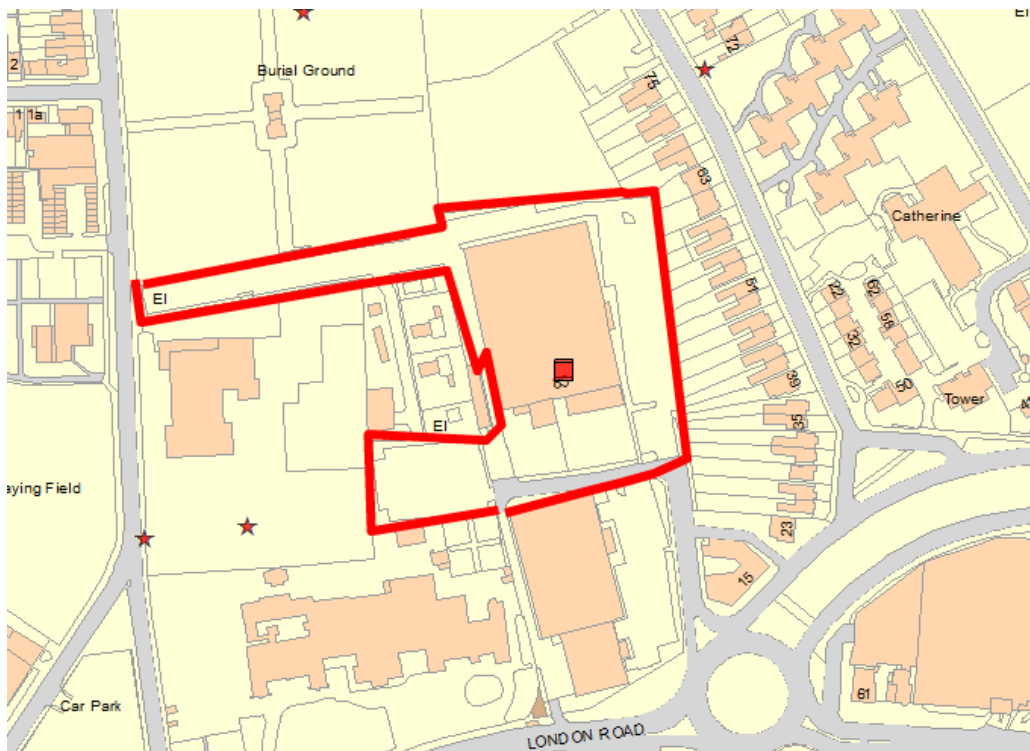


<b>Reference:</b>	18/01479/FULM	
<b>Ward:</b>	Victoria	
<b>Proposal:</b>	Convert Existing A1 unit into two A1 units, raise roof height, install mezzanine floor and shutter to unit 2, erect security fencing to north side of building, canopies to south side of building, alter all elevations, replace security fencing and install electric gate to substation, reconfigure and create additional parking and associated works	
<b>Address:</b>	85 London Road, Southend-on-Sea, Essex SS1 1PP	
<b>Applicant:</b>	George Capital 2 (Southend) Ltd Retail Estate	
<b>Agent:</b>	Montagu Evans	
<b>Consultation Expiry:</b>	27 <sup>th</sup> September 2018	
<b>Expiry Date:</b>	27 <sup>th</sup> November 2018	
<b>Case Officer:</b>	Abbie Greenwood	
<b>Plan No's:</b>	PL001B PL002C, PL003B, PL004A, PL005, PL006, PL007, PL008, PL009B, PL010, PL011	
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION</b>	



## 1 The Proposal

- 1.1 The application seeks planning permission to subdivide the existing building into two retail units. The proposal also includes the re location of the outdoor sales area to the northern end of the building and a reconfiguration of the car park.
- 1.2 The subdivision includes a revised mezzanine floor to the northern retail unit. The proposed units will have the following areas

	Ground floor Area	Mezzanine Area	External Area	Total Area
Existing Homebase Store	3902 sqm	1545 sqm	1022 sqm	6469 sqm
Unit 1 Proposed	1920 sqm			1920 sqm
Unit 2 Proposed	1965 sqm	557 sqm	465 sqm	2987 sqm
Total for proposal	3885 sqm	557 sqm	465 sqm	4907 sqm
Net Change	-17 sqm	-988 sqm	-557 sqm	-1562 sqm

