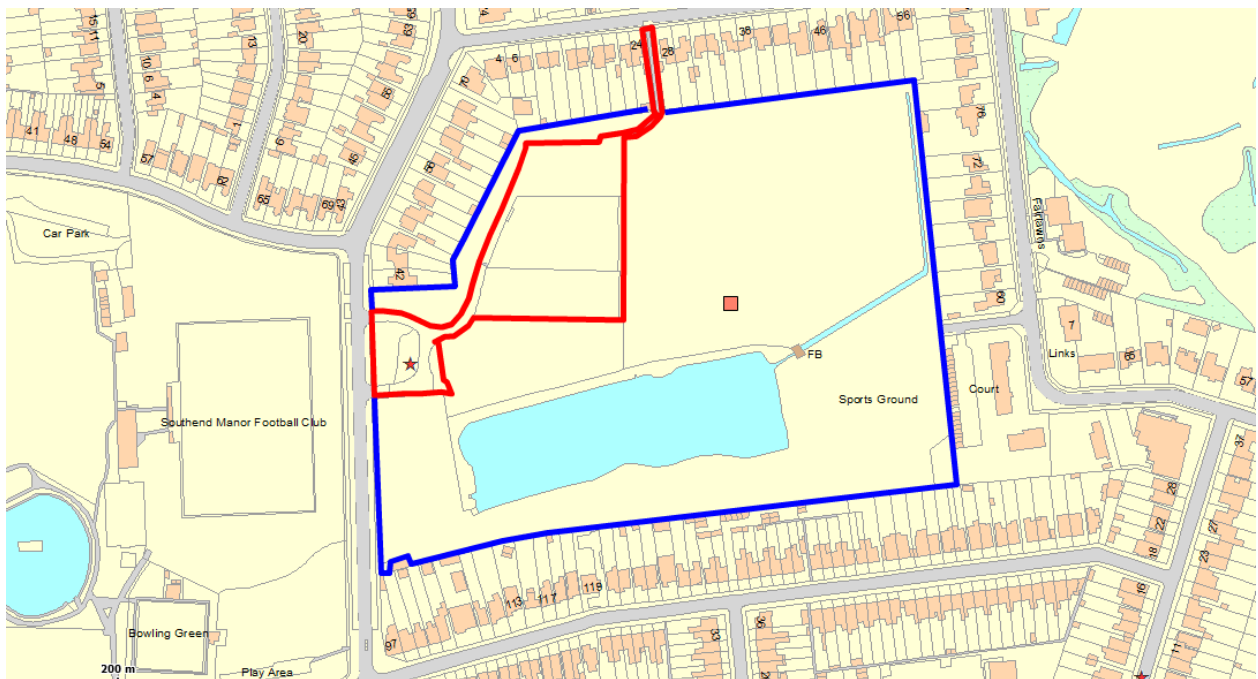


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|-----------------------------|--|--|
| Reference: | 20/00328/BC3M | |
| Application Type: | Borough Council Regulation 3-Major | |
| Ward: | Thorpe | |
| Proposal: | Resurface existing car park and layout additional coach and car parking | |
| Address: | Southchurch Park East, Lifstan Way, Southend-on-Sea, Essex | |
| Applicant: | Southend On Sea Borough Council | |
| Agent: | Sharon Harrington of Southend Borough Council | |
| Consultation Expiry: | 24th March 2020 | |
| Expiry Date: | 25 th May 2020 | |
| Case Officer: | Charlotte White | |
| Plan Nos: | MW4328 (Block Plan dated 01/03/2020), MW4328 (Site Location Plan dated 01/03/2020), Lifstan Way Current Layout Plan | |
| Recommendation: | GRANT PLANNING PERMISSION, subject to conditions | |



1 Site and Surroundings

- 1.1 The site is located to the east of Lifstan Way. It is irregular in shape and includes an existing hardsurfaced car park area, a gravel, informal parking area, a grassed area and the existing separate in and out access and egress to the site. There are residential dwellings to the west and north of the site. To the east of the site is an open space and to the south of the site is a pond.
- 1.2 Within the Development Management Documents Proposal's Map, the site is allocated as Protected Green Space. The site is mainly located within Flood Zone 3, with a small area to the north-west of the site within flood zone 2.

