garages for the houses, in part responding to the site's design constraints whereby the lower level of the development cannot be used for habitable rooms due to flood risk considerations. This has the benefit of hiding the car parking from view so that it does not dominate the streetscene and the surrounding landscape which is positive. Home Zone 4 at the northern end of the site also has some courtyard parking. The houses at the upper levels in Home Zone 1 are not bound by the flood design constraints so have a mix of undercroft, driveway and on street parking. The Council's Highways Officer has not raised any objections to this approach.
- 6.76 Although the number and composition of car parking spaces proposed is different to the requirements of Condition 19 of the outline application, taking into consideration the amended mix and form of the development and that the number of parking spaces proposed exceeds the policy requirement, the number proposed in this instance is considered to be acceptable and the proposal is policy compliant in this regard. It is not considered the provision in excess of the minimum policy standard would in this instance harm the Council's wider strategic objectives for sustainable travel. If this application is approved the applicant can apply to vary condition 19 of the outline permission to this effect.
- 6.77 There is no policy requirement for this development to provide active electric charging for the new dwellings as the outline application was submitted prior to the adoption of the Electric Vehicle Infrastructure Supplementary Planning Document. Notwithstanding this, the energy statement submitted with the application confirms that electric vehicle charging infrastructure will be provided for all units except a few limited scenarios where this may not be possible such as for the small number of on street parking spaces in Home Zone 1. This is a benefit to the scheme and under the circumstances it is considered reasonable to secure it by condition.

Cycle Storage

- 6.78 All dwellings will also have policy compliant secure on plot cycle storage as required by Condition 20 of the outline permission either within the undercroft areas of the flats or within the garages or rear gardens of the houses. Full details of this have been submitted to enable this condition to be discharged and this is discussed below within the conditions section of this report.

Cycle Infrastructure

- 6.79 The site is located close to National Cycle Route 16 which runs along the seafront to

Southend, and within easy reach of Shoebury Station, schools and local shops and amenities. It is therefore important that the development seeks to promote more sustainable transport modes such as cycling and wheeled sports as well as walking. Active Travel England comment that the external public space should be designed to facilitate these modes of sustainable transport including promoting links to the national cycle routes and cycling facilities. In this respect the development includes flush dropped kerbs at junctions to assist cyclists, cycle parking at the new playgrounds and a public cycle hub which includes a fixed cycle pump and repair facilities. This will be located at the northern end of the site next to the cycle route and opposite Hinguar Primary School. The adjusted parameter plan for separate consideration under application 24/00237AMDT also shows a cycle route along Barge Pier Road which links the national seafront cycle route to the school and shops and residential area to the north of the site. The detailed design of the proposal also enables a variety of walking and cycle routes across the site. Overall, it is considered that the proposal is acceptable and policy compliant in this regard.

Refuse and Recycling

- 6.80 Condition 25 of the outline permission requires the details of refuse and recycling stores for all the proposed dwellings to be agreed prior to occupation. In most cases the detailed design drawings show a dedicated refuse and recycling store within the relevant undercroft area or garage. For those houses in Home Zone 1 at the upper level which do not have garages, refuse storage can be suitably accommodated within their rear garden areas. This application is seeking to discharge full details of the storage arrangement in Condition 25 below.
- 6.81 In some cases the carry distances are over that required within the Council's Waste Management Guide. The refuse plan shows that in these instances the waste will be brought to a collection point which is within the required distance. This is acceptable in principle, and a condition will be imposed to ensure that suitable waste management arrangements are put in place to achieve this. The proposal is acceptable and policy compliant subject to this condition.

Construction Method Statement

- 6.82 Condition 09 of the outline planning permission requires a construction management plan to be agreed with the Council prior to the commencement of the works. The development has been split into 2 distinct phases; the earthworks phase for which a CLP has already been separately agreed and the development phase and a separate construction management plan will be agreed for each phase prior to its commencement. There is therefore no need for an additional condition in this regard.

Summary

- 6.83 Overall, subject to conditions, the proposal is acceptable and policy compliant in regard to Traffic and Transportation issues in all relevant regards.

Sustainability

- 6.84 Sustainable development is a key objective of the NPPF.
- 6.85 Policy KP2 of the Core Strategy requires that: '*at least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources).*' Policy DM2 of the Development Management Document states that: '*to ensure the delivery of sustainable development, all*

development proposals should contribute to minimising energy demand and carbon dioxide emissions.' This includes energy efficient design and the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting.

- 6.86 The energy statement submitted with this application confirms that the requirement for 10% renewable energy on site will be provided by a combination of hot water heat pumps in the apartments and PVs and air source heat pumps for the houses. Condition 37 of the outline permission requires full details of these renewables, including specifications, locations and calculations, to be submitted to and agreed with this LPA prior to occupation of the proposed dwellings. Similarly, Condition 38 of the outline permission requires details of the water efficiency measures to be agreed. These will be required to be submitted and agreed in due course. The proposal is acceptable and policy compliant in this regard.