- 1.3 The resultant development will be contained within the same building footprint but have a reduced mezzanine sales area and a reduced external sales area.
- 1.4 The proposal includes an increase of car parking from 182 spaces within and around the site to 203 spaces within the same area by incorporating the site of the existing open garden centre to the south of the building. The proposal includes 9 disabled spaces, 7 parent spaces, 5 van spaces and 2 car and trailer spaces.
- 1.5 In relation to the external alteration the proposal is seeking to modernise the appearance of the existing building by the following changes:
- Render plinth and install new metal cladding above
  - Raise height of cladding to the north east and south elevations to create a flat parapet – this will add between 1.75m and 0.3m height to the building on these elevations
  - Create two new entrances including canopies/entrance lobby to the south east corner and east elevation
  - Install curtain walling to the south east corner and new mezzanine windows to the east elevation
  - Install replacement service door with roller shutter and canopy to the south elevation and new service door with roller shutter to the north elevation
  - Relocate fire exits
- 1.6 The application is supported by a Design and Access Statement, a Planning Statement, a Sustainability Statement and a Recycling and Waste Management Strategy by Montagu Evans and a Travel Plan by TTP Consulting.

## 2 Site and Surroundings

- 2.1 The application site is located within the London Road Retail Park on Princes Street close to the junction between the A13 London Road and Queensway. The site covers an area of 1.48 Hectares (3.66 acres) and includes a standalone retail unit which has for many years been occupied by Homebase with a garden centre to the southern end. The existing use is class A1 (retail) but the specific use of the building falls within the definition of 'bulky goods' which is defined on the Planning Portal as *"Goods of a large physical nature (for example DIY, furniture, carpets) that sometimes require large areas for storage or display."*
- 2.2 The building currently has a trading area of 5,597 sqm set at ground and mezzanine level and an additional external sales area of 1,022 sqm. There are 182 car parking spaces that serve this retail unit, 78 of which are shared with the other retail warehouses in this location. The parking spaces are located to the east, north and south west of the unit.
- 2.3 The existing building is a large warehouse with a shallow double gabled roof and a box like form. It is constructed of brick to the lower section with cladding above.
- 2.4 The unit is serviced at the rear (west) via a one way vehicular access with its entrance in North Road. This access runs behind the Homebase building and the retail warehouses to the south and exits onto London Road. The access services all 3 retail units.
- 2.5 The London Road Retail Park includes 2 other warehouse units which also offer the sale of bulky goods including Currys/PC World and Pets at Home. The site is in close proximity to the town centre but is outside the Town Centre Primary Shopping Area. It is considered to be a sustainable location close to public transport nodes and amenities.
- 2.6 The surrounding area to the east, north and west contains a mix of uses including residential, a school and a care home.
- 2.7 The site falls within the Victoria Avenue Policy Area as defined by the Southend Central Area Action Plan but has no other specific policy designations.

### **3 Planning Considerations**

- 3.1 The main considerations for this application are the principle of the development including the impact on the vitality and viability of the town centre, the design including the impact of the proposed works on the character and appearance of the existing building and the wider area, any impact on neighbours, traffic and parking, sustainability and CIL.

### **4 Appraisal**

#### **Principle of Development**

**National Planning Policy Framework (2018); The Core Strategy (2007) Policies KP1, KP2, CP1, CP2 and CP4 Development Management Document (2015) Policies DM1, DM2, DM3 and DM15, Southend Central Area Action Plan (SCAAP) (2018) Policies DS1 and PA8, and the Southend Design and Townscape Guide (2009).**