2 The Proposal

- 2.1 Planning permission is sought to resurface the existing informal, gravel parking area and layout additional flexible coach and car parking spaces. From the information provided it is evident that there are 67 parking spaces on site currently, including 5 disabled spaces. This proposal will increase this by an additional 157 spaces, providing a total of 224 parking spaces on the site, which includes an additional 5 disabled spaces. The proposal will also provide 11 coach parking spaces. The coach parking spaces constitute dual spaces, overlapping some of the car parking spaces, allowing the parking area to be used in a flexible way. The information submitted within the Design and Access Statement states that during times of coach use, the parking bays will be suspended directly behind the coaches to allow for vehicles to manoeuvre effectively.
- 2.2 The Design and Access Statement submitted confirms that the car park will be accessed via the existing entrance and exit from Lifstan Way. It is indicated that the car park will be resurfaced with a black asphalt finish, will provide a formal layout for car and coach parking and will provide ANPR (Automatic Number Plate Recognition) security systems. It is stated that the gates will be closed overnight, except on days of main organised events. The information in the design and access statement indicates that the existing lighting columns will be retained which have adjustable control of lux (i.e. luminance) levels and are on a timer. In terms of landscaping it is stated that the existing landscaping will be retained within the site, with further planting undertaken where appropriate. It is stated that the drainage strategy proposes to reuse the existing site drainage and that the new car park surface will be laid to a slight fall to shed water to the existing slot drains.
- 2.3 The application has been submitted with a Design and Access Statement.

3 Relevant Planning History

- 3.1 None

4 Representation Summary

4.1 Public Consultation

77 neighbouring properties were consulted, a site notice displayed and the application was advertised in the press.

23 letters of representation have been received which make the following summarised comments:

- Residential Amenity concerns.
- Concerns relating to the loss of open space and dog walking space and provision of car and coach parking in this location.
- Concerns relating to having to pay to park and the cost of parking and it resulting in additional parking in surrounding streets.
- Highway safety concerns.
- Insufficient space for coaches to manoeuvre
- Environmental and flooding concerns. Regular flooding in area and concerns relating to using tarmac in a flood plain.
- Has been attended by school and local residents for years – planting wild flowers and trees.
- Loss of view.
- Suggest trees and high scrub planted around southern edge of proposed coach parking to provide screening.
- Tourists being put above residents.
- Queries regarding whether any green space or trees will be lost and the total number of spaces proposed, the opening times, gates and security.
- Disturb wildlife and detrimental to flora, fauna and natural habitat including great crested newts. Lack of protected species surveys.
- Will impact quiet pursuits.
- Health and Safety concerns and safety concerns for children using the park.
- No risk assessment.
- Air Quality concerns
- No tree report submitted. Unclear if trees to be removed.
- Drainage concerns.
- Gas works car park already has enough parking.
- Should be encouraging walking not driving.
- Car park is used for school pick-up and drop-off therefore concerns to making the car park pay and display and that this will cause on-street parking and subsequent highway safety concerns.
- Suggestions relating to pay and display at certain times/or short term free for school drop off/pick up purposes.
- Tarmacking over a popular public green space and park.
- Pay and display will also deter dog walkers.
- Pollution and noise
- Regularly witness groups of scooters congregating in area at anti-social hours, when gates are locked, causing noise and disturbance. To reduce risk of this, suggest facility is secured accordingly and lighting and CCTV used to reduce risk.
- Concerns relating to traveller incursions, fly tipping and anti-social behaviour.
- Cost of upgrading the surface and of CCTV is unwarranted.
- Concerns that the proposal is linked to the Seaway proposals and comments that the car park is significantly removed from the Town Centre/Seafront, etc.
- Conservation Area concerns (*Officer comment: the site is not located within a Conservation Area*).
- Contrary to the zero carbon commitment.
- Representations have been received stating that there is a petition objecting to

this proposal. But the petition has not been submitted.

The comments made have been considered in the determination of the application. The matters are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.

4.2 Sport England

The proposed development does not fall within our statutory or non-statutory remit.

4.3 Highways Team

It is not considered that the application will have a detrimental impact upon the public highway in the surrounding areas. Opportunities to enhance the green space areas with additional landscape planting will be undertaken. The north part of the current car park area is used for staff parking for Greenways School and there are no plans to change this arrangement.

4.4 Parks

Landscape plan for the planting areas to remain to be agreed prior to construction. There should be no negative impact to the surrounding environment, including Southchurch Park and Southchurch Park East. Tree protection measures in accordance with BS5837 shall be implemented to protect the trees surrounding the site.

