

# **SOUTHEND-ON-SEA BOROUGH COUNCIL**

## **Meeting of Development Control Committee**

**Date: Tuesday, 30th March, 2021**  
**Place: Virtual Meeting via MS Teams**

**Present:** Councillor N Ward (Chair)  
Councillors M Borton (Vice-Chair), B Ayling, J Beck, K Buck\*,  
A Chalk, P Collins\*, D Cowan, A Dear, M Dent, F Evans, N Folkard\*,  
D Garne\*, S Habermel, K Mitchell\*, A Thompson and S Wakefield  
(\*Substitute in accordance with Council Procedure Rule 31.)

**In Attendance:** Councillor T Cox  
J Williams, S Moore, T Saunders, P Keyes, M Warren, T Row, T Hartley,  
A Greenwood, A Rodgers, A Smyth, C White, C Victory, E Cook, E Cooney,  
J Gleave, J Doherty, K Gearing, M Pochin-Hawkes, M Vas,

**Start/End Time:** 5.00 pm - 7.50 pm

### **945 Apologies for Absence**

Apologies for absence were received from Councillors Jarvis (substitute: Councillor Folkard), Jones (substitute: Councillor Mitchell), D Garston (substitute: Councillor Buck), Mulroney (substitute: Councillor Collins) and Walker (substitute: Councillor Garne)

### **946 Declarations of Interest**

The following declarations of interest were made at the meeting:

1. Cllr Borton – Agenda Item No. 4 (20/01479/BC4M - Queensway Development, Queensway Slip Road, SW, Southend-on-Sea) - Non-Pecuniary Interest: Is on the board of South Essex Homes and the supporters are known to her.
2. Cllr Beck - Agenda Item No. 4 (20/01479/BC4M - Queensway Development, Queensway Slip Road, SW, Southend-on-Sea) - Non-Pecuniary Interest: Supporters and objectors are known to her and has discussed the proposal in general with residents.
3. Cllr Buck - Agenda Item No. 4 (20/01479/BC4M - Queensway Development, Queensway Slip Road, SW, Southend-on-Sea) - Non-Pecuniary Interest: Made public comments over the concerns of the highway aspect of the application.
4. Cllr Dent - Agenda Item No. 4 (20/01479/BC4M - Queensway Development, Queensway Slip Road, SW, Southend-on-Sea) - Non-Pecuniary Interest: Supporters of the application are known to him.
5. Cllr Mitchell - Agenda Item No. 4 (20/01479/BC4M - Queensway Development, Queensway Slip Road, SW, Southend-on-Sea) - Non-Pecuniary Interest: Residents are known to her.

6. Cllr Wakefield - Agenda Item No. 4 (20/01479/BC4M - Queensway Development, Queensway Slip Road, SW, Southend-on-Sea) - Non-Pecuniary Interest: Is a sub-contractor for South Essex Homes.

**947 Supplementary Report**

The Committee received and noted a supplementary report by the Deputy Chief Executive and Executive Director (Growth and Housing) that provided additional information on the items referred to elsewhere on the Agenda

**948 20/01479/BC4M - Queensway Development, Queensway Slip Road, SW, Southend-on-Sea, Essex (Milton & Victoria Wards)**

**Proposal: Hybrid application for:**

**1. Outline consent for the phased demolition of existing residential and commercial units, pedestrian footbridge, and associated structures and redevelopment to provide up to 1,760 dwellings, including provision of affordable housing (up to 177,650 sqm) in buildings of up to 87.17m AOD (approximately 18 storeys); up to 10,000 sqm of commercial uses comprising (a) up to 5,000 sqm of retail and cafes (Use Class E, F.2, Sui Generis) (with a maximum of 1,500 sqm outside the Primary Shopping Area); (b) up to 5,000 sqm of Employment space consisting of Workshops/Artistic Studios/Recording Studios/Brewery/Bakery (Use Class E, B2 and Sui Generis); and Office Space (Use Class E, capped at 2,500 sqm); (c) up to 1,500 sqm of Community & Creche/Nursery (Use Class E/F.1), (d) up to 1,000 sqm of Leisure (Use Class E); and (e) up to 500 sqm of Event Space (Use Class E/Sui Generis); new public open space; associated landscaping; car parking; public realm enhancements; access arrangements and associated infrastructure.**

**2. Detailed (full) application for phased engineering works to remove roundabout at Queensway/Sutton Road/Southchurch Road and associated underpass, with re-grading of the Queensway, to provide a new 4 lane carriageway at grade with footpath; cycle lane, bus facilities, public realm, landscaping and associated structures as well as a new roundabout at grade, linking Southchurch Road and Queensway, and closure/stopping up of Sutton Road.**

**Applicant: Porters Place Southend-On-Sea LLP  
Agent: Mr Lyndon Gill of Barton Willmore**

Mrs Carr, a local resident, spoke as an objector to the application. Mr Kauders responded on behalf of the Applicant.

Resolved: -

(a) That the Interim Director of Planning be DELEGATED to GRANT PLANNING PERMISSION subject to conditions and following the completion of unilateral undertaking (pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended)) by the Council as landowner which secures a PLANNING AGREEMENT UNDER SECTION 106 of the Town and Country Planning Act 1990 (as amended) to be entered into to secure the provision of:

- 17.7% units of affordable housing on site (312 units) – with 300 social/ affordable rented units and 12 units as shared equity (with the ability for additional affordable housing subject to the viability review mechanisms).
- Viability review mechanisms.
- £718,119.05 contribution towards secondary education (with the ability for additional deferred contributions subject to the viability review mechanisms).

- Highway Works, Travel Strategy Group and (if required) up to £90,000 towards additional on and off-site mitigation and sustainable travel initiatives.
- Traffic Regulation Orders.
- Stopping up Orders.
- Travel Plans and monitoring fees of £5,000 per year for a 10-year period.
- Travel Packs.
- Car Club.
- Open Space and Play Space provision and maintenance.
- Public Art.
- Cultural Provision.
- Essex RAMS payment of £125.58 per dwelling to mitigate the potential disturbance to European designated sites.
- Employment and training.
- CCTV.
- Monitoring fee £10,000.

(as further detailed in Appendix 6 to the report)

(b) That the Interim Director of Planning be DELEGATED to APPROVE the application reference 20/01479/BC4M subject to the completion of the unilateral undertaking securing the SECTION 106 planning agreement referred to above and to conditions substantially in the form contained in Appendix 5 and below, with such detailed minor amendments to the conditions as the Interim Director of Planning may consider to be reasonable and necessary, so long as these changes do not alter the objectives and purposes of the conditions detailed in Appendix 5 of this Report.

01 The development for which detailed approval is hereby permitted, as defined within the red line shown on Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06 shall be begun no later than 3 years beginning with the date of this permission.

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

02 The development for which detailed approval is hereby permitted, as defined on Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06 shall be carried solely out in accordance with the following approved plans:

- BEQ-LDA-ZZ-XX-XX-DR-N-ST-00001 Rev 03 Planning Application Boundary Location Plan
- BEQ-LDA-ZZ-XX-XX-DR-N-ST-00002 Rev 05 Blue Line Boundary Location Plan (1 of 2)
- BEQ-LDA-ZZ-XX-XX-DR-N-ST-00003 Rev 05 Blue Line Boundary Location Plan (2 of 2)
- BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06 Queensway Detailed Planning Application Boundary Location Plan
- 1042-01-CIV-XX-GA-001-P04 Rev P07 General Alignment Location Plan Match to Existing
- 1042-01-CIV-XX-GA-002-P06 Rev P07 General Alignment Short Street Junction Match to Existing
- 1042-01-CIV-XX-GA-003-P06 Rev P07 General Alignment Queensway North Match to Existing
- 1042-01-CIV-XX-GA-004-P6 Rev P07 General Alignment Queensway Central Match to Existing
- 1042-01-CIV-XX-GA-005-P06 Rev P07 General Alignment Queensway South Match to Existing
- 1042-01-CIV-XX-GA-006-P06 Rev P07 General Alignment Southchurch Roundabout Match to Existing
- 1042-01-CIV-XX-GA-007-P06 Rev P07 General Alignment Sutton Road Match to Existing
- BEQ-LDA-XX-XX-XX-DR-L-XX-00100 Rev 04 Public Realm and Landscape
- BEQ-LDA-XX-XX-XX-DR-L-XX-00101 Rev 04 Queensway – General Hardworks Plan