- 4.1 In relation to ensuring the vitality of town centres the National Planning Policy Framework Guidance (2018) (reference 2b-001-20140306) states *'The National Planning Policy Framework sets out 2 key tests that should be applied when planning for town centre uses which are not in an existing town centre and which are not in accord with an up to date Local Plan – the sequential test and the impact test. These are relevant in determining individual decisions and may be useful in informing the preparation of Local Plans. The sequential test should be considered first as this may identify that there are preferable sites in town centres for accommodating main town centre uses (and therefore avoid the need to undertake the impact test). The sequential test will identify development that cannot be located in town centres, and which would then be subject to the impact test. The impact test determines whether there would be likely significant adverse impacts of locating main town centre development outside of existing town centres (and therefore whether the proposal should be refused in line with policy).'* The threshold for development to trigger a sequential test is 2500 sqm.
- 4.2 In relation to retail development Core Strategy Policy CP2 states *'Southend Town Centre will remain the first preference for all forms of retail development and for other town centre uses attracting large numbers of people, as set out in relevant national planning policy and local strategies and plans. Town centre and retail development should be located within these centres, should contribute to their vitality and viability, and must be appropriate to the function, size and character of the centre concerned, in accordance with the above hierarchy and priorities. In relation to the location of retail development the policy states 'additional comparison goods floorspace, to be located in accordance with the sequential preference:*
1. *within Southend Town Centre;*
  2. *on the edge of Southend Town Centre, where the development will contribute to and not prejudice achievement of the regeneration and urban renaissance objectives for the Town Centre.*
  3. *District Centres*
  4. *Other centres'*
- 4.3 Policy DS1 of the SCAAP states that *'Proposals for retail development inside or outside the Primary Shopping Area will be determined in accordance with Policy CP2: Town Centre and Retail Development of the Southend-on-Sea Core Strategy and the provisions of the National Planning Policy Framework (NPPF), so that the town centre remains the first preference for all forms of retail development and for other town centre uses attracting large numbers of people to support the centre's viability and vitality and encourage investment.'*
- 4.4 The original retail (class A1) permission for the current building on this site was granted in 1978 (reference 840/77/O). This included a condition which restricted the permission to the sale of non-food goods only. The reason given for this condition was because *'The location is considered unsuitable for a convenience food retailing operation, outside local centres, as it would tend to compete with existing shopping provision. Furthermore, such a retail facility would be more likely to have an adverse effect upon neighbouring residential properties.'*
- 4.5 The current proposal is seeking to convert the existing building into two smaller retail units within the A1 retail use class. The Planning Statement comments that

*'the planning application does not propose any changes to the permitted range of goods'* and the agent has confirmed that they are not seeking food retail at this time. The planning statement also comments that the overall retail sales area is reduced in the proposal as compared to the existing situation.

- 4.6 There has been no substantial change in the use of the building since it was approved in 1978 but there has been a material change in planning policy both at the national and local level during this time. Relevant extracts from the up to date policy and guidance are noted above. The site is considered to be an edge of town centre location and therefore if this was a new build application it would trigger the sequential and impact test. It is noted however, that in this case there is has been a bulky goods A1 non-food retailer on the site for many years and this is also a material consideration.
- 4.7 The application confirms that new tenants for the building have not been agreed and the proposal is a speculative development seeking to modernise the accommodation following the imminent vacation of the current tenant. Whilst the longstanding use of this site for retail is noted, there is a concern that the proposed smaller units would be more representative of the size of units normally found in the town centre primary retail area. These units may therefore be more attractive to traditional town centre retailers such as clothing and non-bulky homeware stores and there is a concern that an unrestricted A1 (non-food) use could have a detrimental impact on the vitality and viability of the Town Centre.
- 4.8 In the absence of the sequential and impact test to demonstrate otherwise, it is considered necessary to restrict the uses within A1 to non –food and to bulky goods only through the use of conditions to protect the viability of the town centre. Subject to these restrictions the principle of the proposal is considered to be acceptable and policy compliant. The other more detailed considerations are assessed below.