Sustainable Drainage

- 6.87 Condition 28 of the outline planning permission requires full details of the proposed sustainable drainage solution to be agreed prior to its installation. These details have been provided with the current application and are discussed in the conditions section below.

Contamination

- 6.88 Potential contamination was assessed as part of the outline planning application and is controlled by Condition 41 of that permission. The site will be remediated in accordance with the agreed details. This matter therefore falls outside the scope of the current application.

Ecology, Biodiversity, HRA (Habitats Regulations Assessment), RAMS and BNG (Biodiversity Net Gain)

- 6.89 Extensive biodiversity and ecology surveys were undertaken at the site leading to the outline planning permission and various biodiversity mitigation and ecological enhancement measures were conditioned to be implemented under that permission. Conditions were put in place to monitor the progress of these measures. The current application includes a progress update on these measures and an updated timetable for implementation. This is discussed below.
- 6.90 Since the determination of the outline application, as part of the consultation process for the current application, the RSPB have requested that additional house martin and swift boxes are added to all buildings and that measures to encourage invertebrates are included in the scheme design. The applicant has agreed to include these measures and their installation can be secured by condition. The proposal is acceptable and policy compliant in regard to ecology subject to this condition and those conditions imposed on the outline planning permission.

RAMS

- 6.91 The application is within the zone of influence for the Essex Coast RAMS. The tariff for this is secured within the Sn 106 legal agreement attached to the outline permission. The tariff for this will be adjusted in line with the amended number of units now proposed and for inflation. The proposal is therefore acceptable and policy compliant in this regard.

Biodiversity Net Gain (BNG)

6.92 Biodiversity Net Gain does not apply to reserved matters applications which are seeking to provide the detail to an existing planning permission where the original permission was granted before 12 February 2024, as in this case. The proposal is therefore acceptable and policy compliant in this regard.

Community Infrastructure Levy (CIL)

6.93 This application is CIL liable and there will be a CIL charge payable. In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is being reported as a material 'local finance consideration' for the purpose of planning decisions. The proposed development includes a gross internal area of some 29,787.2sqm of market housing and some 2,922.5sqm of affordable housing which may equate to a CIL charge of approximately £958,645.82 (subject to confirmation). Since part of the development would be for affordable housing the applicant can apply for an exemption for those parts of the development.

Equality and Diversity Issues

6.94 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.

Planning Conditions

6.95 As noted above, in addition to seeking permission for the detailed development on the site covered in the reserved matters submission, the current application also seeks to discharge a number of planning conditions which were within the 2021 outline permission. In effect the relationship between this current application and the separate parameter plans amendment application on which it depends means that those conditions on the 2021 outline would transpose, with necessary updates, onto any approval decision for application 24/00237/AMDT. Those conditions are discussed in turn below. Where this application seeks to discharge the detail relating to conditions of the outline application, transposed to any approval for 24/00237/AMDT it is noted that this only relates to the area within the reserved matters red line and not the full site subject of the 2021 outline permission. Separate approval of details applications will be required for that remainder of the site in due course.

Condition 2 (Phasing Plan)

6.96 Condition 2 states:

02 No development, other than site preparation works and any works required to comply with requirements of other conditions on this permission, shall take place on site until a phasing plan has been submitted to and approved in writing by the local planning authority. Following approval of the plan, each phase shall be completed in accordance with the plan before the next phase commences.

Reason: To ensure a coordinated development that complies with the National Planning Policy Framework (NPPF) and the requirements of the local development plan.

6.97 The following information has been submitted in relation to condition 02:

- Drawing BA9923-1005-07 (Shoebury Garrison - Phasing Plan).

6.98 The submitted phasing plan identifies the sequence of construction works within the individual Home Zones. This shows that works will start with zone 4, then zone 3 which will be constructed in 3 stages, then zone 1 in 4 stages then finally zone 2 in 2 stages. There is no objection to this phasing arrangement. The requirements of Condition 02 are met in relation to the phasing of the construction and the details are acceptable. Condition 02 can be discharged in so far as this relates to this housing part of the overall site subject of the outline planning permission only.

Condition 8 (Existing and Proposed Site Levels)

6.99 Condition 8 states:

08 No development above ground level shall be undertaken unless and until details of existing and proposed site levels at and surrounding the site have been submitted to and approved in writing by the local planning authority. The development shall be undertaken and completed at the levels indicated on the approved drawing.

Reason: In the interests of the residential amenity of adjoining residents and the character and appearance of the area and to ensure that the development complies with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Design and Townscape Guide (2009).

6.100 The following information has been submitted in relation to condition 08:

- Drawing BA9923-2002 (Topography Survey).
- Drawing 2105160-300 (External Levels Strategy).

6.101 This drawing confirms that the land levels of the central areas of the four platforms range from 6.2m AOD to 6.35m AOD enabling the finished floor levels of the dwellings at this level to meet the minimum requirement of 6.5m AOD as required by condition 26 of the outline planning permission reference 20/01227/OUTM. The lower levels within the Home Zones surrounding the podiums drops to between 3m AOD and 3.35m AOD with a finished floor level of 3.5m AOD. The level of the surrounding landscaping is graded to the existing land levels within the proposed landscaping scheme. This is in line with the proposed raised land levels set out in the outline approval at the site and is acceptable. The requirements of Condition 08 are met, and the details are acceptable so this condition can be discharged in so far as this relates to this housing part of the overall site subject of the outline planning permission only.