- BEQ-LDA-XX-XX-XX-DR-L-XX-00102 Rev 04 Queensway – General Softworks Plan
- BEQ-LDA-XX-XX-XX-DR-L-XX-00103 Rev 04 Queensway – General Edging
- BEQ-LDA-XX-XX-XX-DR-L-XX-00104 Rev 04 Queensway – Furnishing Plan
- BEQ-LDA-XX-XX-XX-DR-L-XX-00150 Rev 03 Landscape GA Plan: Sheet 1 of 7
- BEQ-LDA-XX-XX-XX-DR-L-XX-00151 Rev 03 Landscape GA Plan: Sheet 2 of 7
- BEQ-LDA-XX-XX-XX-DR-L-XX-00152 Rev 03 Landscape GA Plan: Sheet 3 of 7
- BEQ-LDA-XX-XX-XX-DR-L-XX-00153 Rev 04 Landscape GA Plan: Sheet 4 of 7
- BEQ-LDA-XX-XX-XX-DR-L-XX-00154 Rev 03 Landscape GA Plan: Sheet 5 of 7
- BEQ-LDA-XX-XX-XX-DR-L-XX-00155 Rev 04 Landscape GA Plan: Sheet 6 of 7
- BEQ-LDA-XX-XX-XX-DR-L-XX-00156 Rev 03 Landscape GA Plan: Sheet 7 of 7
- BEQ-LDA-XX-XX-XX-DR-L-XX-00300 Rev 03 Section A – Queensway at Victoria Shopping Centre
- BEQ-LDA-XX-XX-XX-DR-L-XX-00301 Rev 02 Section B – Queensway at Chemist
- BEQ-LDA-XX-XX-XX-DR-L-XX-00302 Rev 01 Section C - Queensway at Porter's Place
- BEQ-LDA-XX-XX-XX-DR-L-XX-00303 Rev 02 Section D - Queensway within the Neighbourhood
- BEQ-LDA-XX-XX-XX-DR-L-XX-00304 Rev 02 Section E - Queensway at Porter's Civic House
- BEQ-LDA-XX-XX-XX-DR-L-XX-00305 Rev 01 Section F - Queensway South
- BEQ-LDA-XX-XX-XX-DR-L-XX-00306 Rev 01 Section G - Queensway at Railway Underpass
- BEQ-LDA-XX-XX-XX-DR-L-XX-00307 Rev 02 Section H – Southchurch Road
- BEQ-LDA-XX-XX-XX-DR-L-XX-00308 Rev 01 Section I – Sutton Road at All Saints Church
- BEQ-LDA-XX-XX-XX-DR-L-XX-00310 Rev 02 Typical Section 1 – Queensway verge with SuDs

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

03 The development for which detailed approval is hereby permitted, as defined on Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06 shall be carried out in accordance with the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any subsequent updated/amended version submitted to and agreed in writing by the Local Planning Authority under the terms of this planning condition.

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

### *Construction*

04 With the exception of archaeological investigation, an investigation of ground conditions including exploratory boreholes and trial pits, decontamination, remedial works, no utilities works or development of any Phase/sub-phase of the detailed development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent shall take place, including any works of demolition, site clearance or associated with utilities, within the area for which detailed approval is hereby permitted, as shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06 unless and until a Demolition and Construction Environmental Management Plan and Strategy to include a Dust Mitigation Strategy for that Phase/sub-phase/associated utilities works has been submitted to, and approved in writing by the Local Planning Authority. The approved Demolition and Construction Environmental Management Plan and Strategy for the area for which detailed approval is hereby permitted, as defined on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06, shall be adhered to in full throughout the construction period for that phase. Where relevant, the Statement for each Phase/sub-phase/associated utilities' works shall provide, amongst other things, for:

- i) the phasing of works.
- ii) the parking of vehicles of site operatives and visitors for each phase of works.
- iii) loading and unloading of plant and materials for each phase of works.
- iv) storage of plant and materials used in constructing the development for each phase.
- v) the erection and maintenance of security hoarding.
- vi) measures to control the emission of noise, dust and dirt during construction.
- vii) a scheme for temporary storage and recycling, collection and disposing of waste resulting from construction works that does not allow for the burning of waste on site.
- viii) a dust management plan to include mitigation and boundary particulate monitoring during demolition and construction.
- ix) details of the duration and location of any noisy activities.
- x) details of external lighting associated with construction.
- xi) any proposed extension to the following hours of construction for certain specified works:
  - 08:00-18:00 – Monday to Friday
  - 08:00-13:00 – Saturday
  - No time on Sundays or Public Holidays
- xii) temporary variable message signage
- xiii) details of how surface water will be managed during construction

Reason: In the interest of the residential amenity of nearby occupiers and the highway safety in accordance with the National Planning Policy Framework (2019), Policies KP2, CP3 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015).

05 With the exception of archaeological investigation, an investigation of ground conditions including exploratory boreholes and trial pits, decontamination, remedial works, diversion and/or laying of services, no development within any Phase/sub-phase of the detailed development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent, as defined within the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06 a Construction Logistics Plan for that Phase/sub-phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. The Plan for that Phase/sub-phase shall be implemented in accordance with the approved details and thereafter maintained for the duration of the construction period.

Reason: In the interest of the residential amenity of nearby occupiers, highway safety and free flow of the traffic network in accordance with the National Planning Policy Framework (2019), Policies KP2, CP3 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015).

06 All vegetation clearance and tree works in association with each Phase/sub-phase of the detailed development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent and within the area for which detailed approval is hereby permitted, as defined within the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06, shall be carried out outside of the bird nesting season which runs from March to September inclusive, unless it is necessary for works to commence in the nesting season, then a pre-commencement inspection of the vegetation and trees for active bird nests should be carried out by a suitably qualified ecologist. Only if there are no active nests present shall work be allowed to commence within the bird nesting season.

Reason: To ensure the development provides biodiversity and ecology benefits in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2 and CP4.

07 No development shall take place, including any works for demolition, within any Phase/sub-phase of the detailed development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent and within the area for which detailed approval is hereby permitted, as defined within the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06 unless and until a detailed Arboricultural Method Statement and Tree Protection Plan for that Phase/sub-phase has been submitted to and approved in writing by the Local Planning Authority. Details must include:

(a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree;

(b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of all trees including those to be retained and of each tree which is on land adjacent to the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06 and to which paragraphs (c) or (d) below apply;

(c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

(d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site identified in that phase;

(e) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development for which detailed approval is hereby granted as defined within the red line of drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06.

Construction and demolition for that Phase/sub-phase works shall thereafter be carried out only in accordance with the approved Arboricultural Method Statement and Tree Protection Plan for each Phase/sub-phase. Tree protection measures shall be implemented in full prior to construction or demolition works within that phase commencing.

Reason: In the interests of 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).

### *Archaeology*

08 No development, save for demolition of structures above ground level (except retaining walls), shall take place, within each Phase/sub-phase of the detailed development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent and within the area for which detailed approval is hereby permitted, as defined within the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06, unless and until an Archaeological Written Scheme of Investigation for a programme of archaeological work within that phase/sub-phase to include a programme of archaeological recording and analysis, a watching brief for any works involving vertical or lateral invasion into the existing top or sub soil and details of the measures for that phase/sub-phase to be taken should any archaeological finds be

discovered has first been submitted to and approved in writing by the Local Planning Authority. The approved Archaeological Written Scheme of Investigation/watching brief

and measures are to be undertaken throughout the course of the works affecting below ground deposits and are to be carried out by an appropriately qualified archaeologist. The subsequent recording and analysis reports shall be submitted to the local planning authority before that phase/sub-phase of the development is brought into first use.

Reason: To allow the preservation by record of archaeological deposits and to provide an opportunity for the watching archaeologist to notify all interested parties before the destruction of any archaeological finds in accordance with the National Planning Policy Framework (2019) and Policy DM5 of the Development Management Document (2015).

### *Contamination*

09 (a) Notwithstanding the details submitted and otherwise hereby approved, no development of any Phase/sub-phase of development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent and within the area for which detailed approval is hereby permitted, as defined within the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06, shall commence until an investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall assess the nature and extent of any contamination affecting that Phase/sub-phase of the development and whether or not it originates on the site. The investigation and risk assessment must be undertaken by a competent person and must include:

i. A survey of extent, scale and nature of contamination;

ii. An assessment of the potential risks to:

- Human Health;
- Property (existing) including buildings, crops, livestock, pets, woodland and service lines and pipes;
- Adjoining land;
- Groundwaters and surface waters;
- Ecological systems;
- Archaeological sites and ancient monuments; and
- An appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

(b) Notwithstanding the details submitted and otherwise hereby approved, prior to commencement of development of any Phase/sub-phase of the development hereby approved and as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent and within the area for which detailed approval is hereby permitted, as defined within the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06, a detailed remediation scheme to bring the area within the phase/sub-phase to a condition suitable for the intended use by removing unacceptable risk to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, criteria for any material to be used as landfill, timetable of works and site management procedures. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. This must be conducted by a competent person and in accordance with DEFRA and the Agency's 'Model Procedures for the Management of Land Contamination CLR 11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

c) Notwithstanding the details submitted and otherwise hereby approved, prior to commencement of development of any Phase/sub-phase of the development hereby approved as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent and within the area for which detailed approval is hereby permitted, as defined within the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06, the detailed remediation scheme approved under part (b) of this condition shall have been implemented in accordance with the approved timetable of works. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works in writing and with a written reply under the terms of this condition. Following completion of measures identified in the approved remediation, a verification report for each Phase/sub-phase that demonstrates the effectiveness of the remediation carried out must be produced. This must be conducted by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority. The verification report must be submitted to and approved in writing by the Local Planning Authority before the phase/sub-phase is brought into use. For the avoidance of doubt, any necessary remediation is to be remediated under the terms of this planning conditions in accordance with the timetable submitted to and approved in writing by the Local Planning Authority under the terms of this planning condition.