4.5 Council's SuDS Engineers

Requests additional information. (*Officer comment: A condition is recommended in this respect*).

4.6 Environmental Health

No objection subject to conditions relating to construction and external illumination.

4.7 Environment Agency

No objection subject to a condition requiring surface water draining from areas of hardstanding passing through an oil separator or a series of oil separators prior to being discharged into any watercourse, soakaway or surface water sewer.

4.8 Fire Authority

The arrangements should be in accordance with the details contained in the Approved Document to Building Regulation B5.

5 Planning Policy Summary

5.1 The National Planning Policy Framework (NPPF) (2019)

5.2 Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles), KP3 (Implementation and Resources), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance), CP6 (Community Infrastructure) and CP7 (Sport, Recreation and Green Space).

5.3 Development Management Document (2015): Policies DM1 (Design Quality), DM2 (Low Carbon and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM14 (Environmental Protection) and DM15 (Sustainable Transport Management)

5.4 Design & Townscape Guide (2009)

5.5 CIL Charging Schedule (2015)

6 Planning Considerations

6.1 The main considerations in relation to this application are the principle of the development, design and impact on the character and appearance of the area, traffic and transportation matters, impact on residential amenity and ecology, the environment, flood risk and drainage considerations and CIL (Community Infrastructure Levy).

7 Appraisal

Principle of Development

7.1 Paragraph 117 of the NPPF states: Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land. Policy KP2 of the Core Strategy requires *'all new development...make the best use of previously developed land, ensuring that sites and buildings are put to best use.'* Policy CP4 of the Core Strategy similarly seeks to maximise *'the use of previously developed land'*.

7.2 Policy KP1 of the Core Strategy states *'appropriate regeneration and growth will be focused in the...seafront to enhance the Seafront's role as a successful leisure and tourist attraction and place to live, and make the best use of the River Thames, subject to the safeguarding of the biodiversity importance of the foreshore.'*

7.3 Policy CP3 of the Core Strategy states that *'improvement to transport infrastructure and services will be sought...by widening travel choice, particularly by car share, rail, bus, including social transport, taxi, cycling and walking...'*

7.4 Paragraph 97 of the NPPF states *'Existing open space, sports and recreational buildings and land, including playing fields, shall not be built on unless:*

a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

c) the development is for alternative sports and recreation provision, the benefits of which clearly outweigh the loss of the current or former use.'

7.5 Policy KP2 of the Core Strategy states that *'All new development, including transport infrastructure, should contribute to economic, social, physical and environmental regeneration in a suitable way...this must be achieved in ways which...respect, conserve and enhance and where necessary adequately mitigate effects on the natural and historic environment, including the Borough's biodiversity and green space resources, ensure that European and international sites for nature conservation are not adversely affected and contribute positively towards the 'Green Grid' in Southend.'*

7.6 Policy CP7 of the Core Strategy states *'The Borough Council will bring forward proposals that contribute to sports, recreation and green space facilities within the Borough for the benefit of local residents and visitors.'* The policy goes on to states *'All existing and proposed sport, recreation and green space facilities (including the Southend foreshore and small areas of important local amenity, community resources or biodiversity value) will be safeguarded from loss or displacement to other uses, except where it can clearly be demonstrated that alternative facilities of a higher standard are being provided in at least an equally convenient and accessible location to serve the same local community, and there would be no loss of amenity or environmental quality to that community.'*

7.7

The site is already being used for parking purposes, with a type 1/gravel finish and informal parking, with no spaces marked out. It was apparent from the site visit and from aerial photos that this site has been used for parking purposes for some time. In fact, the historical mapping from 1939 labels this general area as "car park" as shown below.



7.8 As such, whilst the site is allocated as protected green space the development which would not extend into the surrounding fields and which would formalise the existing gravel parking area would not result in any material loss of open space. It is also noted that the highways team have commented that opportunities to enhance the green space areas with additional landscape planting will be undertaken as part of the proposal. As such, given the location and extent of the proposal, the development is considered acceptable and policy compliant in principle including policies CP7.

7.9 The use would provide parking for members of the public and for coaches which would benefit tourism/day trips and would benefit other uses and businesses in the surrounding area and the wider community. No objection is therefore raised to the principle of the development in this respect.

