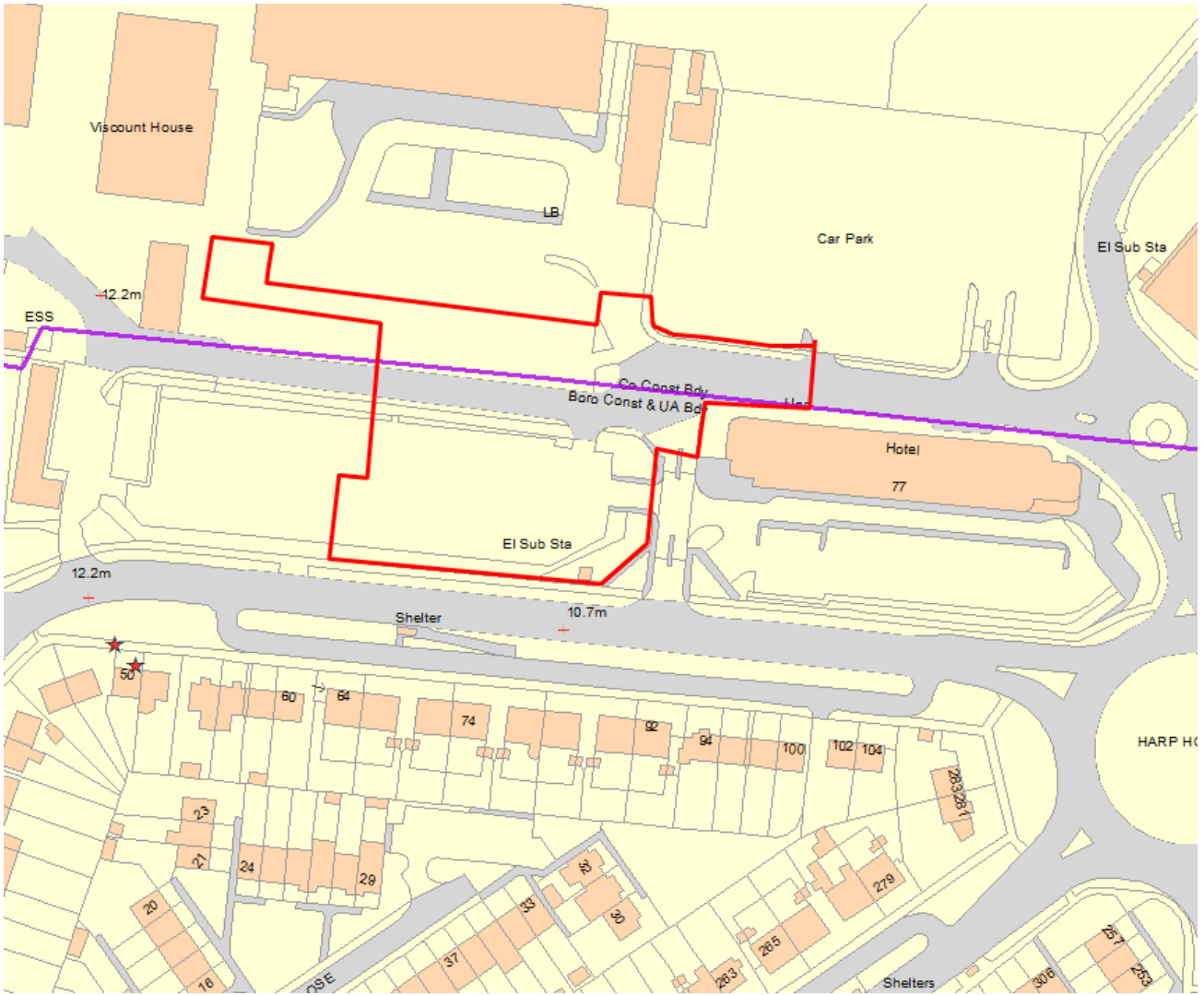


| | | |
|-----------------------------|---|--|
| Reference: | 19/02066/BC4M | |
| Application Type: | Borough Council Regulation 4-Major | |
| Ward: | St Laurence | |
| Proposal: | Erect Part5/Part 6 Storey Hotel (Use Class C1) comprising of 132 rooms, with associated access, car parking and secure cycle parking, reconfigure existing staff car park with secure barrier, delivery/servicing to north of site for Hotel and hard and soft landscaping | |
| Address: | Airport Parking, Southend Airport, Eastwoodbury Crescent | |
| Applicant: | Mr Glyn Jones | |
| Agent: | Mr Robert Matthews of Vantage Planning Ltd | |
| Consultation Expiry: | 3rd April 2020 | |
| Expiry Date: | 11th September 2020 | |
| Case Officer: | Spyros Mouratidis | |
| Plan Nos: | 6126 (00) 001 REV P6, 6126 (20) 000 REV P6, 6126 (20) 001 (1) REV P5, 6126 (20) 002 (1) REV P5, 6126 (20) 100 (1) REV P5, 6126 (20) 101 (1) REV P2, 6126 (20) 102 (1) REV P2, 6126 (20) 103 (1) REV P2, 6126 (20) 104 (1) REV P4, 6126 (20) 300 (1) REV P2, 6126 (20) 301 (1) REV P3, 6126 (20) 400 REV P3, 6126 (20) 401 REV P3, 6126 (20) 402 REV P3, 6126 (20) 403 REV P3, 6126 (20) 500 (1) REV P3, 6126 (20) 501 (1) REV P3, 6126 (20) 502 (1) REV P3, 6126 600 REV P1, 019869-RPS-SI-XX-DR-C-0701 REV P01, 019869-RPS-SI-XX-DR-D-0300 REV P01, 019869-RPS-SI-XX-DR-D-0301 REV P01, LSA-TPP-161019 REV A, Y321_PL_DR_201 rev F | |
| Recommendation: | GRANT PLANNING PERMISSION subject to conditions | |



| TABLE OF ABBREVIATIONS | |
|-------------------------------|---|
| ASAS | Airport Surface Access Strategy |
| ATF | Airport Transport Forum |
| ATP | Airport Travel Plan |
| CIL | Community Infrastructure Levy |
| CPZ | Controlled Parking Zone |
| DCC | Development Control Committee |
| JAAP | Joint Area Action Plan |
| LSA | London Southend Airport |
| NDG | National Design Guide |
| NPPF | National Planning Policy Framework |
| PPG | Planning Practice Guidance |
| RCS | Rochford District Council Core Strategy |
| RDC | Rochford District Council |
| RDMP | Rochford District Council Development Management Plan |
| SBC | Southend-on-Sea Borough Council |
| S-o-S | Southend-on-Sea |

1 Site and Surroundings