Part discharge of Condition 11 (Landscaped Areas and Play Spaces only)

6.102 Condition 11 states:

11 Notwithstanding the details shown on the plans hereby approved no development shall take place, other than ground and site preparation works, unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping for the site and a landscaping phasing plan setting out the

timescales for the implementation of the hard and soft landscaping. This shall include full details of the number, size and location of the trees and shrubs to be planted together with a planting specification, details of measures to enhance biodiversity within the site; details of the treatment of all hard and soft surfaces, including any earthworks to be carried, all means of enclosing the site and full details of the play equipment, benches and associated facilities proposed. All landscaping in the approved landscaping scheme shall be carried out in accordance with the timescales specified in the approved landscaping phasing plan. Any 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, biodiversity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

6.103 The following information has been submitted in relation to Condition 11:

- PR243-01L Landscape Master Plan.
- Drawing PR243-02 (Leap Play Area Proposals).
- Drawing PR243-03 (Lap Play Area Proposals).
- Drawing PR243-04A Informal Play Areas.

6.104 Landscaping of the site was not a reserved matter and outline planning permission reference 20/01227/OUTM approved a Landscape Plan which set out the general design approach to landscaping at the site. Full details of the hard and soft landscaping, including play areas, are covered by Condition 11 of this outline approval. An amended Landscape Master Plan, which broadly follows the approach set out in the approved landscaping scheme, has been submitted as part of adjustments separately proposed to that plus the parameter plans under application 24/00237/AMDT. The acceptability of this will be assessed under that separate application.

6.105 The detailed plans which have been submitted under condition 11 above, are only seeking to agree the detailed design of the 3 play areas on the site. The largest of these, the LEAP (Local Equipped Area for Play) is located directly north of Home Zone 2. This contains 5 pieces of formal play equipment for primary age children including a climbing frame and swings as well as picnic benches, bins, cycle stands and a low fenced enclosure. A smaller LAP (Local Area for Play) is located to the south-east of Home Zone 3. This is aimed at younger children and includes a toddler multi-play climbing frame, a cradle swing set and bench in a fenced enclosure. An informal play area is also proposed in the south-west of the site comprising more informal play pieces arranged as a woodland trail and is intended to be a quieter area in contrast to the more formal playgrounds. A 'birds nest' wooden climbing frame is also proposed midway on the west boundary of the site close to the pedestrian link to Ness Road. These play facilities and locations are consistent with the general spread and scale of play areas within the approved land use parameter plan and the landscaping plan of the outline planning permission reference 20/01227/OUTM and are shown on the amended land use parameter plan and amended landscape strategy submitted for approval within separate application 24/00237/AMDT. The playgrounds are not proposed for Council adoption and will be managed and maintained by the landowner.

6.106 The proposed play areas provide for a range of ages and styles of play, are well sized and spaced across the site and the designs are well considered and useable. The submission meets the requirement of the condition in relation to what is required for the play area design details and the proposed details are acceptable. These details should

therefore be approved and Condition 11 can be part discharged. Full details of the remaining site wide landscaping will require a further submission of details at a later date.

Condition 13 (Timetable for Implementation of Biodiversity Mitigation Measures)

6.107 Condition 13 states:

13 The development hereby approved shall be implemented and operated thereafter in strict accordance with the biodiversity mitigation measures outlined at paragraph 8.7.2 of the Environmental Statement which includes mitigation in relation to habitats, rare plants, amphibians, reptiles, breeding birds, badgers, mammals and bats. Prior to the commencement of the development, other than for demolition and site preparation works, a timescale for the implementation of these measures shall be submitted to the Local Planning Authority and approved in writing. The measures shall be implemented in accordance with the approved timescale.

Reason: In the interest of biodiversity in accordance with National Planning Policy Framework (2019) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

6.108 The following information has been submitted in relation to condition 13:

- Residential Reserved Matters Application – Ecological Condition Discharge Document Conditions 13 to 17 by SES dated February 2024.

6.109 The Environmental Statement (ES) submitted in association with the outline application outlined at paragraph 8.7.2 a series of mitigation measures to reduce the impact of the proposal on local biodiversity habitats, rare plants, Amphibians, Reptiles, Breeding Birds, Badgers and Bats. Condition 13 requires a timescale for these mitigation measures to be agreed. An updated timetable has been provided for each mitigation measure identified in the original ecological reports. The timetable states that some mitigation measures have been carried out and are ongoing, such as the scrub clearance, removal of floating pennywort and collections of seeds and that habitat protection measures will be installed during construction. This condition is not seeking to agree the mitigation measures, these are already agreed under the outline permission. This condition is just seeking to agree an updated timetable in light of the detailed scheme. This is also the case for Condition 16 below.