In the event that contamination is found at any time when carrying out a Phase/sub-phase of the approved development that was not previously identified, it must be reported in writing within 7 days to the Local Planning Authority. That Phase/sub-phase of the development must be halted until an assessment for that Phase/sub-phase has been undertaken in accordance with the requirements of part (a) of this condition, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, has been submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of part (b) of this condition. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme, a validation report for that Phase/sub-phase must be submitted to and approved in writing by the Local Planning Authority before that Phase/sub-phase of the development is brought into use.

Where remediation related to any phase/sub-phase is necessary, in accordance with the requirements of parts (a) and (b) of this condition, no development within that Phase/sub-phase of the development hereby approved, as shown as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent and within the area for which detailed approval is hereby permitted, as defined within the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06, shall take place until and unless a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years has been submitted to and approved in writing by the Local Planning Authority. Monitoring and maintenance shall thereafter be carried out in accordance with the approved monitoring and maintenance scheme.

Reason: To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution to Controlled Waters in accordance with Core Strategy (2007) policy KP2 and Policies DM1 and DM14 of the Development Management Document (2015).

*Landscaping, Materials and Lighting*



10 With the exception of Demolition and Preliminary Works within the area for which detailed approval is hereby permitted, as defined on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06, no development shall take place within a phase unless and until full details of both hard and soft landscape works for any Phase/sub-phase of the detailed development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent for the area for which detailed approval is granted (as defined on Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06), have been submitted to and approved in writing by the Local Planning Authority and these works for each phase/sub/phase shall be carried out as approved. These details must include the following as a minimum for each Phase/sub-phase:

- i. Proposed Finished Levels or Contours;
- ii. Minor artefacts and structures;
- iii. Details of Trees and shrubs to be planted and retained;
- iv. Timetable for the Completion of the Soft and Hard Landscaping and Planting;
- v. Evidence of Compatibility of Landscaping Scheme with the Proposed Drainage and Other Site Services
- vi. Details of any Trees to be retained at the Site.

The soft landscaping and hard landscaping within each Phase/sub-phase of the area subject to detailed approval (as defined within the red line shown on Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06) shall be completed in accordance with the approved timetable (iv. above). If any trees are removed or found to be dying, severely damaged or diseased within five years of planting them, they must be replaced with trees of a similar size and species as may be agreed with the Local Planning Authority.

Reason: In the interest of visual amenity in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

11 Details of a Landscape Management Plan for the maintenance and management of the soft and hard landscaping works for any Phase/sub-phase of the detailed development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent highlighted within the area for which detailed approval is hereby permitted (as shown on Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06) consistent with Approved Plans listed at Condition 2 shall be submitted to and approved in writing by the Local Planning Authority prior to that phase/sub-phase of the development being brought into first use. The Landscape Management Plan for that Phase/sub-phase shall include details of how trees within that Phase/sub-phase will be maintained during the initial three-year establishment period. The landscaped areas shall thereafter be managed and maintained in accordance with the approved Landscape Management Plan for the lifetime of the development.

Reason: In the interest of visual amenity in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

12 With the exception of demolition, and Preliminary Works, no development within the area for which detailed approval is hereby permitted, as defined within the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06, shall commence until samples and /or specifications of all materials to be used in the construction of the external surfaces of the development in that Phase/sub-phase of the detailed development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent and as highlighted on approved drawings

listed at condition 2 have been submitted to and approved in writing by the Local Planning Authority.

The details must include:

- Details of Surfaces to road and pavements
- Details of Railings & Means of Enclosures
- Details of Kerbs & kerbing
- Details of Signage
- Timescales for implementation

The development shall be carried out solely in accordance with the approved materials details and the approved timeframe above.

Reason: In the interest of visual amenity and highway safety in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policies DM1 DM3 and DM15 and the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

13 With the exception of demolition, and Preliminary Works no development within each Phase/sub-phase of the detailed development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent and within the area for which detailed approval is hereby permitted, shall commence until and unless a scheme showing the provisions to be made for all external lighting (excluding lighting associated with construction) for that Phase/sub-phase has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme for each Phase/sub-phase shall include details of:

- i. luminance
- ii. spread of light
- iii. design and specification of lighting

The development for each Phase/sub-phase shall be carried out in accordance with those approved details for each Phase/sub-phase before the development is first brought into use.

Reason: In the interest of the safety and amenities of the area, in the interests of biodiversity and to protect the amenities of surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

### *Drainage*

14 With the exception of demolition, and Preliminary Works no development within each Phase/sub-phase of the detailed development as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any revision to this as approved under condition 3 of this consent and within the area for which detailed approval is hereby permitted, as defined within the red line shown on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06, shall be commenced until and unless the detailed design of a surface water drainage scheme has been provided for that Phase/sub-phase of the development to the Local Planning Authority and approved in writing in accordance with relevant measures within the Flood Risk Assessment and Drainage Strategy (Civic Engineers, 31st July 2020, Document Ref: BEQ-CIV-XX-XX-XX-RP-D-ST-00001). The surface water drainage scheme for each Phase/sub-phase shall incorporate the following measures and shall be submitted to and approved in writing with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved surface water drainage scheme for each Phase/sub-phase shall be implemented before the development is brought into use. The scheme for each Phase/sub-phase shall address the following matters:

- a) Provide evidence of infiltration testing in accordance with BRE 365. If infiltration is found to be viable provide information in relation to the potential for ground instability or deterioration in groundwater quality as a result of infiltration.
- b) Provide evidence of consent from Anglian Water for the proposed discharge rates and connections for the proposed drainage.
- c) Provide confirmation of the party or parties responsible for maintenance of the Sustainable Urban Drainage Systems (SuDS) system.
- d) Provide an updated drainage layout plan which corresponds with the supporting calculations

Reason: To ensure the approved development does not increase flood risk elsewhere in accordance with National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2 and KP3.

#### *Toucan Crossings*

15 Notwithstanding condition 2 (Approved plans) development of the relevant phase of the detailed application as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any subsequent/amended version (within the area for which detailed approval is hereby permitted, as defined on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06), shall not commence (with the exception of demolition and Preliminary Works) until and unless details of pedestrian and cycling crossing points in the form of Toucan crossings have been submitted to and approved by the local planning authority for the north, south and east arms of the new at grade roundabout linking Southchurch Road and Queensway (in the locations shown on drawing 1042-01-CIV-XX-GA-004-P06 Rev P07). Thereafter these crossing facilities shall be implemented as approved prior to first use of this phase of the detailed permission.

Reason: In the interests of highway safety in accordance with policy DS5 of the Development Management Document (2015)

#### *Binding S106 Agreement*

16 No development shall commence (save for any Preliminary Works in relation to the detailed element of this permission only) on any phase or part of the detailed application as shown on the indicative construction phasing Figures 4, 5 and 6 contained within the approved Construction Logistics Plan (dated 31 July 2020) or any subsequent/amended version (within the area for which detailed approval is hereby permitted, as defined on drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00008 Rev 06), until that phase or part thereof has been bound (which for the avoidance of doubt excludes public highway) by a Section 106 Agreement containing the same terms as the agreed form Section 106 agreement annexed to the Section 106 Unilateral Undertaking dated [TBC] to the satisfaction of the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

#### *Planning Conditions Related to Outline Planning Permission Only General*

17 Details of:

- a) Access;
- b) Appearance;
- c) Landscaping;
- d) Layout; and
- e) Scale.

hereinafter called the "Reserved Matters" for each Phase/sub-phase of development shall be submitted to and approved in writing by the Local Planning Authority before any

development in that phase/sub-phase begins and the development shall be carried out as approved under the Reserved Matters.

Application for approval of the first reserved matters shall be made to the Local Planning Authority not later than 3 (three) years from the date of this permission. Application for the final set of Reserved Matters submission pursuant to this planning permission shall be made before the expiration of 12 (twelve) years from the date of this permission. Implementation of a Reserved Matters Approval shall commence no later than 2 (two) years from the date of the approval of the Reserved Matters for that Phase/sub-phase.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended) and because the application is for outline planning permission only and the particulars submitted are insufficient for consideration of details mentioned.