- 1.1 The application site is located on the northern side of Eastwoodbury Crescent. The site is part of an existing open, surface car park and accommodates 86 parking spaces. It is understood that the car park is currently used by airport staff and as an overspill car park for the existing Holiday Inn hotel which is to the east of the site. To the south of the site are mainly dwellinghouses, typically two-storey in scale. To the north and west of the site are other airport car parks and airport buildings. Farther west there are more dwellings.
- 1.2 The site is within an area allocated as a major airport within the Core Strategy Key Diagram but has no specific allocation in the Development Management Document Proposal's Map. The site is located within area v-iii *Southern maintenance zone and passenger terminal area* as defined within the London Southend Airport (the "LSA") and Environs Joint Area Action Plan (the "JAAP"). The main part of the site is located within the administrative area of Southend-on-Sea (the "S-o-S") Borough Council (the "SBC"). A small part of the site to the north is within the administrative area of Rochford District Council (the "RDC").
- 1.3 The same application was submitted to RDC for their determination in line with the relevant statutory requirements. RDC has resolved to devolve powers to SBC to deal with the determination of the application submitted to them.

2 The Proposal

- 2.1 Planning permission is sought for the erection of a part-five-part-six-storey building to be used as a hotel (Use Class C1) that would accommodate 132 rooms. The building would have an almost rectangular layout at ground floor level, measuring a maximum of 27.8m deep by a maximum of 42m wide. The floors above ground floor would have a "U"-shaped layout. The building would have flat roofs and a maximum height of 20m.

The proposed materials include brushed stainless steel rain screen cladding for the walls of the top floor, Petrol Blue engineering brick for the walls with brick corbel patterns to the piers and projecting pale white tone band of square profile between each storey on the lower floors and brushed rose gold for the window reveals and frames of the windows. At the rear part of the top floor, an external plant compound would be screened with louvered screen of similar colour to the rain screen cladding.