#### **Design and impact on the character of the existing building, the wider area**

#### **National Planning Policy Framework (2018); The Core Strategy (2007) Policies KP2 and CP4; Development Management Document (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009).**

- 4.9 *Paragraph 124 of the NPPF states 'The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'*
- 4.10 Policy KP2 of the Core Strategy advocates the need for all new development to *'respect the character and scale of the existing neighbourhood where appropriate and secure improvements to the urban environment through quality design'*.
- 4.11 Policy CP4 of the Core Strategy states *'development proposals will be expected to contribute to the creation of a high quality, sustainable urban environment which enhances and complements the natural and built assets of Southend by maintaining and enhancing the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development.'*

- 4.12 Policy DM1 of the Development Management Document advocates the need for good quality design that contributes positively to the creation of successful places. All developments should respect the character of the site, its local context and surroundings in terms of its architectural approach, height, scale, form and proportions.
- 4.13 The proposal seeks to remodel the existing retail unit including rendering the brick plinth and the installation of new cladding above. The proposal also includes the alteration of the roof parapet profile from shallow gables to flat parapet to the east and south sides, the introduction of significant areas of glazing to the south east corner, two new feature entrances to serve the new smaller retail units and replacement shuttered service doors and fire escapes. The proposal also includes the relocation of the external sales area from the front of the site to the rear and a remodelled car park which will be enclosed with a 3m weld mesh fence. The applicant is proposing these changes to update the building.
- 4.14 Overall it is considered that, the amended design, which includes better quality materials, feature entrances and a more active and visible frontage is an improvement over the character of the existing building and this is welcomed.
- 4.15 There is also no objection to the re-organisation of the car park and external sales area although it is considered that this needs to be complemented by an appropriate landscaping scheme to soften the extent of hardsurfacing as has been achieved around the front retail units.
- 4.16 There is therefore no design based objection to the exterior changes to the building subject to conditions relating to the agreement of materials and landscaping details. The design of the proposal is therefore acceptable and policy compliant in the above regards subject to these conditions.

### **Traffic and Parking**

**National Planning Policy Framework (2018); Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015): Policy DM15 and Design and Townscape Guide (2009).**

- 4.17 The Planning Statement submitted with the application states that the retail park is located on the edge of the town centre and is very accessible by a range of public transport modes. It also comments that there will be no increase in floorspace and no change in access or servicing arrangements. In relation to parking provision it confirms that there will be a net increase in parking spaces and an improved layout and circulation. The statement comments that there may be an increase in deliveries but this will be minimal
- 4.18 Development Management Document Policy DM15 requires a maximum of 1 parking space per 35 sqm of A1 non-food use within the central area. The proposal currently has 182 parking spaces. This is proposed to increase to 203 following the remodelling of the site. The existing floor space is 6469 sqm which equates to 1 space per 35 sqm.
- 4.19 The proposed floorspace is 4907 sqm which equates to 1 space per 24 sqm. The

car park to sales area ratio will therefore increase as a result of this proposal and there will be significantly more parking spaces per sqm of development. 24 cycle spaces are proposed as part of the development. There is no provision for cycling at present. It is noted that the additional car parking proposed will mean that the development exceeds the maximum standards for this use class however, on balance, this is not considered to be a reason to refuse planning permission in this case.

- 4.20 The proposal will maintain the same service arrangements as the existing unit which is via a dedicated one way service route to the rear of the unit which is accessed from North Road and runs past the adjacent retail units existing onto London Road. The proposal includes no changes to this route but does include new gates and a fence at the North Road access to improve security and enable remote entry to the secure service area. The existing external sales area to the south of the building is proposed to be converted to parking and replaced by a smaller external sales area to the north of the building. This will separate the car park from the service access but will not materially affect circulation, access or parking.
- 4.21 The Council's Highways Officer has reviewed the proposal and considers that it is not materially different to the existing usage in terms of traffic generation, highways safety and parking impact. He considers that the proposal would not have a detrimental impact upon the public highway. The proposal is considered to be acceptable and policy compliant in these regards.

#### *Refuse and Recycling*

- 4.22 A Recycling and Waste Management Strategy has been submitted with the application. This comments that refuse and recycling storage for each unit will be accommodated within the service yard to the rear (west) of the building which is the same arrangement as for the existing store. This will ensure that the storage and collection of waste and recycling is hidden from public view and set away from sensitive residential uses. There is no objection to this in principle and it is considered that full details of the waste management for the site can be agreed by condition. This arrangement is considered to be acceptable and policy compliant.