6.110 The submitted details are considered to meet the requirements of this condition and are acceptable. The details should therefore be approved in so far as this relates to the housing part of the overall site subject of the outline planning permission only.

Condition 16 (Timetable for Implementation of Ecology Enhancement Measures)

6.111 Condition 16 states:

16 The development hereby approved shall be implemented in strict accordance with the ecological enhancement measures outlined at paragraphs 8.7.6, 8.7.7 and 8.7.8 of the Environmental Statement. Prior to the commencement of the development, other than for demolition and site preparation works, a timescale for the implementation of these measures shall be submitted to the Local Planning Authority and approved in writing. The measures shall be implemented in accordance with the approved timescale.

Reason: In the interest of biodiversity in accordance with National Planning Policy Framework (2019) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies

6.112 The following information has been submitted in relation to Condition 16:

- Residential Reserved Matters Application – Ecological Condition Discharge Document Conditions 13 to 17 by SES dated February 2024.

6.113 The Environmental Statement (ES) submitted in association with the outline application outlined at paragraph 8.7.6-8 a series of ecological enhancement measures to be carried out at the site including the creation of new habitats to support insects and local wildlife. Condition 16 requires a timescale for these enhancement measures to be agreed. The timetable states that most mitigation measures will be undertaken between 2024 and 2027 following the completion of the raised platform works to enable new trees and planting to become established during the course of the detailed building works and to coincide with completion works for the new buildings which themselves include various environmental enhancement measures such as bat and bird boxes etc.

6.114 The submitted details are considered to meet the requirements of this condition and are considered to be acceptable. The details should therefore be approved in so far as this relates to the housing part of the overall site subject of the outline planning permission only.

Condition 20 (Cycle Parking Details)

6.115 Condition 20 states:

20 The development shall not be first occupied or brought into first use unless and until full details of the covered and secure cycle parking to serve the health centre, commercial and residential parts of the development hereby approved have been submitted to and approved in writing by the local planning authority. Each building in the development shall be carried out in accordance with those approved details before the building is first occupied or brought into first use and the development shall be retained as such in perpetuity.

Reason: To ensure that adequate cycle parking is provided and retained to serve the commercial development in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policies DM1 and DM15 of the Development Management Plan (2015).

6.116 The following information has been submitted in relation to condition 20:

- Drawing BA9923-2015C (Cycle Store Location Plan)
- Ground floor plans for flats and perimeter houses as above
- Bin and Bicycle Storage Schedule Rev A

6.117 The proposed plan shows that all dwellings will have access to secure cycle storage at lower ground level within the garage or communal undercroft parking areas which is easily accessible, secure and weather protected or within a dedicated single cycle store in the rear garden (Home Zone 1 podium houses only). The detailed plans for these buildings show that adequate space has been allocated for cycle parking to meet the policy requirement of 1 space per dwelling.

6.118 The submitted details are considered to meet the requirements of this condition in as far as they relate to the cycle parking for the dwellings and are considered to be acceptable. The details should therefore be partially approved in so far as they relate to the housing part of the overall site subject of the outline planning permission only. A separate approval

of details application will need to be submitted in relation to the remainder of the site.

Condition 25 (Refuse and Recycling Details)

6.119 Condition 25 states:

25 The residential dwellings hereby approved shall not be first occupied unless and until full details of the refuse and recycling stores have been submitted to and approved in writing by the local planning authority. The approved refuse and recycling stores shall be provided in accordance with the approved plans and details and shall be made available for use prior to the first occupation of the dwelling to which they relate and shall be retained as such in perpetuity.

Reason: To ensure that the development provides adequate refuse and recycling facilities in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015) and Design and Townscape Guide (2009).

6.120 The following information has been submitted in relation to condition 25:

- Drawing BA9923-2014F (Refuse Store and Collection Plan)
- Drawing 2105160-003 (Site Layout – Swept Path Analysis)
- Ground floor plans for flats and perimeter houses as above
Bin and Bicycle Storage Schedule Rev A

6.121 These details show the refuse store details for the flats will be in the ground floor undercroft areas. Similarly, the houses to the perimeter of the Home Zones have space allocated for refuse storage within the ground floor garages. The houses built at the upper levels in Home Zone 1 have no garage so separate refuse storage will be provided in the rear gardens. Full details have been provided and are acceptable.

6.122 The submitted details are considered to meet the requirements of this condition and are considered to be acceptable. The details should therefore be approved.

Condition 28 (Flood Risk and Drainage Strategy)

6.123 Condition 28 states:

28 No drainage infrastructure associated with this consent shall be undertaken at this site unless and until full details of the drainage infrastructure and a drainage strategy have been submitted to and approved in writing by the local planning authority. The strategy submitted shall apply the sustainable drainage principles and the sustainable drainage hierarchy. Where more sustainable methods of drainage are discounted clear evidence and reasoning for this shall be included within the strategy submitted. The approved drainage infrastructure and strategy shall be implemented in full accordance with the approved scheme prior to the first occupation of any part of the phase of the development hereby approved they fall within and be retained as such thereafter.