18 Plans and particulars of the Reserved Matters referred to in Condition 17 for each Phase/Sub-Phase of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority, and shall accord with the following Parameter Plans and their explanatory notes:

- Red Line Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00001 Rev 03
- Blue Line Boundary Location Plan (1 of 2) BEQ-LDA-ZZ-XX-XX-DR-N-ST-00002 Rev 05
- Blue Line Boundary Location Plan (2 of 2) BEQ-LDA-ZZ-XX-XX-DR-N-ST-00003 Rev 05
- Land Use Parameter Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00004 Rev 08
- Maximum Building Height Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00005 Rev 06
- Basement Parameter Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00006 Rev 08
- Buildings & Bridges Demolition Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00007 Rev 04
- Access Parameter Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00009 Rev 06

Reason: For the avoidance of doubt and in the interests of proper planning.

19 The development hereby approved and the Reserved Matters pursuant to Condition 17 shall be carried out in accordance with the Indicative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 or any subsequent updated/amended version agreed in writing by the Local Planning Authority under the terms of this planning condition.

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

#### *Design Code and Control of Parameters*

20 The Reserved Matters submitted pursuant to Condition 17 of this planning permission shall accord with the LDA Design/dRMM Design Code BEQ-LDA-XX-XX-XX-RP-N-ST-00001 Rev 04 dated February 2021.

The Reserved Matters submitted pursuant to Condition 17 for each Phase/sub-phase of the Development must be accompanied by a Statement of Compliance, demonstrating how the phase or sub-phase and where relevant the development as a whole is compliant with the principles set out in the LDA Design/dRMM Design Code and in particular how it accords with the mandatory elements of the Design Code expressed as “must” summarised in the Executive Summary of the Design Code. Each phase or sub-phase shall be completed in accordance with the Design Code before it is brought into use.

For the avoidance of doubt, and notwithstanding requirements of other planning conditions herein the following shall apply to the scheme as a whole:

- a) all homes must meet or exceed the Nationally Described Space Standards (March 2015);

- b) all homes must be provided with private amenity space of not less than 5sq.m and not less than 1.5m deep;
- c) communal podium landscaped spaces must be accessible to all residents within the block they serve;
- d) play space provision must include an equipped play space of 200sq.m in Porters Park and a minimum area of 400sq.m of equipped play or youth orientated activity space in Coleman Gardens; and
- e) 10% of the homes must be delivered to M4 (3) easily wheelchair adaptable standard. 90% of the homes must be delivered to M4 (2) adaptable standard or any revision or amendment which subsequently replaces these accessibility standards in the future.
- f) Public Open Space for the development as a whole is provided at not less than 0.70 hectares.

Reason: In order to ensure the highest quality redevelopment of the site based on specific design guidelines and to ensure the development meet the needs of future residents, occupiers and uses in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM8 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009), the National Housing Standards (2015) and the Technical Housing Standards Policy Transition Statement (2015)

21 Notwithstanding the provisions of the Town and Country Planning Act 1990 and the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any amending or re-enacting Acts or Orders), the maximum floorspaces for the development hereby approved within each of the Use Classes and uses specified in the table below shall not exceed:

Uses and Use Class	Maximum Area (Gross Internal Area)
Retail, shop, financial and professional services, café, restaurant, pub, drinking establishment, take away (E, F.2, Sui Generis)	Up to 5,000 sq.m
Employment Space: Workshops/Recording Studios/Brewery/Bakery (E, B2)  Office Space (E), capped at 2,500 sq.m  Artistic Studio(E)	Up to 5,000 sq.m
Residential (C3), excluding secured car parking	Up to 177,650 sq.m
Community & Creche/Nursery (E)	Up to 1,500 sq.m
Leisure, gym, indoor recreation (E)	Up to 1,000 sq.m
Event Space (E/Sui Generis)	Up to 500 sq.m

In addition, no more than 1,760 residential dwellings shall be provided in relation to the development hereby approved and no more than 10,000 sq.m of non-residential floorspace shall be provided in relation to the development hereby approved.

Reason: For the avoidance of doubt and in the interests of proper planning.

22 Notwithstanding the requirements of Condition 21 of this planning permission, the total combined quantum of retail, food and drink, financial and professional services, pub, drinking establishment and take away uses within Use Class E and F.2 or which is Sui Generis permitted across the Development hereby approved shall not exceed 5,000 sq. m of floorspace (GIA). Of this total floorspace, no more than 1,500 sq. m (GIA) shall be located outside of the defined Primary Shopping Area of the Development Plan. Further,

no single retail shop unit within Class E shall exceed a net internal retail area of 500 sq. m.

The Reserved Matters submitted pursuant to Condition 17 for each Phase/sub-phase of the Development must be accompanied by a Statement of Retail Compliance identifying the location and quantum of non-residential floorspace that may be occupied in retail, food and drink, financial and professional services, pub, drinking establishment and take away use within Use Class E or F.2 or which is Sui Generis. The Statement shall specifically identify the floorspace proposed in pub and drinking establishment use and confirm how the proposed provision protects residential amenity. The Statement shall demonstrate how the Phase or Sub-Phase of development is compliant with the terms of this planning condition. Thereafter, the non-residential floorspace shall be occupied only in accordance with the most recently approved Schedule of Retail Compliance unless any changes are made under the terms of this condition.

Reason: For the avoidance of doubt and in order to ensure a suitable range, quantum and location of town centre uses which ensure residential amenity in accordance with the National Planning Policy Framework (2019), policies CP2 and CP4 of the Core Strategy (2007), DM1, DM3 and DM13 of the Development Management Document (2015) and DS1 of the SCAAP (2018).

23 Notwithstanding the requirements of Conditions 21 and 22, the commercial uses of workshops, recording studios, brewery, bakery, or any other non-residential use outside of Class E or Class F.1 or F.2 (excluding Event Space) within the development hereby approved shall not be permitted in any part of the development save for that area defined in Red on the Land Use Parameter Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00004 Rev 08.

Reason: For the avoidance of doubt and in order to ensure residential amenity in accordance with policies CP4 of the Core Strategy (2007) and DM1 and DM3 of the Development Management Document (2015).

24 Notwithstanding the provisions of the Town and Country Planning Act 1990 and the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any amending or re-enacting Acts or Orders) or the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending or re-enacting Acts or Orders), commercial uses within Class E, F.1 or F.2 within the development hereby approved shall not be permitted to be used for residential (Use Class C3) or uses outside of those defined on the Land Use Parameter Plan (BEQ-LDA-ZZ-XX-XX-DR-N-ST-00004 Rev 08) without express planning permission from the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

#### *Construction and Tree Protection*

25 Prior to the commencement of development within any Phase or Sub-Phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, a Construction Logistics Plan for that Phase/sub-phase shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. The Plan shall be implemented in full accordance with the approved details and thereafter maintained throughout the construction of the approved development.

Reason: In the interests of highway safety, the free flow of the local highway network and the amenities of nearby and surrounding occupiers pursuant to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015).

26 No development within any Phase or Sub-Phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, shall take place, including any works of demolition (except demolition the subject of a Prior Approval application under Part 31 of the General Permitted Development Order), until and unless a Demolition and Construction Management Plan and Strategy to include a Dust Mitigation Strategy has been submitted to and approved in writing by the Local Planning Authority. The approved Demolition and Construction Management Plan and Strategy shall be implemented in full accordance with the approved details and adhered to in full throughout the construction of the development unless a revised Demolition and Construction Management Plan is subsequently submitted to and approved in writing by the Local Planning Authority in which demolition and construction shall be implemented in accordance with the revised Plan.

The Management Plan and Strategy shall provide, amongst other things, for:

- i. The parking of vehicles of site operatives and visitors;
- ii. Loading and unloading of plant and materials;
- iii. Storage of plant and materials used in constructing the development;
- iv. The erection and maintenance of security hoardings;
- v. Measures to control the emission dust and dirt during construction;
- vi. A Construction Noise and Vibration Management Plan and Strategy for the control, mitigation and monitoring of noise and vibration associated with construction;
- vii. A scheme for recycling/disposing of waste resulting from construction works that does not allow for the burning of waste on site;
- viii. A dust management plan to include mitigation and boundary particulate monitoring during demolition and construction;
- ix. Details of the duration and location of any noisy activities;
- x. Details of external lighting associated with construction.
- xi. Hours of operation – any proposed extension to the following hours of construction for certain specified works:
  - 08:00-18:00 – Monday to Friday
  - 08:00-13:00 – Saturday
  - No time on Sundays or Public Holidays
- xxii) temporary variable message signage
- xiii) details of how surface water will be managed during construction

Reason: in the interests of amenity in accordance with the National Planning Policy Framework (2019) and 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).