#### **Impact on Neighbouring Properties**

**National Planning Policy Framework (2018); Core Strategy (2007) Policies KP2 and CP4 Development Management Document (2015): Policy DM1 and DM3 and Design and Townscape Guide (2009).**

- 4.23 Policy DM1 of the Development Management Document states that development should, *'protect the amenity of the site, immediate neighbours and surrounding area, having regard for privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution and daylight and sunlight.'*
- 4.24 The site is surrounded by a range of uses including retail to the south, residential to the east, a school to the north and a substation to the west.
- 4.25 The site contains an existing A1 retail warehouse which has been in operation for many years. The proposal seeks to reorganise the retail floorspace into two smaller units and modernise the building but does not propose and material

increase in scale. It may be that with two retail uses operating at the site and increased parking provision there will be a slight intensification of vehicle movements in terms of customers and deliveries, however, the Council's Highways Officer considers this would be insignificant and it is noted that the additional car parking and service area are located away from the most sensitive residential uses.

- 4.26 It is therefore considered that the proposal will not result in a material increase in the noise and disturbance over and above that of the existing retail use in this location. In addition, it is not considered that the proposed alterations to the building will have a material impact on the amenities of the neighbours. The impact of the proposal development on the amenities of neighbours is considered to be acceptable and policy compliant in this regard.

## **Sustainability**

**National Planning Policy Framework (2018); Core Strategy (2007) Policies KP2 and CP4 Development Management Document (2015): Policy DM2 and the Southend Design and Townscape Guide (2009).**

- 4.27 Policy KP2 of the Core Strategy requires that *'All development proposals should demonstrate how they will maximise the use of renewable and recycled energy, water and other resources. This applies during both construction and the subsequent operation of the development. At least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources)'*. In relation to conversions of existing buildings Policy DM2 of the Development Management Document states that *'High standards of energy and water efficiency in existing developments will be supported wherever possible through retrofitting.'*
- 4.28 A Sustainability Statement and Travel Plan have been submitted with the application. The sustainability statement comments that the roof of the building would be suitable for solar voltaic panels although there is no firm commitment to renewable technologies. The statement also comments that construction materials for the refurbishment of the building will be chosen for their environmental rating and that preference will be given to high performing materials.
- 4.29 The Travel Plan seeks to improve pedestrian and cycle access to the site for employees and customers including a commitment to secure by design principles, welcome packs for employees and the installation of cycle parking. This is welcomed in principle and the exact details and monitoring can be secured via condition.
- 4.30 The proposal is for conversion only so the policy requirement for sustainable development is less stringent and does not require a firm commitment to on site renewables. However, the inclusion of renewable energy and high standards of energy and water efficiency are seen to be a benefit to the proposal. In this case the commitments and considerations proposed within the Sustainability Statement and Travel Plan are supported and considered to be a positive aspect of the scheme. The application is therefore acceptable and policy compliant in this regard.

*Other Issues - Contamination*



- 4.31 A Contaminated Land Assessment has been submitted with the application. This concludes that the proposed development would not raise any issues in terms of contamination and a full assessment would not be required. The Council's Environmental Health Officer has not raised any objections to the report. The proposal is therefore acceptable and policy compliant in this regard.

### **Community Infrastructure Levy (CIL) Charging Schedule.**

- 4.32 As this application involves the conversion of one retail unit into two retail units and no additional floorspace has been proposed, this development is not considered to be CIL Liable.

### **Conclusion**

- 4.33 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The principle of the development is found to be acceptable and the proposal would have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site, the street scene, and the area more widely. The highways impacts of the proposal are also acceptable. The proposal is therefore recommended for approval subject to conditions.

## **5 Planning Policy Summary**

- 5.1 The National Planning Policy Framework (2018).
- 5.2 Core Strategy (2007) Policies KP1 (Spatial Strategy) KP2 (Development Principles), CP1 (Employment Generating Development), CP2 (Town Centre and Retail Development), CP3 (Transport and Accessibility), CP4 (Environment & Urban Renaissance).
- 5.3 Development Management Document (2015) Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land) and DM15 (Sustainable Transport Management)
- 5.4 Southend Central Area Action Plan (2018) Policies DS1 (A Prosperous Retail Centre) and PA8 (Victoria Gateway Policy Area Development Principles).
- 5.5 Southend Design & Townscape Guide (2009).
- 5.6 Community Infrastructure Levy (2015)

## **6 Representation Summary**

### **Highways**

- 6.1 Having reviewed the proposal it is not considered materially different to the previous use in terms of traffic generation and parking impact. It is not considered that the proposal will have a detrimental impact upon the public highway. Therefore no highway objections are raised.