Reason: To ensure satisfactory drainage of the site in accordance with Policy KP2 of the Core Strategy (2007) and Development Management Document (2015) Policy DM14.

6.124 The following information has been submitted in relation to condition 28:

- Drainage Strategy Briefing Note by Ardent reference 2105160-R02 dated April 2024.

- Drawing 2105160-400B Proposed Drainage Strategy Home Zones 1 and 2.
- Drawing 2105160-401B Proposed Drainage Strategy Home Zones 2,3 and 4.
- Letter titled 24/00311/RESM – Flood Risk and Drainage Strategy from Ardent reference BC/2105160/LLFA Response dated 4.4.24.
- Ardent response to LLFA Drainage Queries dated 06.06.2024.
- Drainage Calculations for Catchments A-D.

6.125 In addition to surface draining directly into Barge Pier Ditch in the eastern side of the site, the development also includes various sustainable drainage measures including buried pipework draining into 3 large retention basins arranged across the site as well as areas of permeable paving including some areas with underground tanking to slow run off and provide on-site storage of surface water at the site. Excess water from these features then gradually drains into Barge Pier Ditch over a longer time. Micro-drainage modelling shows that these swales and basins will provide sufficient on-site storage to accommodate the 1 in 100 year rainfall event plus 40% allowance for climate change.

6.126 In regard to foul water drainage, Anglian Water has confirmed that they have available capacity within the existing system.

6.127 The drainage report confirms that the current residential proposal achieves a significant betterment in terms of drainage than would have been achieved for the initially consented commercial scheme (reference 18/01975/FULM) which had a greater coverage of built form and hard surfacing for car parking. The report concludes that the strategy, in coordination with the Barge Pier Ditch and ponds, has sufficient and significant capacity without increasing the flooding potential on or off-site.

6.128 The drainage details, including drainage calculations, have been checked by the LLFA and found to be acceptable in all relevant regards.

6.129 The submitted details are considered to meet the requirements of this condition and are considered to be acceptable. The details should therefore be partially approved in so far as they relate to the housing part of the overall site subject of the outline planning permission only.

Condition 34 (Part M4(2) and (3) details)

6.130 Condition 34 states:

34 No development other than site preparation works shall take place until and unless details have been submitted to and approved in writing by the Local Planning Authority to show how at least 10% and a specified number of the dwellings will be built in compliance with the building regulation M4(3) 'wheelchair user dwellings' standard with all of the remaining dwellings complying with the building regulation part M4(2) 'accessible and adaptable dwellings' standard. Each approved dwelling shall be constructed to comply with either building regulation M4(2) or M4(3) in accordance with the approved details prior to its first occupation.

Reason: To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework, (2012), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM8 and Design and Townscape Guide (2009).

6.131 The following information has been submitted in relation to condition 34:

- BA9923-2700 M4(3) and M4(2) Compliance Flats and Houses.
- BA9923-2007E House Types Plan (showing location of M4(3) units).
- BA9923-2206A M4(2) Accessibility HZ1.
- BA9923-2207 M4(2) Accessibility HZ2.
- BA9923-2208 M4(2) Accessibility HZ3.
- BA9923-2209 M4(2) Accessibility HZ4.
- Planning Statement and Design and Access Statement

6.132 The Planning Statement confirms that 189 (90%) of the proposed dwellings are M4(2) compliant and the remaining 21 units (10%) are M4(3) wheelchair accessible homes. Drawing reference BA9923-2007E shows that the M4(3) units are in the flatted blocks where they can benefit from lift access to all floors and that they are spread across different blocks in Home Zones 1, 3 and 4.

6.133 The majority of the houses are set at the lower level around the edge, incorporating the retaining structure for the development platforms with their main living space at first floor above the flood risk level. This has presented a challenge for achieving compliance with the M4(2) accessibility standard under which level access to the main living space is a requirement. Installing individual lifts within the houses is not viable so this issue has been addressed by providing an alternative route to the first floor level of the houses around the edges of the podium which is wheelchair compatible. In Home Zone 1, the largest Home Zone, a full vehicular and pedestrian ramp is provided into the central area of the podium which has direct access to the rear gardens and main living areas of the perimeter houses. In Home Zones 2 and 3 this has been addressed by creating a shared communal amenity area within the centre of the housing layout which provides direct access to the surrounding houses. Access to this central garden is via an external shared lift (or steps). As part of the development of this scheme it has been important to ensure that this is an attractive and viable alternative route to the entrances at the lower level. This has been achieved by ensuring the shared semi-private landscaped courtyard gardens in the centre of the podiums not only provide a positive setting for the secondary entrances but that they offer a benefit to the scheme in terms of creating alternative and additional amenity provision for the dwellings, and creating a strong sense of place. Overall, it is considered that the approach to accessibility has achieved a positive alternative and accessible access route to the properties and beyond that is also a wider benefit to the scheme.

6.134 The submitted details are considered to meet the requirements of this condition and are acceptable. The details should therefore be approved.