27 Prior to commencement of development within Phase 3A or 3B as identified in Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 (or a revision to this plan as approved under condition 19 of this consent) a vibration assessment shall be submitted to the Local Planning Authority to quantify and identify any measures required to mitigate the vibration impact from trains and ancillary operations at the adjacent railway and Southend Victoria Station on the proposed occupants of the dwelling.

No dwelling within Phase 3A or 3B as identified on Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 shall be occupied until and unless the internal and external areas of dwellings are protected from external vibration from the operation of trains and ancillary operations at Southend Victoria Station in accordance with the approved vibration assessment and mitigation measures.

Reason: To protect residents in the development and neighbouring the site from undue noise and disturbance in order to protect their amenities in accordance with Core Strategy

(2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Design and Townscape Guide (2009).

28 All vegetation clearance and tree works in association with each Phase/sub-phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, shall be carried out outside of the bird nesting season which runs from March to September inclusive, unless it is necessary for works to commence in the nesting season, then a pre-commencement inspection of the vegetation and trees for active bird nests should be carried out by a suitably qualified ecologist. Only if there are no active nests present shall work be allowed to commence within the bird nesting season.

Reason: In the interest of the safety and amenities of the area, in the interests of biodiversity and to protect the amenities of surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

29 Prior to commencement of any Phase/sub-phase as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, including any works for demolition, a detailed Arboricultural Method Statement and Tree Protection Plan for that Phase/sub-phase must be submitted to and approved in writing by the Local Planning Authority. Details must include:

- a) A plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing at which trees are to be retained and the crown spread of each retained tree;
- b) Details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;
- c) Details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
- d) Details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained trees or of any tree on land adjacent to the site;
- e) Details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of each phase of development.

Construction and demolition works shall thereafter be carried out in full accordance with the approved Arboricultural Method Statement and Tree Protection Plan and tree protection measures shall be implemented in full before construction and demolition work in that Phase-Sub-Phase is commenced.

Reason: In the interests of 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).

#### *Archaeology*

30 Reserved Matters applications for any Phase/ Sub-Phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, shall be accompanied by an Archaeological Written Scheme of Investigation for



a programme of archaeological work for approval under the terms of the Reserved Matters Application for that Phase/sub-phase including a programme of archaeological recording and analysis, a watching brief and details of the measures to be taken should any archaeological finds be discovered. The approved /watching brief and measures are to be undertaken throughout the course of the works affecting below ground deposits and are to be carried out by an appropriately qualified archaeologist. The subsequent recording and analysis reports shall be submitted to and approved in writing by the local planning authority before that phase of the development is brought into first use.

Reason: Required to allow the preservation by record of archaeological deposits and to provide an opportunity for the watching archaeologist to notify all interested parties before the destruction of any archaeological finds in accordance with the National Planning Policy Framework (2019) and Policy DM5 of the Development Management Document (2015).

### *Contamination*

31 (a) Notwithstanding the details submitted and otherwise hereby approved, prior to commencement of development of any Phase/sub-phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, an investigation and risk assessment must be submitted to and approved in writing by the Local Planning Authority. The risk assessment shall assess the nature and extent of any contamination affecting that Phase/sub-phase of the development and whether or not it originates on the site. The investigation and risk assessment must be undertaken by a competent person and must include:

- i. A survey of extent, scale and nature of contamination;
- ii. An assessment of the potential risks to:
  - Human Health;
  - Property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
  - Adjoining land;
  - Groundwaters and surface waters;
  - Ecological systems;
  - Archaeological sites and ancient monuments; and
  - An appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

(b) Notwithstanding the details submitted and otherwise hereby approved, prior to commencement of development of any Phase/sub-phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, a detailed remediation scheme to bring the area within the phase/sub-phase to a condition suitable for the intended use by removing unacceptable risk to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. This must be conducted by a competent person and in accordance with DEFRA and the Agency's 'Model Procedures for the Management of

Land Contamination CLR 11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

c) Notwithstanding the details submitted and otherwise hereby approved, prior to commencement of development of any Phase/sub-phase of the development hereby approved as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, the detailed remediation scheme approved under part (b) of this condition shall have been implemented in accordance with the approved timetable of works. The Local Planning Authority may give approval for the commencement of each Phase/sub-phase development prior to the completion of remedial measures when it is deemed necessary to do so in order to complete the agreed remediation scheme. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works in writing and with a written reply under the terms of this condition. Following completion of measures identified in the approved remediation, a verification report for each Phase/sub-phase that demonstrates the effectiveness of the remediation carried out must be produced. This must be conducted by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority. The verification report must be submitted to and approved in writing by the Local Planning Authority before the development is brought into use. For the avoidance of doubt, any remediation is to be remediated under the terms of this planning conditions in accordance with the timetable submitted to and approved in writing by the Local Planning Authority under the terms of this planning condition.

In the event that contamination is found at any time when carrying out a Phase/sub-phase of the approved development that was not previously identified, it must be reported in writing within 7 days to the Local Planning Authority. That Phase/sub-phase of the development must be halted until an assessment for that Phase/sub-phase has been undertaken in accordance with the requirements of part (a) of this condition, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, has been submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of part (b) of this condition. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme, a validation report for that Phase/sub-phase must be submitted to and approved in writing by the Local Planning Authority before that Phase/sub-phase of the development is brought into use.

No development of any Phase/sub-phase of the development hereby approved as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, shall take place until and unless a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years, and the provision of reports on the same must both be submitted to and approved in writing by the Local Planning Authority.

Following completion of the measures identified in that monitoring and maintenance scheme and when the remediation scheme is complete, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution to Controlled Waters in accordance with Core

Strategy (2007) policy KP2 and Policies DM1 and DM14 of the Development Management Document (2015).

#### *Technical Assessment*

32 Notwithstanding the proposed building height of Development Parcels for the development hereby approved and as identified on the Maximum Building Heights Parameter Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00005 Rev 06, each Reserved Matters Application for a Phase/sub-phase of the Development must be accompanied by an assessment of the impact of the development upon:

- a) the levels of daylight and sunlight at existing and proposed residential properties affected by that Phase/sub-phase of the development; and
- b) overshadowing of existing and proposed open spaces affected by that Phase/sub-phase of the development

which must accord with the recommendations of the GIA Daylight and Sunlight Assessment and Design Guidance 15720 dated 20 July 2020. The assessments must be approved in writing by the Local Planning Authority prior to commencement of each Phase/sub-phase.

Reason: To protect residents in the development and neighbouring the site from adverse impacts on daylight and sunlight to protect their amenities in accordance with Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Design and Townscape Guide (2009).

33 Notwithstanding the proposed building height of Development Parcels for the development hereby approved and as identified on the Maximum Building Heights Parameter Plan EQ-LDA-ZZ-XX-XX-DR-N-ST-00005 Rev 06, each Reserved Matters Application for a Phase/sub-phase of the Development must be accompanied by an assessment of the wind/micro-climate affecting that Phase/sub-phase of the development and any adjacent properties that do not form part of the development, which must accord with the conclusions of the Pedestrian Level Wind Microclimate Assessment 2001902 Rev C dated 29 June 2020. The assessments shall identify any necessary mitigation measures within that phase/sub-phase of the development and include a timetable for implementation. The assessments must be approved in writing by the Local Planning Authority prior to commencement of each Phase/sub-phase and any necessary mitigation must be implemented in accordance with the approved timetable.

Reason: To protect residents in the development and neighbouring the site from adverse impacts caused by wind to protect their amenities in accordance with Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Design and Townscape Guide (2009).

34 Notwithstanding the proposed building height of Development Parcels for the development hereby approved and as identified on the Maximum Building Heights Parameter Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00005 Rev 06, each Reserved Matters Application for a Phase/sub-phase of the Development must be accompanied by a Visual Impact Assessment which assesses the visual impact of the proposal of relevant viewpoints identified in the Townscape and Visual Impact Assessment (ES Chapter 8) dated July 2020. The assessments must be approved in writing by the Local Planning Authority prior to commencement of each Phase/sub-phase.

Reason: To protect visual amenity in accordance with Policy DM4 of the Development Management Document (2015) and policy DS2 of the SCAAP (2018).

#### *Wheelchair Units*

35 No above ground works shall take place within any phase/sub phase of the development hereby approved until and unless details have first been submitted to and approved in writing by the Local Planning Authority to show how 10%, as an aggregate across the scheme will be built in compliance with the building regulation M4(3) 'adaptable for wheelchair user dwellings' standard under the Building Regulations with all of the remaining dwellings complying with building regulation part M4(2) 'accessible and adaptable dwellings' standard under the Building Regulations or any equivalent standards which supersede these. The details submitted for any phase/sub-phase pursuant to the terms of this condition shall specify the number of dwellings within the relevant phase/sub phase to be built in compliance with the building regulation M4(3) 'adaptable for wheelchair user dwellings' standard under the Building Regulations. Each approved dwelling shall be constructed to comply with either building regulation M4(2) or M4(3) standards (or any equivalent standards which replace this) 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).