7.10 The site is located within Flood Zone 3a (high probability of flooding). Whilst the application has not been submitted with a Flood Risk Assessment or Drainage Strategy, the proposed use of the site for car parking is considered to constitute a 'less vulnerable use' which is an appropriate use within flood zone 3a. Flood risk is considered in more detail below but given the nature of the use, no objection is raised to the principle of the development of this basis.

7.11 There is therefore no objection to the principle of the development.

Design and Impact on the Character of the Area

- 7.12 It should be noted that good design is a fundamental requirement of new development to achieve high quality environments. Its importance is reflected in the National Planning Policy Framework, in Policies KP2 and CP4 of the Core Strategy and in Policy DM1 of the Development Management Document. The Design and Townscape Guide also states that *“the Borough Council is committed to good design and will seek to create attractive, high-quality living environments.”*
- 7.13 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.’*
- 7.14 Policy DM1 of the Development Management Document states that all development should *“add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features”.*
- 7.15 The proposed car park is of a relatively utilitarian in design, however given that the existing area is already used as an informal car park with a gravel-type finish and given that it will be seen in the context of the existing tarmac car park at the site, on balance, it is considered that the development is of an acceptable overall design. The highways department has confirmed its commitment to providing landscaping improvements which is positive and can be secured via planning conditions.
- 7.16 The proposal is acceptable and policy compliant in these regards.

Impact on Residential Amenity

- 7.17 Policies DM1 and DM3 of the Development Management Document and CP4 of the Core Strategy refer to the impact of development on surrounding occupiers. High quality development, by definition, should provide a positive living environment for its occupiers whilst not having an adverse impact on the amenity of neighbours. Protection and enhancement of amenity is essential to maintaining people's quality of life and ensuring the successful integration of proposed development into existing neighbourhoods.
- 7.18 Policy DM14 of the Development Management Document states that *‘Development on or near land that is known to be contaminated or which may be affected by contamination will only be permitted where an appropriate contaminated land assessment has been carried out...where contamination is found which would pose an unacceptable risk to people’s health, the natural environment or water quality, the Council will impose a condition, if appropriate, to ensure the applicant undertake remedial measures to ensure that the site is suitable for the proposed use and that the development can safely proceed. Remediation works will be carried out before the commencement of any new development’.*

- 7.19 Given the nature of the proposed development, the proposal would not result in any material harm to the living conditions of the adjoining residents in terms of overlooking, loss of privacy, dominance, an overbearing impact, loss of light and outlook, overshadowing or a material sense of enclosure.
- 7.20 Given the nature of the proposal, the development has the potential to result in noise and disturbance to the adjoining residents. However, given that the site is already used for parking, in a more informal manner, and given that the coach parking is positioned away from the nearest dwellings (approximately 50m from the rear boundaries and some 85m from the rear elevation of the nearest adjoining dwellings), on balance it is considered that the development would not result in material noise and disturbance over and above the existing situation. It is also noted that the Environmental Health Team has raised no objection in this regard and that the information submitted indicates that the gates to the car park will be closed overnight. As such the development is considered acceptable in this instance.
- 7.21 In terms of lighting, the application seeks to retain the existing lighting columns and as such it is considered that the proposal would not result in any materially different impact to the adjoining occupiers in terms of light pollution over and above the existing situation. Environmental Health has recommended a planning condition is imposed requiring full details of the lighting. Subject to such a condition no objection is raised on this basis.
- 7.22 In terms of air quality, given that the site is already used for parking purposes and this development would provide a more formal parking layout, it is considered that the development would not result in any material harm to air quality over and above the existing situation.
- 7.23 As such it is considered that the development would not result in any material harm to the residential amenity of the adjoining residents. The proposal is therefore policy compliant in this respect.

Ecology

- 7.24 Paragraph 170 of the NPPF states that *'Planning policies and decisions should contribute to and enhance the natural and local environment by...protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan).*
- 7.25 Paragraph 175 of the NPPF states *'When determining planning applications, local planning authorities should apply the following principles:*
- a) if significant harm to biodiversity resulting from a development cannot be avoided (through location on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
 - b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other development), should not normally be permitted.*

The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest.'

- 7.26 Whilst the site is located relatively close to a Local Wildlife Site, RAMSAR and SSSI, given the nature of the proposal and its existing use as a car park, it is considered that the development would not result in any material harm to ecology or biodiversity. The application is acceptable and policy compliant in this respect.