Conclusion

6.135 This reserved matters application relates solely to the detailed design of the built development at the site within the proposed reserved matters red line area. It follows a grant of outline planning permission for up to 214 dwellings, up to 400sqm of retail space and up to 1000sqm of health centre for a larger site under application 20/01227/OUTM and reserved matters application, reference 22/01602/RES, for the creation of development platforms related to this application. As noted above, the detailed design proposed has resulted in some adjustments to the land use, heights and levels and access parameter plans and the landscape masterplan approved under the outline permission so another application, reference 24/00237/AMDT has been submitted alongside the current application. That seeks to vary the approved parameter plans and landscape master plan to ensure consistency. The acceptability of those proposed variations to the outline permission will be considered separately under application reference 24/00237/AMDT the report for which is elsewhere on this agenda. The

acceptability of this reserved matters application is entirely dependent on the approval of those amended parameter plans and landscaping masterplan under application 24/00237/AMDT. If application reference 24/00237/AMDT were refused, then this current reserved matters would also fail as it does would then not achieve compliance with the parameter plans which were approved under the outline permission reference 20/01227/OUTM.

6.136 Notwithstanding those procedural clarifications, having taken all material planning considerations into account, and subject to the conditions below, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The proposed development is acceptable in principle and impacts acceptably on the character and appearance of the site, wider surrounding area and nearby designated heritage assets. The development would not materially harm residential amenity or the surrounding highways network and provides acceptable living conditions for future occupiers. The application is therefore recommended for approval subject to conditions.

6.137 Furthermore, this application also seeks to discharge 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) and 34 (Part M4(2) and (3) details) of the outline planning permission 20/01227/OUTM. The details submitted meet the requirements of the respective conditions and are acceptable either in full or, in relevant cases, are partially discharged.

7 In relation to the planning condition recommended below, Members are advised that the outline planning permission linked to this reserved matters application already includes conditions relating to phasing, materials, privacy screens, archaeology, levels, construction management plan and construction hours, landscaping, ecology and biodiversity, existing trees, parking including a parking management plan, cycle and refuse storage, travel plan and travel packs, flooding and drainage, accessibility, external lighting, sustainability, contamination and air quality. These conditions carry over to the development of the detailed scheme and should not be replicated. They are sub titled "List A Conditions" under recommendation b) below. The separately listed conditions relate to issues which have not been specifically covered in the outline consent and are sub titled "List B Full or Part Discharged Conditions" under recommendation c) further below.

8 Recommendation

a) DELEGATE to the Executive Director for Environment and Place, the Director of Planning and Economy, and the Service Manager - Development Management and Enforcement to amend the description of development in so far as it relates to only the application reference number to reflect the decision made on application reference 24/00237/AMDT.

b) Subject to the granting of permission for application reference 24/00237/AMDT, DELEGATE to the Executive Director for Environment and Place, the Director of Planning and Economy, and the Service Manager - Development Management and Enforcement, to APPROVE RESERVED MATTERS application reference 24/00311/RESM in relation to condition 03 of planning permission ref 24/00237/AMDT subject to conditions as set out in under List A - Conditions - in Section 8 of this report below.

List A – Conditions

01 The development hereby permitted shall begin no 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: BA9923-2001A, BA9923-2002A, BA9923-2003C, BA9923-2004D, BA9923-2005D, BA9923-2011D, BA9923-2111C, BA9923-2112B, BA9923-2113C, BA9923-2114C, BA9923-2203B, BA9923-2204A, BA9923-2570A, BA9923-2571A, BA9923-2572A, BA9923-2574A, BA9923-2575, BA9923-2576A, BA9923-2578A, BA9923-2580A, BA9923-2600B, BA9923-2601B, BA9923-2602B, BA9923-2603B, BA9923-2604B, BA9923-2605B, BA9923-2606B, BA9923-2607A, BA9923-2610B, BA9923-2612B, BA9923-2640B, BA9923-2641A, BA9923-2642B, BA9923-2650B, BA9923-2652B, BA9923-2660A, BA9923-2662A, BA9923-2670B, BA9923-2672B, BA9923-2680A, BA9923-2682A, 2105160-002, 2105160-003, 2105160-300, PR243-01L Landscape Master Plan.

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

Design Quality Conditions

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above lower ground floor slab level shall take place unless and until full detailed design drawings and cross sections of the key design features including the full details of window details including reveals, window surrounds and projecting oriel windows, gabled roof verge and eaves details, entrance canopies and porches, balconies and balustrades, parapet to flat roofed designs and details of all types of brick decoration at a scale of 1:20 or 1:10 as appropriate have first been submitted to and agreed in writing by the Local Planning Authority under the terms of this condition. The development shall be carried out in accordance with the approved details before it is first occupied.

Reason: To safeguard the visual amenities of the area, including the impact on nearby heritage assets, in accordance with the National Planning Policy Framework (2023), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM5 and the advice contained within the National Design Guide (Rev 2021) and the Southend-on-Sea Design and Townscape Guide (2009).