## Environmental Health

6.2 No objections subject to the following suggested conditions:

- Construction Hours shall be restricted to 8am – 6pm Monday to Friday, 8am -1pm Saturday and not at all on Sundays or Bank Holidays.
- During construction and demolition, there shall be no burning of waste material on site. **[Officer Comment: It is not considered that a condition is needed for this issue as it is covered by alternative environmental legislation.]**
- Delivery times shall not to be allowed during sensitive hours of sleep, therefore all Deliveries/Collections shall be between 07:00- 18:00hrs Monday to Friday, while 08:00 – 13:00hrs Saturday and not at all on Sundays or Bank Holidays.

## Cadent (National Grid)

6.3 Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

**[Officer Comment: An informative will be added informing the applicant of this requirement.]**

## Neighbours

6.4 59 neighbours were informed of this proposal, a site notice displayed and a press notice published. 1 letter of representation was received raising the following issues:

- Concern over pedestrian safety in relation to the service entrance on North Road.
- Concern over the use of this service access for unauthorised parking which increases the likelihood of conflicts between pedestrians and vehicles.

**[Officer Comment: The proposal to install remote activated security gates in this area should address concerns relating to unauthorised use of this area. The Council's Highways Officer has not raised any concerns in relation to this as an existing servicing entry point.]**

## **7 Relevant Planning History**

- 7.1 02/01370/FUL - Install security netting to two perimeter walls on south and west elevations and install external lighting (Retrospective) to garden centre. – granted
- 7.2 02/00358/FUL - Demolish part of building, reclad building externally, erect 4m high enclosure and canopy to form garden centre, erect entrance feature, and modify layout of parking and servicing areas – granted
- 7.3 00/01024/FUL - Erect 3.5m high timber fencing and steel framed gates with timber cladding to service yard. Erect new 2.5m and 3.5m high palisade fence and gates to North Road access and 2.4m high palisade fence to western boundary of western car park – granted
- 7.4 840/77/O - proposed non-food retail warehouse – granted 1978

## **8 Recommendation**

**GRANT PLANNING PERMISSION subject to the following conditions:**

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

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

**02 The development hereby permitted shall be carried out in accordance with the following approved plans PL001B PL002C, PL003B, PL004A, PL005, PL006, PL007, PL008, PL009B, PL010, PL011**

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

**03 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended); or any statutory provisions revoking, amending or re-enacting these orders, the two units hereby approved shall only be used for the sale of non-food items and items which constitute bulky goods. The two units shall not be used for any other purposes within use class A1 nor any other use permitted under the Town and Country Planning (General Permitted Development) Order 2015 (as amended). For the purposes of this condition bulky goods constitute furniture, carpets, do it yourself goods, electrical goods, car accessories and garden items or other bulky goods as may have been previously agreed in writing by the local planning authority.**

**Reason:** In order to ensure an acceptable impact on the vitality and viability of the town centre pursuant to the National Planning Policy Framework (2018), Core Strategy (2007) Policy CP2 and Southend Central Area Action Plan Policy DS1.

**04** Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works other than the internal alterations and demolition and construction up to ground floor slab level shall take place until product details and specifications of the materials to be used on all the external elevations, including walls, roof, rooflights, windows and doors, porch canopy, paving, and on any screen/boundary walls and fences, or parking areas have been submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details before it is first used.

**Reason:** To safeguard the visual amenities of the area, in accordance with Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

**05** Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works other than the internal alterations and demolition shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority. The details submitted shall include, but not limited to:-

- i. details of any changes to the means of enclosure of the site including any gates or boundary walls;
- ii. details of car parking layouts and pedestrian routes;
- iii. details of any tree felling including details of replacement tree planting
- iv. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
- v. details of any exterior lighting or other structures within the car park area such as trolley bays, planters, seating or bollards
- vi. details of measures to enhance biodiversity within the site;

**Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority**

**Reason:** In the interests of visual amenity of the area and the amenities of

occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy DM1 of the Development Management Document (2015) and Policy CP4 of the Core Strategy (2007)

**06** Prior to the first occupation of the retail units hereby approved, details shall be submitted for the provision of the commercial recycling and refuse storage and associated waste management plan including collection arrangements. The approved refuse arrangements shall be provided in full and made available for use by commercial operators prior to the first use of the units hereby approved and be retained as such in perpetuity.