- 2.2 As part of the proposal, 45 parking spaces, 4 of which would be for disabled users, would be provided to the south and east of the hotel and the access arrangements to the site would be amended and include alterations to an existing roundabout at the north-eastern part of the site which would be turned into a T-junction, the creation of a T-junction at the north-western part of the site and the provision of a roundabout at the south-western part of the site. A drop-off area would be formed to the west of the hotel and a servicing area to the north. Twelve cycle racks would be provided to the east of the building. Refuse and recycling storage facilities would be provided inside the building. The application submission states that the building has been designed to reach an 'Excellent' standard using the BREEAM sustainability methodology and a pre-assessment has been supplied to demonstrate this.
- 2.3 The north-western part of the application site has been included in the application to make provision for a new power substation. It is proposed to control surface water drainage flows via underground attenuation tanks and to connect to the public sewer network for the foul water drainage of the site. The application is supported by a Supporting Planning Statement, a Design and Access Statement, an Arboriculture Impact Assessment, an Air Quality Assessment, a Drainage Strategy, an Energy Statement, a Framework Travel Plan, a Transport Assessment, a Phase 1 Desk Risk Assessment and a Stage 1 Road Safety Audit with associated response.
- 2.4 The extent of the application site was enlarged twice during the course of the application to include the land necessary for the access improvements and additional consultation was carried out accordingly.

3 Relevant Planning History

- 3.1 The relevant planning history of the application site is shown on the table below. The table also includes reference to a planning permission for development of similar nature on an adjoining site.

Table 1: Relevant Planning History

| Reference | Description | Outcome |
|--------------|--|---------------------------------|
| On site | | |
| 09/02107/FUL | Retention of change of use of part of car park to front of airport to form parking area to van hire (sui generis), retain portable building forming office and retain gates (Retrospective) | Permission Granted [15.01.2010] |
| 03/00296/FUL | Erect 1.8 metre high fence to norther boundary, erect 15 x 6 metre high lighting columns, re-surface car park providing additional parking spaces and use car park as 'park and ride' facility for Southend Hospital | Permission Granted [14.08.2003] |

| On adjacent sites - Car Park 2 Southend Airport | | |
|---|--|---------------------------------|
| 10/01155/FULM | Erect 5 storey building comprising 129 bedroom hotel with restaurants and bars to ground and fifth floor and ancillary offices and meeting rooms to ground and fourth floor and lay out cycle store and car parking spaces | Permission Granted [24.09.2010] |

4 Representation Summary

4.1 The application has been called in for determination by the Council's Development Control Committee (the "DCC") by Councillors Cowan and Flewitt. It is also a requirement for the application to be presented to the DCC as the proposal involves significant development as defined in the Council's constitution. Furthermore, the application must be presented to the DCC as there is conflict between the officer's recommendation and a material planning objection in principle from a statutory consultee.

Public Consultation

4.2 The application has been publicised three times, once for the application as originally submitted and then twice for the revisions received during the course of the application. Forty-one (41) neighbouring properties were consulted, two site notices have been displayed and the application has been advertised in the local press. Eighty (80) representations have been received for this application from fifty-six (56) individuals objecting to the scheme. The objecting comments made within the representations are summarised as follows:

Impact on the character and appearance of the area

- The additional hotel would constitute over-development of the area.
- Concerns hotel is of excessive size and scale and the design is unacceptable.

Impact on residential amenity

- The hotel will impact adversely upon neighbour amenity due to loss of outlook and will lead to an increased sense of enclosure.
- Concerns about increased noise and disturbance from ventilation/extractor equipment and general use of the hotel.
- Impact from smells, dust, vibration and light pollution.
- Overshadowing and loss of daylight to neighbouring property.
- Overlooking.
- The hotel would enable the expansion of the airport which causes noise.

Impact on highway safety

- Existing infrastructure cannot cope with the volume of traffic as is.
- Concerns additional hotel will increase congestion.
- The hotel will lead to the loss of car parking spaces, exacerbating existing parking issues in the immediate area.
- Park and Ride should be considered as an alternative to an additional hotel.
- Access and safety concerns.
- The proposed hotel would drive the capacity of the airport up and would generate even more traffic.

Principle of hotel provision

- Additional hotel will negatively impact upon existing hotels in the borough.
- There is not a demonstrable need for an additional hotel in this location.
- The provision of the hotel would encourage late night and early morning flights.
- The provision of a hotel goes against the S.106 agreement for the airport.

Impact on the environment

- The council has called a climate emergency and an additional hotel in this location together with the wider airport expansion will conflict with this.
- The additional traffic will worsen air pollution and air quality of the immediate area and this is not considered to be outweighed by limited job creation.
- The proposed hotel would increase the airplane movements increasing air pollution.

- 4.3 The comments submitted have been taken into consideration and the relevant planning matters raised are discussed in the relevant sections of the report. The objecting points raised by the representations are not found to represent sustainable reasons for recommending refusal of the planning application in the circumstances of this case.

Rochford District Council

- 4.4 No objections subject to conditions.