Traffic and Transportation Issues

- 7.27 Policy DM15 of the Development Management Document states that *'Development will be allowed where there is, or it can be demonstrated that there will be physical and environmental capacity to accommodate the type and amount of traffic generated in a safe and sustainable manner...access to the proposed development and any traffic generated must not unreasonably harm the surroundings...'*
- 7.28 No changes are proposed to the existing access and egress to the site. The existing access and egress is considered acceptable and it is noted that this proposal seeks to formalise the existing parking on the site. The parking arrangements allow for the flexible use of this space and are of an appropriate and acceptable layout. As such it is considered that the development would not result in any material harm to highway safety. It is also noted that the Highways Team have not raised an objection to the proposal, commenting that the application will not have a detrimental impact upon the public highway in the surrounding area.
- 7.29 It is noted that a number of neighbour concerns have been raised regarding the impact of the proposal on the existing car park that is used by a local school. However, it is noted that the highways team, in their consultation response has confirmed that the current car park area for staff parking for Greenways School is not sought to be altered.
- 7.30 The development is therefore acceptable and policy compliant in this regard and no objection is therefore raised on this basis.

Flood Risk and Drainage

- 7.31 Policy KP1 of Core Strategy states that all development proposals within flood risk zones *"shall be accompanied by a detailed flood risk assessment appropriate to the scale and the nature of the development and the risk"*. It is also noted that *"development will only be permitted where that assessment clearly demonstrates that it is appropriate in terms of its type, siting and the mitigation measures proposed, using appropriate and sustainable flood risk management options."*
- 7.32 Paragraph 155 of the NPPF states *'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be safe for its lifetime without increasing flood risk elsewhere.'*

- 7.33 Paragraph 158 of the NPPF states *'The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.'*
- 7.34 Paragraph 159 of the NPPF states If it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in national planning guidance.'
- 7.35 The Guidance contained within the Planning Practice Guide states *'The Sequential Test does not need to be applied for...applications for minor development or change of use (except for a change of use to a caravan, camping or chalet site, or to a mobile home or park home site)*
- 7.36 The site is located within Flood Zone 3a; the high probability flood zone, however, the proposed use is considered to constitute a less vulnerable use. In this respect, the Environment Agency's Flood Risk Vulnerability Classification table identifies less vulnerable development as appropriate within flood zone 3a. The Environment Agency has not raised an objection to the proposal.
- 7.37 On balance, given that the site is already used for car parking and this proposal seeks to provide a more formal car and coach parking area, subject to conditions requiring the applicant to sign up to the Environment Agency's Floodline Warning Direct Service and subject to the applicant managing the operation of the car park appropriately in this respect to ensure that the public are not put at risk in the event of a flood and given that the car park will be closed over-night, the proposal is considered acceptable in flood risk terms.
- 7.38 In terms of surface water management, no drainage strategy has been provided. The Council's SuDS Engineers require the applicant to provide a drainage strategy. In this instance it is considered that the requirements of the SuDS Engineers can be addressed by the imposition of planning conditions. Subject to such conditions the proposal is considered acceptable and policy compliant in the above regards. The condition recommended by the Environment Agency in respect of oil separators can also be imposed on any grant of permission.

Community Infrastructure Levy (CIL)

- 7.39 As the proposed development equates to less than 100sqm of new floorspace, and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable.

8 Conclusion

- 8.1 Having regard to all material considerations it is considered that, subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant local development plan policies and guidance as well as those contained within the National Planning Policy Framework. The site is already used for informal parking. There is no objection to the principle of the development, the design or impact on the character and appearance of the site or the wider surrounding area. The proposed would not materially harm residential amenity, is acceptable from a highways and transportation perspective and subject to conditions is acceptable in flood terms. This application is therefore recommended for approval, subject to conditions.