#### *Landscaping, Open Space and Access*

36 The area of Public Open Space for the development hereby approved and as defined on the Land Use Parameter Plan (BEQ-LDA-ZZ-XX-XX-DR-N-ST-00004 Rev 08) shall as a minimum measure 0.70 hectares.

Reason: For the avoidance of doubt and in the interests of proper planning.

37 With the exception of demolition, site clearance and Preliminary Works, no development within any Phase/sub-phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, shall commence above ground level until and unless full details of both hard and soft landscape works for that phase/sub-phase have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details must include the following as a minimum:

- i. Proposed Finished Levels or Contours
- ii. Minor artefacts and structures
- iii. Details of Trees proposed and to be retained
- iv. Timetable for the Completion of the Hard and Soft Landscaping and Planting
- v. Evidence of Compatibility of Landscaping Scheme with the Proposed Drainage and Other Site Services
- vi. Details of external lighting
- vii. Details of green roof and brown roofs
- viii. Details of any boundary treatment
- ix. Details of wayfinding signage

The soft landscaping/planting within the area subject to outline approval (as defined within the red line shown on Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00001 Rev 03) within any Phase/sub-phase shall thereafter be carried out accordance with the approved timetable for the completion of hard and soft landscaping and planting unless otherwise approved under the terms of this planning condition If any trees are removed or found to be dying, severely damaged or diseased within five years of planting them, they must be replaced with trees of a similar size and species as may be agreed with the Local Planning Authority.

Each of the buildings hereby approved within a Phase or Sub-Phase and consistent with Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 of the development hereby approved shall be provided with the necessary vehicular access, pedestrian access, drainage, footway and cycle access prior to full occupation, consistent with the approved Parameter Plans and accompanying LDA Design/dRMM Design Code BEQ-LDA-XX-XX-XX-RP-N-ST-00001 Rev 04 and in accordance with the approved timetable for completion of the hard and soft landscaping works approved under the terms of this condition.

The approved street lighting within the Phase/sub-phase granted planning permission consistent with the approved Parameter Plans and accompanying LDA Design/dRMM Design Code BEQ-LDA-XX-XX-XX-RP-N-ST-00001 Rev 04 shall be implemented in full prior to full occupation of that Phase/sub-phase or with respect to any other such timescales for that phase/sub-phase as may be submitted to and approved in writing by the Local Planning Authority in accordance with the approved timetable for completion of the hard and soft landscaping works approved under the terms of this condition.

Reason: In the interests of highway safety and amenity in accordance with the National Planning Policy Framework (2019), Policy CP3 of the Core Strategy (2007) and Policies DM3, DM8 and DM15 of Development Management Document (2015).

38 Details of the vehicular and pedestrian accesses for any Phase or Sub-Phase of the development hereby approved and consistent with Drawing BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 including details of the siting, size, dimensions and other details shown which are consistent with Access Parameter Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00009 Rev 05, or any subsequent update agreed under condition 19 of this consent, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that Phase/sub-phase of the development, save for demolition, site clearance and Preliminary Works. The development of that Phase/sub-phase shall be carried out and completed in full accordance with the approved details prior to full occupation of that Phase/sub-phase or any other such timescales for that Phase or Sub-Phase as may be submitted to and approved in writing by the Local Planning Authority prior to the first occupation within that Phase/sub-phase under the terms of this planning condition.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework (2019), Policy CP3 of the Core Strategy (2007) and Policies DM3, DM8 and DM15 of Development Management Document (2015).

39 Prior to first occupation of any part of any Phase/sub-phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, details of a Landscape Management Plan for the maintenance and management of the soft and hard landscaping for that Phase/sub-phase shall be submitted to and approved in writing by the Local Planning Authority. The landscaped areas shall thereafter be managed and maintained in accordance with the approved Landscape Management Plan. The Landscape Management Plan for that phase/sub-phase shall include details of how trees within that phase/sub-phase will be maintained during the initial three-year establishment period. The landscaped areas shall thereafter be managed and maintained in accordance with the approved Landscape Management Plan for the lifetime of the development.

Reason: in the interests of amenity in accordance with the National Planning Policy Framework (2019) and Policies KP2, CP3 and CP4 of the Core Strategy, Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

40 Prior to occupation of any Phase/sub-phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, shall commence until and unless a scheme showing the provisions to be made for all external lighting (excluding lighting associated with construction) for that Phase/sub-phase has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include details of:

- i. luminance;
- ii. spread of light;
- iii. location, position, design and specification of lighting;
- iv. timetable for implementation.

The development shall be carried out in accordance with those approved details and timetable and retained for the lifetime of the development.

Reason: In the interest of the safety and amenities of the area, in the interests of biodiversity and to protect the amenities of surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

*Phase/sub-phase as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-*

#### *Ecological Management and Mitigation Plan*

41 Prior to demolition of Quantock Tower, Pennine Tower, Malvern Tower and Chiltern Tower and commencement of development above ground level within any other XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, an Ecological Management and Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority. The Ecological Management Plan shall include details of the number, location and specifications of bat roosting features to be included within Phase 1 and any other relevant Phase/Sub-Phase. Areas and/or features the subject of the Ecological Management Plan and Mitigation Plan shall be managed and maintained in accordance with the approved Ecological Management Plan.

No development above ground level of any part of any Phase/sub-phase of the development hereby approved as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 shall be undertaken until the details of bird and invertebrate mitigation to be implemented as part of the Phase/Sub-Phase have been submitted to and approved in writing by the Local Planning Authority. The installation of these mitigation measures shall be carried out before that Phase/sub-phase of the development is occupied and shall be retained through the lifetime of the development.

Reason: To minimise the environmental impact of the development and to minimise the risk to protected species in accordance with Policies KP2 and CP4 of the Core Strategy (2007).

#### *External Materials and Privacy*

42 Save for Demolition, Site Clearance and Preliminary Works, prior to construction above ground level within any phase/sub-phase of the development as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, details of all external materials, including for walls, windows, doors, balconies, balustrades, soffits, parapets and all other external finishing materials shall have been submitted to and approved in writing by the local planning authority for that Phase/sub-phase. The Phase/sub-phase shall be implemented in accordance with the details approved under this condition before it is first brought into use.

Reason: In the interest of visual amenity in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

43 Notwithstanding the details shown in the plans submitted and otherwise hereby approved, the development hereby granted consent shall not be first occupied or brought into use unless and until plans are submitted to the Local Planning Authority and approved in writing which clearly specify all the windows and other openings in the development that are to be permanently glazed with obscured glass and fixed shut or provided with only a fanlight (or other similar) opening and the manner and design in which these windows and openings are to be implemented.

The development hereby permitted shall be implemented in full accordance with the details approved under this condition before it is first occupied or brought into use and shall be permanently retained as such thereafter. The windows included within such agreed scheme shall be glazed in obscure glass which is at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority. Top hung lights agreed within such scheme shall be a minimum of 1.7 metres above internal floor level. 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. The windows shall be retained in accordance with the agreed details for the lifetime of the development.

Reason: To avoid overlooking and the resultant loss of privacy of the adjoining residential properties, in accordance with the National Planning Policy Framework, Core Strategy 2007 policies KP2 and CP4, and Development Management Document 2015 policy DM1 and advice contained within the Design and Townscape Guide

#### *Drainage*

44 Prior to commencement of development within any Phase/sub-phase as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, with the exception of demolition and Preliminary Works, in accordance with the Flood Risk Assessment and Drainage Strategy (Civic Engineers, 31st July 2020, Document Ref: BEQ-CIV-XX-XX-XX-RP-D-ST-00001) detailed design of a surface water drainage scheme incorporating the following measures for that Phase/sub-phase shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme for that Phase/sub-phase shall be carried out in full before that Phase/sub-phase is brought into use. The Scheme shall address the following matters:

- a) Provide evidence of infiltration tests in accordance with BRE365 and if infiltration is found to be viable provide information in relation to the potential for ground instability or deterioration in groundwater quality because of infiltration.
- b) Provide an updated drainage layout plan for each Phase/sub-phase indicating the dimensions, storage volumes, pipe sizes and gradients, manhole cover and invert levels, proposed discharged rates, flow controls and final discharge connection in accordance with the submitted calculations. Updated engineering plans shall be provided for each of the Sustainable Urban Drainage Systems (SuDS) and critical drainage elements, including the flow control features.
- c) Provide calculations for the entire SuDS system, including the pipe network, for the 1 in 1 year, the 1 in 30 year event, the 1 in 100 year event and the 1 in 100 year plus 40% climate change event.
- d) Provide information on the management of health and safety risks in relation to feature design.
- e) Provide a system valuation (including capital costs, operation and maintenance costs, cost contributions) and a demonstration of long-term economic viability.