Highways Team

- 4.5 Object - The loss of airport staff parking would be detrimental and has not been sufficiently justified. The provision of parking on site for the proposed hotel use, although in line with policy, would increase traffic and parking needs. No appropriate mitigation measures, such as a contribution for a controlled parking zone, have been put forward by the applicant. No sufficient contribution for the monitoring of the travel plan has been agreed. The proposed changes to the access would be acceptable subject to conditions.

Parks

- 4.6 No objections subject to conditions regarding detailed landscaping, tree protection and tree replacement.

Lead Local Flood Authority (Southend-on-Sea)

- 4.7 No objections subject to condition requiring additional information.

Lead Local Flood Authority (Rochford, Essex)

- 4.8 Holding objection subject to additional information. [Officer comment: The additional information required is the same type of information that the other Lead Local Flood Authority has requested and can be secured by condition.]

London Southend Airport

- 4.9 No objection.

Essex Police

- 4.10 Comment – The applicant is encouraged to arrange a meeting to discuss how to design out crime.

Anglian Water

- 4.11 No objections subject to conditions.

Environmental Health

- 4.12 No objection subject to conditions regarding land contamination, method statement, control of hours for deliveries and collections and additional details of ventilation and extraction, external illumination, refuse and recycling.

Air Quality Officer

- 4.13 No objections subject to additional information.

5 Planning Policy Summary

- 5.1 The National Planning Policy Framework (NPPF) (2019).
- 5.2 Planning Practice Guidance (PPG) – National Design Guide (NDG) (2019).
- 5.3 S-o-S Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles), KP3 (Implementation and Resources), CP1 (Employment Generating Development), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance), CP6 (Community Infrastructure).
- 5.4 S-o-S Development Management Document (2015): Policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM4 (Tall and Large Buildings), DM10 (Employment Sectors), DM11 (Employment Areas), DM12 (Visitor Accommodation), DM14 (Environmental Protection), DM15 (Sustainable Transport Choices).
- 5.5 JAAP (2014): Policies LS1 (General policy), LS2 (Development at London Southend Airport), LS3 (Public Safety Zones), ADZ1 (Existing Terminal Area), T1 (Access to Development Areas), T3 (Travel Planning), T4 (Public Transport), T5 (Walking and Cycling), T7 (Network Capacity Improvements), ENV7 (Environmental Sustainability).
- 5.6 RDC Core Strategy (the “RCS”) (2011): Policies ED1 (Employment Growth), ED2 (London Southend Airport), CP1 (Design), ENV8 (On-Site Renewable and Low Carbon Energy Generation), ENV10 (BREEAM), ENV11 (Contamination), T1 (Highways), T3 (Public Transport).
- 5.7 RDC Development Management Plan (the “RDMP”) (2014): Policies DM1 (Design of New Developments), DM5 (Light Pollution), DM29 (Air Quality), DM30 (Parking Standards), DM31 (Traffic Management).
- 5.8 S-o-S Design & Townscape Guide (2009).
- 5.9 RDC Supplementary Planning Document 7 – Design, Landscaping and Access Statements (2007).
- 5.10 RDC Parking Standards Design and Good Practice Supplementary Planning Document (2010).
- 5.11 S-o-S Waste Storage, Collection and Management Guide for New Developments (2019).
- 5.12 S-o-S Community Infrastructure Levy (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 site and the wider surrounding area, the impact on residential amenity, parking and highways considerations, air quality, drainage and flooding, land contamination, refuse and recycling storage, water and energy use sustainability and CIL (Community Infrastructure Levy).

7 Appraisal

Principle of Development

Provision of hotel

- 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 users, while safeguarding and improving the environment and ensuring safe and healthy living conditions.”
- 7.2 Policy KP2 of the S-o-S Core Strategy states that all new development should: “make the best use of previously developed land, ensuring that sites and buildings are put to best use”. Policy CP4 of the S-o-S Core Strategy requires development proposals to: “maximise the use of previously developed land [...] and promote good, well-designed, quality, mixed use development”. Similarly, Policy DM3 of the S-o-S Development Management Document states that: “The Council will seek to support development that is well designed and that seeks to optimise the use of land in a sustainable manner”
- 7.3 Paragraph 92 of the NPPF states: “To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments”.
- 7.4 Policy DM10 of the S-o-S Development Management Document recognises the area around the airport as a priority location in relation to hotel provision. Policy DM12 of the same document states that: “New visitor accommodation will be focused within the Southend Central Area, London Southend Airport area and at locations with good access and a clear and strong relationship with the Seafront. Proposals must relate well to strategic routes and the distributor road network, have good public transport accessibility and meet the requirements of other relevant planning policies”. “Tourism and cultural industries within Southend are important for sustained economic growth in the Borough. Visitor accommodation is an important part of the tourism sector [...] there are opportunities in Southend to develop this sector”.
- 7.5 Policy CP1 of the S-o-S Core Strategy seeks to promote economic regeneration and expects development to support the Southend’s regional potential to develop as a hotel and conference resort and to the future potential of the LSA. Policy CP6 of the same document states: “Development proposals must mitigate their impact on community infrastructure [...] by [...] safeguarding existing and providing for new leisure, cultural, recreational and community facilities”