Details and Management of Green Wall Screens

04 A. No construction works above lower ground floor slab level for Blocks A and B of Home Zone 1 hereby approved shall take place unless and until full design details and cross sections of the feature pergola at a scale of 1:10 or 1:20 as appropriate have been submitted to and approved in writing by the Local Planning Authority under the terms of this condition, together with full planting details and a Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for the pergola planting. The feature pergola shall be provided in full accordance with those approved details prior to the first occupation of the development hereby approved. The landscaping of this feature shall be managed in accordance with the approved plans and details from first occupation in perpetuity.

B. No construction works above lower ground floor slab level for block C in Home Zone 1 and all other flatted blocks in Home Zones 3 and 4 shall take place until the full design and planting details for the green screens, including a landscape management and maintenance plan have been submitted to and approved in writing by the Local Planning Authority under the terms of this condition. The green screens shall be provided in full accordance with those approved details prior to the first occupation of the development hereby approved. The landscaping of the green screening shall be managed in accordance with the approved plans and details from occupation in perpetuity.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

Residential Amenity Conditions

- 05 All first floor rear windows of dwellings on plots 26 and 31 within the development hereby approved 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) and fixed shut up to a height of not less than 1.7m above the relevant rooms' internal finished floor level before the occupation of each of those dwellings. The windows shall be retained as such thereafter in perpetuity. 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 (2023), Core Strategy (2007) Policy CP4, Development Management Document (2015) Policy DM1, and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

- 06 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order or Act of Parliament revoking and re-enacting that Order with or without modification, no extensions, roof enlargements, outbuildings or hardstandings shall be created at the development hereby approved specified within Schedule 2, Part 1, Classes A, B, D, E and F of the Town and Country Planning (General Permitted Development) Order 2015 without the prior receipt of express planning permission.**

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area including the impact on the setting of nearby heritage assets in accordance the National Planning Policy Framework (2023), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM5 and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009) and Shoebury Garrison Conservation Area Appraisal (2021).

Waste Management Arrangements

- 07 The development within each Home Zone approved under this permission shall not be first occupied unless and until a Waste Management Plan for that Home**

Zone has been submitted to and approved in writing by the Local Planning Authority under the terms of this condition. The development shall only be implemented in accordance with the approved details from first occupation of each Home Zone and must be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2, CP3 and CP4 of the Core Strategy (2007) and Policies DM1, and DM15 of the Development Management Document (2015).

RSPB Enhancements

- 08** The RSPB ecological enhancement measures as set out in Table 1 of the Ecological supporting note in response to RSPB comments on application 24/00311/RESM by SES dated 9.5.24, shall be implemented in full prior to the occupation of each phase of the development hereby approved.

Reason: In the interests of biodiversity in accordance with the National Planning Policy Framework (2023), Core Strategy (2007) Policy KP2, and Development Management Document (2015) Policy DM2.

Electric Vehicle Charging

- 09** Prior to the first occupation of the development hereby approved full details of the proposed electric vehicle charging arrangements for the site shall be submitted to and approved in writing by the Local Planning Authority under the terms of this condition. The approved details shall then be installed at each dwelling, prior to the first occupation of that unit as agreed under this condition.

Reason: In the interests of sustainability and in accordance with the Southend Electric Vehicle Charging Infrastructure Supplementary Planning Document (2021).

- 10** Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above lower ground floor slab level of Home Zones 2 and 3 shall take place unless and until full detailed design drawings of the external lifts in each of these Home Zones have been submitted to and approved in writing by the Local Planning Authority. The agreed lift details shall then be installed and the lifts shall be operational prior to the first occupation of the Home Zone to which they relate. The lifts shall be retained for the lifetime of the development and maintained in good working order at all times.

Reason: To ensure the residential units hereby approved are accessible to all to meet the changing needs of residents in accordance with the National Planning Policy Framework (2023), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM8 and the advice contained in the Southend-on-Sea Design and Townscape Guide (2009).

c) Subject to the granting of permission for application reference 24/00237/AMDT, DELEGATE to the Executive Director for Environment and Place, the Director of Planning and Economy, and the Service Manager - Development Management and Enforcement, to GRANT DISCHARGE OF THE FOLLOWING PLANNING CONDITIONS in FULL or PARTIALLY for planning permission

24/00237/AMDT as set out in List B below:

List B – Full or Part Discharged Conditions

Condition 02 (Phasing Plan)

- 02** The submitted details, including the phasing plan reference Drawing BA9923-1005-07 (Shoebury Garrison - Phasing Plan) are considered to satisfy the requirements of Condition 02 (Phasing Plan) of planning permission 24/00237/AMDT, are acceptable in all relevant regards and are hereby approved in so far as they relate to the housing part of the overall site subject of the outline planning permission only.

Condition 08 (Existing and Proposed Levels)

- 08** The submitted details including Drawing BA9923-2002 (Topography Survey) and Drawing 2105160-300 (External Levels Strategy) are considered to satisfy the requirements of Condition 08 (Existing and Proposed Levels) of planning permission 24/00237/AMDT, are acceptable in all relevant regards and are hereby approved in so far as they relate to the housing part of the overall site subject of the outline planning permission only.

