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Southend-on-Sea Borough Council

Legal & Democratic Services

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09 February 2022

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - WEDNESDAY, 9TH FEBRUARY, 2022

Please find attached a copy of the supplementary report for consideration at the meeting of the Development Control Committee taking place on Wednesday, 9th February, 2022, that provides further information on the applications listed on the Agenda that were unavailable when the Agenda was printed.

Tim Row
Principal Democratic Services Officer

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Southend-on-Sea Borough Council

Development Control Committee 5th January 2022

SUPPLEMENTARY INFORMATION

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Agenda Item 4 **Pages 7-82**

21/02989/AMDT **53 - 57 Sutton Road, Southend (Victoria Ward)**

Section 9 Recommendation

Correction

It is recommended:

(a) That the Council enter into a Planning Obligation by Deed of Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- A minimum of 4 Affordable housing units comprising 3 for affordable rent and 1 unit for shared ownership;
- A financial contribution towards secondary education provision of £21664.14, specifically for refurbishment to access places at Cecil Jones Academy;
- A payment of £127.30 per dwelling for 17 dwellings, (£2164.10) under the terms of the Essex Coast Recreational disturbance Avoidance Mitigation Strategy.

(b) That the Executive Director (Growth and Housing), Director of Planning or Service Manager - Development Control be DELEGATED to GRANT PLANNING PERMISSION subject to the completion of the section 106 agreement referred to above and subject to the conditions set out in the published report.

(c) In the event that the planning obligation referred to in part (a) above has not been completed before 16.02.2022 or an extension of this time as may be agreed by the Director of Planning or Service Manager - Development Control, authority is delegated to the Executive Director (Growth and Housing), Director of Planning or Service Manager - Development Control to refuse planning permission for the application on grounds that the development will not secure the necessary contributions to secure the necessary affordable housing provision, contributions to education provision and mitigation of impacts on European designated sites. As such, the proposal would be contrary to Policies KP1, KP2, KP3, CP4, CP6 and CP8 of the Core Strategy (2007), Policies DM1, DM6 and DM7 of the Development Management Document (2015) and the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (2020).

Introductory Table - Recommendation [Update to reflect officers' titles]

Members are recommended to **DELEGATE** to the Executive Director (Growth and Housing), Director of Planning or Development Control Service Manager to **GRANT PLANNING PERMISSION** subject to **CONDITIONS** following completion of a **LEGAL AGREEMENT** under Section 106 of the Town and Country Planning Act 1990 (as amended).

Section 7 Appraisal

Traffic and Transportation Issues

Electric Vehicle Charging

7.132 Following the recent adoption of the Electric Vehicle Charging Infrastructure (EVCI) for new development Supplementary Planning Document (SPD) in November 2021, a condition is suggested to secure appropriate infrastructure in accordance with this policy document. Whilst prior to the adoption of the EVCI SPD it was proposed to secure provision of electric vehicle charging infrastructure on site via the S106 legal agreement, which was negotiated with the applicant, the adoption of this SPD is a material planning consideration which justifies the imposition of an appropriately worded condition. The development is considered acceptable on this basis.

Overall Highways summary

7.147 [...] provision of a designated car club bay, active and passive electric vehicle charging infrastructure in accordance with the EVCI SPD, servicing details, [...].

Developer Contributions

Highways

7.234 As set out above, the following S106 contributions and requirements are required in highways terms:

[...]

- 1x Car Club Vehicle and Space which must be served by an electric charging point.

[Remove last bullet point: • 20% of all parking spaces to have electric charging points (1 of which must be the Car Club Space) and the remaining 80% to have passive charging points/be future proofed for electric charging points.]

S106 Summary

7.240 The following Heads of Terms for the S106 Legal Agreement are proposed and have been agreed with the applicant:

[...]

- Highways Contributions

[...]

[Remove last second tier bullet point: • 20% of all parking spaces to have electric charging points (1 of which must be the Car Club Space) and the remaining 80% to have passive charging points/be future proofed for electric charging points.]

Section 9 Recommendation

9.1 [...] A) [...]:

[...]

- Highways Contributions

[...]

[Remove last second tier bullet point: • 20% of all parking spaces to have electric charging points (1 of which must be the Car Club Space) and the remaining 80% to have passive charging points/be future proofed for electric charging points.]

B) That the Executive Director (Growth and Housing), Director of Planning or Development Control Service Manager be DELEGATED to GRANT PLANNING PERMISSION subject to the completion of the section 106 agreement referred to above and subject to the conditions set out below:

[...]

Electric Vehicle Charging Infrastructure related condition

31 The development shall not be first occupied unless and until at least one car parking space available for the car club car and one space per residential unit have been fitted with active provision of an electric vehicle charging point in line with the requirements of the Electric Vehicle Charging Infrastructure for new development Supplementary Planning Document (2021). Prior to first occupation all remaining spaces shall have been fitted with passive provision of electric vehicle charging infrastructure. The infrastructures required by this condition shall be maintained and retained for the benefit of future users and occupiers and visitors of the approved development for the lifetime of the development.

Reason: To ensure the provision of adequate electric vehicle charging infrastructure in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policy CP3, Development Management Document (2015) Policies DM3, DM8 and DM15 and the Electric Vehicle Charging Infrastructure for new development Supplementary Planning Document (2021).

Agenda Item 6 Pages 187-242

21/02989/AMDT Former 51 Chalkwell Avenue, Westcliff (Chalkwell Ward)

Conditions

Correction

Condition 17 (Constriction Method Plan) should be condition number 16 not 17 as shown in the agenda

Agenda Item 7 Pages 243-272

21/01900/FUL 995-1003 London Road, Leigh on Sea (Blenheim Park Ward)

This application has been WITHDRAWN by the applicant.

Agenda Item 8 **Pages 273-296**

21/02453/FULH **15 Leslie Close, Eastwood (Eastwood Park Ward)**

Section 7 **Impact on Residential Amenity**

Correction required at paragraph 7.16, it should read 'No.16 Leslie Close' not 'No.16 Leslie Drive'.