- f) Provide confirmation of the party or parties responsible for maintenance of the SuDS system.
- g) Provide a method statement for the management of surface water runoff arising during the construction.
- h) Provide evidence of consent from Anglian Water to discharge at the proposed discharge rate and location(s).

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

45 Within each Reserved Matters Applications, a foul drainage strategy to serve that Phase/sub-phase of the development as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, shall be submitted to and agreed in writing by the Local Planning Authority prior to commencing that Phase/Sub-Phase.

The strategy shall include:

- a) A programme for implementation; and
- b) Details of future maintenance and management of the proposed foul drainage system.

The details shall comply with the approved Site wide foul drainage strategy. The approved details shall be implemented before the first occupation of the Phase/sub-phase concerned and be retained and maintained for the lifetime of the development thereafter.

Reason: To ensure the approved development provides satisfactorily for foul drainage in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2 and KP3.

#### *Opening Hours*

46 With the exception of those uses falling within Use Class E for the purposes of indoor sport, recreation or fitness principally serving visiting members of the public, all other Class E, B2 and Sui Generis uses hereby permitted shall only be permitted to be open to the public between the hours of 07.00 and 23.00 on any day.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, and Policies DM1 and DM3 of the Development Management Document (2015). Sustainability and Energy

47 No non-residential part of the development hereby approved shall take place above ground floor slab level until evidence that the development is registered with a BREEAM certification body (or any body which subsequently replaces BREEAM of a suitable equivalent standard) and a pre-assessment report (or design stage certificate with interim rating if available) has been submitted indicating that the development can achieve a Very Good BREEAM level or any standard which replaces this in future.

Reason: This condition is required in the interests of providing a sustainable development, in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015).

48 No part of any non-residential building hereby approved shall be first occupied unless and until a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating "Very Good" has been achieved for that building.



Reason: In the interests of providing a sustainable development, in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015).

49 Any application for Reserved Matters for any Phase/sub-phase pursuant to Condition 17 of this planning permission, must be accompanied by a specific Energy Strategy, for approval under the Reserved Matters Applications for that Phase/sub-phase that accords with the terms and objectives of the Energy Strategy (Better Queensway: Sustainability Statement, Mott MacDonald 17 July 2020) demonstrating how at least 10% of the total energy needs of that Phase/Sub-Phase is to be supplied using on site renewable sources. Where relevant, the specific Energy Strategy shall include details of flue heights and locations and use low NOx boilers. The specific Energy Strategy approved under that Reserved Matters submission shall be implemented in full prior to the first occupation of the building(s) to which it relates. The energy centre(s) and associated infrastructure shall be maintained and made available for use for the lifetime of the development.

Reason: In the interests of providing sustainable development and ensuring a high quality of design in accordance with Policy KP2 of the Core Strategy (2007) and the Design and Townscape Guide (2009).

50 The new dwellings hereby approved shall incorporate water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lppd) (110 lppd when including external water consumption), and shall incorporate measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting before they are occupied.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

#### *Designing Out Crime*

51 With the exception of demolition, site clearance and Preliminary Works , no development of any Phase/sub-phase of the development hereby approved and as shown on Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 or a revision to this plan as approved under condition 19 of this consent shall commence above ground level until and unless a scheme showing the principles to be implemented to reduce the risk of crime and fear of crime for that Phase/sub-phase has been submitted to and approved in writing by the Local Planning Authority in consultation with the Police Designing out Crime Officer. That part of the development shall not be occupied until and unless the approved scheme for that part of the development has been fully implemented. The approved measures shall be maintained for the lifetime of the development.

Reason: To ensure the creation of a safe and secure environment in accordance with the National Planning Policy Framework, Core strategy Policies KP2 CP4 and CP6 and guidance in the Southend Design and Townscape Guide (2007)

#### *Refuse and Recycling*

52 No above ground development in any Phase or Sub-Phase of the development hereby approved and as shown on Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, shall be commenced until and unless details of refuse and recycling facilities and enclosures for that Phase or Sub-Phase of the development showing their design, location, capacity and external appearance have been submitted to and approved in

writing by the Local Planning Authority. The approved facilities and enclosures shall be provided and made available for use before the occupation of any part of the development that they are designed to serve and shall be maintained for the lifetime of the development.

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 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015) and Design and Townscape Guide (2009).

53 Prior to the first occupation of any part of any building approved under this permission, a Recycling/Waste Management Plan and Service Plan for that building shall be submitted to and approved in writing by the Local Planning Authority. The Recycling/Waste Management Plan and Service Plan shall include full details of the management and servicing arrangements for storage and collection of recycling and waste. Waste/recycling management and servicing of the building shall be implemented prior to occupation of each building in strict accordance with the approved details and maintained for the lifetime of the development.

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).

#### *Parking, Electric Vehicle Charging and Travel Plans*

54 With the exception of demolition, site clearance and Preliminary Works , no development within a Phase or Sub-Phase of the development hereby approved and as shown on Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 5, or a revision to this plan as approved under condition 19 of this consent, shall take place until and unless details of the permanent and temporary car parking spaces including the accessible parking bays for the relevant part of the development and any scooter/motorbike parking within that Phase/sub-phase have been submitted to and approved in writing by the Local Planning Authority. Car parking shall be provided at an aggregate ratio of 0.70 spaces per dwelling, subject to review in accordance with any updated Car Park Management Plan(s) submitted pursuant to the terms of this condition. The approved parking spaces shall be provided and made available for use and the accessible parking bays shall be clearly marked with a British Standard disabled symbol prior to the occupation of that part of the development and shall be maintained for the lifetime of the development (unless it is temporary car parking to be removed in a subsequent phase) for the accommodation of vehicles of occupiers and visitors in relation to the dwellings within that phase or sub-phase and not used for any other purpose.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policy DM15 of the Council's Development Management Document (2015) and Policy CP3 of the Core Strategy (2007).

55 Prior to the occupation of any residential unit within a Phase or Sub-Phase of the development hereby approved and consistent with Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 a Car Parking Management Plan setting out the allocation and management of permanent, temporary and disabled car parking spaces, provision of two car club spaces (across the entirety of the development) and parking controls for that Phase or Sub-Phase shall be submitted to and approved by the local planning authority. The Car Parking Management Plan shall accord with the recommendations of the Civic Engineers Outline Parking Management Strategy dated 31 July 2020 or any subsequent plan approved by the Local Planning Authority within the

scope of this planning condition. Prior to the occupation of each part of the development the approved Car Parking Management Plan for that part shall be fully implemented and thereafter maintained for the lifetime of the development (unless it is temporary car parking to be removed in a subsequent phase). Any temporary car parking shall not be removed unless and until replacement parking is provided or a strategy and timetable for delivery of replacement car parking is submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that adequate car parking arrangements are provided to serve the development in accordance with Policy DM15 of the Council's Development Management Document (2015) and Policy CP3 of the Core Strategy (2007).

56 With the exception of demolition, site clearance and Preliminary Works, no development within any Phase/sub-phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, shall commence above ground level until and unless details of the cycle parking facilities for that Phase/sub-phase have been submitted to and approved in writing by the Local Planning Authority. The submission shall include details of the security, monitoring and access arrangements for the cycle parking facilities for occupants and visitors. Cycle parking designed for residents shall be secured and covered. Cycle parking for commercial occupants and visitors shall be secured. The phase/sub-phase of development shall not be occupied until and unless the approved details for that part of the development have been implemented fully in accordance with the approved details and made available for use. Thereafter, the cycle parking facilities shall be permanently maintained for the lifetime of the development.

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

57 Prior to first occupation of any part of any Phase/sub-phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05), or a revision to this plan as approved under condition 19 of this consent, details of the number and location of electric car charging points to be installed for that Phase/sub-phase, including those to be installed within lamp columns, shall be submitted to and approved in writing by the Local Planning Authority. At least 20% of all permanent on-street and enclosed car parking spaces within each Phase shall have an electric charging point provided capable of charging vehicles from the outset (active provision) and the remaining car parking spaces shall each be future proofed so that electric charging points can be installed when demand requires, e.g. four-way duct and draw-pits to all service bays (passive provision). That part of the development shall be implemented in full accordance with the approved details before it is brought into use.

Reason: In the interests of providing sustainable transport choices in accordance with Policy KP2 and CP3 of the Core Strategy (2007) and DM2 and DM15 of the Development Management Plan (2015).

58 With the exception of demolition, site clearance and Preliminary Works, no development shall commence above ground level within any Phase or Sub-Phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05, or a revision to this plan as approved under condition 19 of this consent, unless and until a detailed scheme for the areas proposed for adoption and for the management of on-street parking within that Phase or Sub-Phase, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that servicing and refuse vehicles will be able to access the relevant parts of the development in a safe manner. The approved scheme shall be fully implemented prior to full occupation of the relevant part of the development

and in accordance with a timetable approved under the terms of this condition and shall thereafter be maintained for the lifetime of the development.