Part discharge of condition 11 (Landscaping for Play Space Areas only)

- 11** The submitted details of the Landscaped Areas and Play Spaces as set out on drawing references PR243-01L Landscape Master Plan, Drawing PR243-02 (Leap Play Area Proposals), Drawing PR243-03 (Lap Play Area Proposals) and Drawing PR243-04A Informal Play Areas are considered to satisfy part of the requirements of Condition 11 (Landscaping for Play Space Areas only) of planning permission 24/00237/AMDT, are acceptable in all relevant regards and are hereby approved. Condition 11 is part discharged. Details of the remaining details of the remaining site wide landscaping will require a further submission of details for approval at a later date.

Condition 13 (Timescale for the implementation of Biodiversity Mitigation Measures)

- 13** The submitted details of the timescales for the implementation of Biodiversity Mitigation Measures, including the amended mitigation measures for the site in relation to badgers, as set out in Residential Reserved Matters Application – Ecological Condition Discharge Document Conditions 13 to 17 by SES dated February 2024 are considered to satisfy the requirements of Condition 13 (Timescale for the implementation of Biodiversity Mitigation Measures) of planning permission 24/00237/AMDT, are acceptable in all relevant regards and are hereby approved in so far as they relate to the housing part of the overall site subject of the outline planning permission only.

Condition 16 (Timetable for Ecological Enhancement Measures)

- 16** The submitted details of the timescales for the implementation of Ecological Enhancement Measures as set out in the Residential Reserved Matters Application – Ecological Condition Discharge Document Conditions 13 to 17 by SES dated February 2024 are considered to satisfy the requirements of Condition 16 (Timetable for Ecological Enhancement Measures) of planning permission 24/00237/AMDT, are acceptable in all relevant regards and are hereby approved in so far as they relate to the housing part of the overall site subject of the outline

planning permission only.

Condition 20 (Cycle Parking Details)

- 20 The submitted details, including the cycle parking details, as set out on Drawings BA9923-2015C (Cycle Store Location Plan) and Bin and Bicycle Storage Schedule Rev A are considered to satisfy the requirements of Condition 20 (Cycle Parking Details) of planning permission 24/00237/AMDT, are acceptable in all relevant regards and are hereby approved in so far as it relates to the housing part of the overall site subject of the outline planning permission only.

Condition 25 (Refuse and Recycling Details)

- 25 The submitted details, including the refuse and recycling details, as set out on drawing BA9923-2014F (Refuse Store and Collection Plan) and drawing 2105160-003 (Site Layout – Swept Path Analysis) and Bin and Bicycle Storage Schedule Rev A are considered to satisfy the requirements of Condition 25 (Refuse and Recycling Details) of planning permission 24/00237/AMDT, are acceptable in all relevant regards and are hereby approved in so far as it relates to the housing part of the overall site subject of the outline planning permission only.

Condition 28 (Flood Risk and Drainage Strategy)

- 28 The submitted details, including the sustainable drainage details for the development as set out in the Drainage Strategy Briefing Note by Ardent reference 2105160-R02 dated April 2024, Drawing 2105160-400B Proposed Drainage Strategy Home Zones 1 and 2, Drawing 2105160-401B Proposed Drainage Strategy Home Zones 2,3 and 4, Letter titled 24/00311/RESM – Flood Risk and Drainage Strategy from Ardent reference BC/2105160/LLFA Response dated 4.4.24, Ardent response to LLFA Drainage Queries dated 06.06.2024 and Drainage Calculations for Catchments A-D are considered to satisfy the requirements of Condition 28 (Flood Risk and Drainage Strategy) of outline planning permission 24/00237/AMDT, are acceptable in all relevant regards and are hereby approved in so far as it relates to the housing part of the overall site subject of the outline planning permission only.

Condition 34 (Part M4(2) and (3) details)

- 34 The submitted details, including drawings BA9923-2700 M4(3) and M4(2) Compliance Flats and Houses, BA9923-2007E House Types Plan (showing location of M4(3) units, BA9923-2206A M4(2) Accessibility HZ1, BA9923-2207 M4(2) Accessibility HZ2, BA9923-2208 M4(2) Accessibility HZ3 and BA9923-2209 M4(2) Accessibility HZ4 • Planning Statement and Design and Access Statement satisfy the requirements of Condition 34 (Part M4(2) and (3) details) of planning permission 24/00237/AMDT, are acceptable in all relevant regards and are hereby approved in so far as they relate to the housing part of the overall site subject of the outline planning permission only.

Informatives

- 01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the

CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact S106andCILAdministration@southend.gov.uk to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters can be found on the Planning Portal (www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy) or the Council's website (www.southend.gov.uk/cil).

- 02 Please note that the conditions imposed on the Outline Permission 20/01227/OUTM are in force and need to be complied with. The applicant is advised that condition 19 of that outline permission will need to be varied as it is different to the parking arrangement proposed within this application.
- 03 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council will seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the city.
- 04 The applicant is advised that if a crane or piling rig is required to construct the development a safeguarding assessment will need to be undertaken by the Airport. Applications should be directed to sam.petrie@southendairport.com / 01702 538521.

Positive and Proactive Statement:

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.