9 Recommendation

- 9.1 **Members are recommended to GRANT PLANNING PERMISSION subject to the following conditions:**

- 01 **The development hereby permitted shall begin no later than three years from the date of this decision.**

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

- 02 **The development hereby permitted shall be carried out in accordance with the following approved plans: MW4328 (Block Plan dated 01/03/2020), MW4328 (Site Location Plan dated 01/03/2020), Lifstan Way Current Layout Plan**

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

- 03 **Prior to first occupation of the development hereby approved, full details of the hard and soft landscape works to be carried out at the site shall have been submitted to and approved in writing by the local planning authority. All planting in the approved landscaping scheme shall be carried out in the first available planting season following the first use of the development hereby approved. 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. Hard landscaping shall be implemented in full accordance with the approved scheme prior to the first occupation of the development hereby approved. The details submitted shall include:**

- i. proposed finished levels or contours;**
- ii. hard surfacing materials and means of enclosing the site (including elevations of any boundary treatments);**
- iii. details of the number, size and location of the trees, shrubs and plants to be planted together with a planting specification and details of the management of the landscaping site.**

Reason: To safeguard the character and appearance of the surrounding area and the amenities of neighbouring occupiers in accordance with Policies DM1, DM3 and DM5 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

- 04 Prior to the first use of the development hereby approved, full details of the drainage infrastructure and a drainage strategy shall be submitted to and approved in writing by the local planning authority. The approved drainage infrastructure and strategy shall be implemented in full accordance with the approved scheme prior to the first use of the development hereby approved and be retained as such thereafter.**

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

- 05 Prior to the first use of the development hereby approved, the applicant shall sign up to the Environment Agency's Floodline Warning Direct Service and shall be retained as such in perpetuity.**

Reason: To ensure the development is safe and to ensure compliance with the National Planning Policy Framework (2019) and Core Strategy (2007) Policies KP1 and KP2.

- 06 No external lighting shall be installed unless and until details of all external illumination of the site including the luminance and spread of light and the design and specification of the light fittings has been submitted to and approved in writing by the local planning authority. All illumination shall be designed in accordance with the Institute of Lighting Professionals "Guidance Note 01/20: Guidance notes for the reduction of obtrusive light". All illumination within the site shall be retained in accordance with the approved details. There shall be no other lighting of the external areas of the site.**

Reason: In the interests of the residential amenity of the adjoining residents 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 advice contained within the Design and Townscape Guide (2009).

- 07 Construction works associated with the development hereby approved shall only be undertaken between 8am and 6pm Monday to Friday and 8am to 1pm Saturdays and at no other time whatsoever.**

Reason: In the interests of the residential amenity of the adjoining residents 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 advice contained within the Design and Townscape Guide (2009).

- 08 No closed circuit television (CCTV) shall be installed until full details of the CCTV have been submitted to and approved in writing by the local planning authority. The CCTV shall be implemented in accordance with the approved details.**

Reason: In the interests of the visual amenity of the surrounding 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 advice within the Design and Townscape Guide (2009).

- 09 Notwithstanding the information submitted and otherwise approved, the development hereby approved shall not be first used unless and until a strategy setting out in full the management arrangements for the car park hereby approved, including the hours of operation, has been submitted to and approved in writing by the local planning authority. The approved management plan shall be implemented within prior to the first use of the development hereby approved.**

Reason: In the interests of the residential amenity of the adjoining residents 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 advice within the Design and Townscape Guide (2009).

- 10 Notwithstanding the information submitted with the application, no development shall be undertaken unless and until tree protection measures in accordance with British Standard BS 5837 have been implemented to protect the trees surrounding the development site and these shall be retained throughout the development.**

Reason: To safeguard the character and appearance of the surrounding area in accordance with policies DM1 and DM3 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

- 11 Surface water draining from the areas of hardstanding hereby approved shall be passed through an oil separator or a series of oil separators prior to being discharged into any watercourse, soakaway or surface water sewer. The separator(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water or vehicle wash downs and detergents shall not pass through the separator(s) and should be drained instead to foul sewer or sealed systems.**

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

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 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 reminded that this permission does not bestow compliance with other regulatory frameworks. In particular your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and also to the relevant sections of the Control of Pollution Act 1974. The provisions apply to the construction phase and not solely to the operation of the completed development. Contact 01702 215005 for more information.
- 04** If construction works are to be considered outside of normal hours especially overnight it is recommended that the applicant applies for a prior consent application under section 61 of the Control of Pollution Act 1974. A consent enables the applicant to conduct the works without the worry of enforcement provided they comply with it. The applicant will have to submit details of any noisy works including type of plant and machinery to be used, proposed daily start and finish times, consultation with nearby residents and businesses and duration and time scales of the works. The applicant should contact the Regulatory Services Team at Southend-on-Sea Borough Council for details.