Reason: In the interests of highway safety, the free flow of the local highway network and the amenities of nearby and surrounding occupiers pursuant to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015).

59 Each Reserved Matters Application for a Phase/sub-phase of the Development must be accompanied by a Travel Plan for that Phase/sub-phase of the development which accords with the guiding principles set out in the Master Travel Plan v1.1 dated 18 December 2020 or any subsequent updated/amendment to it approved in writing by the Local Planning Authority and a timeframe for the implementation for the Travel Plan. The approved Travel Plan measures shall be implemented in accordance with the approved timeframe and thereafter maintained for the lifetime of the development.

Reason: In the interests of sustainability and promoting non-car modes of transport in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policy DM15, and Design and Townscape Guide (2009).

#### *Deliveries and Servicing*

60 Prior to occupation of any commercial unit within the development hereby approved a Delivery and Servicing Plan for that commercial unit, to incorporate details of deliveries to the site, including size of vehicle, routing of deliveries, and times of deliveries shall have been submitted to and approved in writing by the Local Planning Authority. The use shall be operated solely in accordance with the approved Delivery and Servicing Plan and shall be maintained for the lifetime of the development.

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 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015) and Design and Townscape Guide (2009).

#### *Noise, Plant Machinery and Equipment*

61 No plant machinery or equipment for the proposed non-residential uses hereby approved shall be installed until and unless full details of their location, design, appearance and technical specifications and a report detailing any mitigation measures proposed in respect of noise, odour and vibration impacts has been submitted to, and approved in writing by, the Local Planning Authority.

The details shall include a Noise Impact Assessment conducted by a competent person to assess the potential impact of the plant machinery and equipment to be installed (including for heating and ventilation of the building, entertainment noise including amplified music, film and speech and the extraction and control of fumes and odours). With reference to British Standard BS4142:2014+A1:2019 the specific sound level arising from all plant machinery and equipment shall be 10dBA below the prevailing background noise level measured and determined in accordance with the British Standard.

The installation of plant machinery and equipment shall be carried out in full accordance with the approved details and specifications and any required noise, odour and vibration mitigation measures shall be undertaken in accordance with the agreed details before the non-residential space concerned is brought into use

Reason: To protect the amenities of the occupiers of the development and those neighbouring the site from undue noise and disturbance in order to protect their amenities in accordance with Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Design and Townscape Guide (2009).

62 A. Each Reserved Matters Application for a Phase/sub-phase of the Development must be accompanied by a Noise Impact Assessment for approval assessing noise impacts on existing and proposed residential uses in accordance with the findings of Chapter 11 of the Environmental Statement (June 2020). The Noise Impact Assessment for the Phase/sub-phase shall include background noise levels for that Phase/sub-phase of the development as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 (or a revision to this plan as approved under condition 19 of this consent).

B. Internal ambient noise – each Phase/sub-phase shall be designed to ensure internal ambient noise levels for residential areas within that phase/sub-phase do not exceed the guideline values in British Standard BS8233:2014 and as stated at Table 11.1 of Chapter 11 of the Environmental Statement. A detailed scheme of sound insulation measures to achieve these internal ambient noise levels shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of each Phase/sub-phase hereby approved. The detailed scheme shall include:

1. details of any necessary façade sound insulation measures to achieve these internal ambient noise levels; and
2. details of ventilation measures in the form of Mechanical Extract Information and/or Mechanical Ventilation with Heat Recovery in order to meet the requirements of Building Regulations Approved Document F “Ventilation” (or subsequent amendments).

C. External amenity spaces – the design and layout of each phase/sub-phase shall seek to protect external amenity spaces (balconies of not less than 5sq.m, roof terraces and landscaped podium areas) against externally generated transportation noise sources including road and rail in accordance with the findings of Chapter 11 of the Environmental Statement (June 2020).

Any mitigation measures required by Parts B and C of this planning condition shall be completed in accordance with the approved details before the relevant dwellings within each Phase/sub-phase are occupied and shall thereafter be retained as approved for the lifetime of the development.

Reason: In the interest of the residential amenity of nearby occupiers and occupiers of the development during its construction in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

#### *Roof Apparatus and London Southend Airport*

63 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 without the receipt of express planning permission in writing from the Local Planning Authority, no satellite antenna, apparatus or plant of any sort (including structures or plant in connection with the use of telecommunication systems or any electronic communications apparatus) shall be erected on the site or roof of any building within the development hereby approved unless and until details of their purpose size and location have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details in consultation with the Airport Authority under the terms of condition.

Reason: In the interests of aviation safety in accordance with Development Management Document (2015) Policy DM4.

64 Prior to above ground works within any Phase or Sub-Phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 confirmation that the Phase or Sub-Phase complies with the relevant Instrument Flight Procedures of the Airport Authority shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Airport Authority.

Reason: In the interests of aviation safety in accordance with Development Management Document (2015) Policy DM4.

65 Prior to the commencement of development within any Phase or Sub-Phase of the development hereby approved and as shown on the approved Illustrative Phasing Plan BEQ-LDA-ZZ-XX-XX-DR-N-ST-00100 Rev 05 details of cranes to be used in the construction of that Phase or Sub-Phase shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Airport Authority. The details shall include the location of cranes and maximum heights in order to allow the Airport Authority to undertake further assessment prior to commencement of development. Thereafter cranes shall only be operated in accordance with the approved details.

If additional cranes are required following commencement of development, or revised crane heights or locations are subsequently sought, the revised details shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Airport Authority prior to the first operation of the relevant cranes.

All cranes required for construction must be limited to operate no taller than 114.2m AOD unless the Airport Authority has been notified of any cranes proposed to operate over 114.2m AOD and the proposed maximum crane heights and locations have been reviewed and approved by the Local Planning Authority in consultation with the Airport Authority prior to the first operation of the cranes.

Reason: In the interests of aviation safety in accordance with Development Management Document (2015) Policy DM4.

#### *CCTV*

66. Prior to the first occupation of any Phase/sub-phase of the development hereby approved, details of a CCTV scheme to serve the external areas of that Phase/sub-phase of the development shall be submitted to and agreed in writing with the Local Planning Authority. The details shall include the location and design of CCTV equipment (including CCTV to cover the car park areas), its management, monitoring of activity, policing and maintenance. The installation of the CCTV shall be carried out in accordance with the approved details before that Phase/sub-phase of the development hereby approved is first occupied or brought into first use. The CCTV shall thereafter be operated in accordance with the approved details and shall be maintained permanently for the lifetime of the development.

Reason: To safeguard character and appearance of the area and amenities of neighbouring occupiers and for safety and crime prevention in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

#### *Public Art*

67 Prior to commencement of the development above ground within the Phases/Sub-Phases containing Porters Park, Coleman Gardens and All Saints Square, details of the

provision of public art, including a strategy for provision, within these phases/sub-phases, shall be submitted to and approved in writing by the Local Planning Authority. The public art shall be provided within each of the relevant Phases/Sub-Phases prior to first occupation of that Phase/sub-phase.

Reason: To comply with policies KP2 and CP4 of the Core Strategy (2007), Policy DM1 of the Development Management Document (2015) and Policy PA4 of SCAAP (2018).

#### *Permitted Development*

68 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 development shall be carried out at the development hereby approved specified within Schedule 2, Part 1, Classes A, B, E and F of the Town and Country Planning (General Permitted Development) Order 2015 without the receipt of express planning permission in writing from the Local Planning Authority.

No satellite antenna, apparatus or plant of any sort (including structures or plant in connection with the use of telecommunication systems or any electronic communications apparatus) shall be erected on the site or roof of any building within the development hereby approved unless and until details of their purpose size and location have been submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details in consultation with the Airport Authority.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties, to safeguard the character of the area and in the interests of aviation safety in accordance the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and DM4, and the Southend Design and Townscape Guide (2009).

#### *Unilateral Undertaking*

69 No development shall commence on any phase of the development or part of the development until that phase or part thereof has been bound (which for the avoidance of doubt excludes public highway) by a Section 106 Agreement containing the same terms as the agreed form Section 106 agreement annexed to the Section 106 Unilateral Undertaking dated [TBC] to the satisfaction of the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

(c) In the event that the unilateral undertaking referred to in part (a) above has not been completed before 30 June 2021 or an extension of this time as may be agreed by the Interim Director of Planning to refuse planning permission for the application on grounds that the development will not secure the necessary contributions as in part (a) above and further detailed in Appendix 6. As such, the proposal would be contrary to National Planning Policy Framework (2019) and policies CP3, CP6, CP7 and CP8 of the Core Strategy (2007) DM7, DM8 and DM15 of the Development Management Document (2015) and policies DS5 and PA4 of the SCAAP (2018).

**Chair:** \_\_\_\_\_