**Reason:** To ensure the provision of adequate recycling and refuse storage in accordance with policy CP3 of the Core Strategy (2007) and policies DM8 and DM15 of Development Management Document (2015).

**07** Prior to occupation of the development, a Travel Plan must be submitted to and approved in writing by the local planning authority. The Travel Plan must include details of;

- i. A comprehensive survey of all employees ;
- ii. Targets set in the Plan to reduce car journeys to the premises;
- iii. Details of how the Travel Plan will be regularly monitored and amended, if necessary, if targets identified in the Plan are not being met over a period of 5 years from the date the building is occupied for the use hereby approved.

The site shall be managed and operated in full accordance with the approved travel plan from its first occupation. At the end of 3 months following first occupation of the subdivided premises for A1 use a travel survey/questionnaire shall be carried out for staff and customers/visitors, and within 28 days of the survey the travel plan document must be updated to take into account the results of the staff/customer/visitor survey and submitted to the Local Planning Authority for approval. Immediately following approval of the revised Travel Plan it must be implemented and the site managed and operated in full accordance with it.

At the end of the first and third years of the life of the Travel Plan, reports monitoring the effectiveness of the Travel Plan and setting out any proposed changes to the Plan to overcome any identified problems must be submitted to and approved in writing by the local planning authority. The further revised Travel Plan must be implemented immediately and the site managed and operated in full accordance with it thereafter.

**Reasons:** In the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policies DM1 and DM15 and Design and Townscape Guide (2009).

**08 No deliveries or refuse collection shall be taken at or be despatched from the A1 uses hereby permitted outside the hours of 07:00 to 18:00hours Mondays to Fridays and 08:00 to 13:00hours on Saturdays nor at any time on Sundays, Bank or Public Holidays.**

**Reason: In order to protect the amenities of occupiers of the development 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).**

**09 Construction Hours shall be restricted to 8am – 6pm Monday to Friday, 8am - 1pm Saturday and not at all on Sundays or Bank Holidays.**

**Reason: In the interests of visual amenity and the amenities of neighbours and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).**

**10 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 works, including the provision of any mezzanine floorspace, shall be carried out at the development hereby approved specified within Schedule 2, Part 7, Class A of the Town and Country Planning (General Permitted Development) Order 2015 without the receipt of express planning permission from the local planning authority.**

**Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of town centre viability and vitality in accordance with the National Planning Policy Framework (2018), Core Strategy (2007) Policies KP1 and CP2, Development Management Document (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).**

**11 Notwithstanding the provisions of Section 55(2) of the Town and Country Planning Act 1990 as amended, no works to create additional mezzanine floorspace in the development hereby approved, beyond that shown in the approved plans, shall be carried out without the receipt of express planning permission in writing from the local planning authority.**

**Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of town centre viability and vitality in accordance with the National Planning Policy Framework (2018), Core Strategy (2007) Policies KP1 and CP2, Development Management Document (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).**

**12 Prior to the construction of the new mezzanine floorspace shown in the approved plans, the existing mezzanine floorspace in the development shall be removed in its entirety.**

**Reason:** To enable the Local Planning Authority to regulate and control development in the interest of the amenity of town centre viability and vitality in accordance with the National Planning Policy Framework (2018), Core Strategy (2007) Policies KP1 and CP2, Development Management Document (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

### **Informatives**

**01** You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) for further details about CIL.

**02** You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.

**03** The applicant is advised that operational gas apparatus has been identified within the site and as such you are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

**04** The applicant is advised that separate advertisement consent will be required for any new signage in relation to the development hereby approved.

**05** In discharging condition 05 the applicant will be expected demonstrate the inclusion of additional soft landscaping within the site on a similar level to that found in the car park for the retail units to the south. This may involve the loss of a few parking spaces.

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