- 7.6 Policies ED1 and ED2 of the RCS recognise LSA as a catalyst of economic growth and employment generation and seek to see the economic potential of LSA realised. Policies LS2 and ADZ1 of the JAAP supports development that is airport related in the area.
- 7.7 There is clear policy support for the principle of the provision of a hotel in this location. Although the provision of a hotel is not development which would enable the expansion of the airport to its full capacity, it is development associated with the presence of the airport in the area and the overall economic activity arising from it. It is noted that objections have been submitted against the principle of the provision of a new hotel on the grounds that it would economically affect existing hotels. It is a clear intention of planning legislation and guidance that the planning system should not interfere in competition and similar market forces except in specific circumstances such as retail competition at a spatially strategic level. Given that the area where the hotel is proposed to be located is compatible with the spatial vision of the Local Planning Authorities, any considerations for the impact of the proposal on existing hotel units are of very limited weight.

Provision of a tall building

- 7.8 Policy DM4 of the S-o-S Development Management Document states that tall and large buildings will be considered acceptable where the following criteria are met:
- (i) They are located in areas whose character, function and appearance would not be harmed by the scale, mass or bulk of a tall or large building; and
 - (ii) They integrate with the form, proportion, composition, and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street level; and
 - (iii) Individually or as a group, form a distinctive landmark that emphasises a point of visual significance and enhances the skyline and image of Southend; and
 - (iv) The highest standards of architecture and materials are incorporated; and
 - (v) The latest regulations and planning policies for minimising energy use and reducing carbon emissions over the lifetime of the development are exceeded, where viable and feasible; and
 - (vi) Ground floor activities provide a positive relationship to the surrounding streets; and
 - (vii) They are located in a sustainable area with frequent public transport links, and where local services are accessible by foot and bicycle.
- 7.9 The design and impact of the proposed building is discussed in more detail in the relevant section of this report. In summary, in relation to criteria (i) and (ii), it is considered that the character, function and appearance of the area would not be harmed and that the proposed building would integrate well in the locality. The area already accommodates a similarly tall building, the Holiday Inn. The two hotel buildings along with other tall buildings in the vicinity of the airport would function as landmarks enhancing the image of Southend in line with criterion (iii). Criteria (iv) and (v) are considered to be met as discussed in the relevant sections of this report. In compliance with criterion (vi), the ground floor of the proposed hotel would contain an active and transparent frontage where all the reception and associated facilities would be accommodated. The area is very well served by public transport, including bus and train links, and is accessible by alternative means in line with the requirements of criterion (vii). The principle of providing a tall building in this location is considered acceptable and policy compliant.

Loss of airport staff parking

- 7.10 Policy T3 of the JAAP requires any development to be justified with a travel plan. In the case of the approved airway expansion and the associated development which followed, including the new terminal building and new railway station, there are two documents which dictate LSA's strategy and actions in relation to parking; the Airport Surface Access Strategy (the "ASAS") and Airport Travel Plan (the "ATP"). These two documents are agreed and overseen by the Airport Transport Forum (the "ATF") which comprises key stakeholders, including RDC and SBC. The application site is designated as a parking area for staff employed by the airport. Any deviation from that designation would require convincing justification to be acceptable in principle.
- 7.11 The proposal would result in the loss of 60 parking spaces for airport employees. Although there are 86 existing spaces on the application site, 26 will be gained from the reconfiguration of the remaining airport staff parking area, outside the scope of this application. Overall, of the 250 existing airport staff spaces, 190 will be provided in the area outside the application site. The reduction in the existing provision of car parking spaces as a result of this application would not be materially harmful in planning terms given the documented spare capacity that exists in other car parking areas within the control of the applicant. The applicant considers that the lost spaces, if required to be replaced, would be accommodated within the existing long stay car parking area in the short term for which there is a documented spare capacity of at least 30% even at peak times. For the medium and long term, the applicant can create additional car parking capacity within the site south-east of Harp House Roundabout. Paragraphs 4.23 to 4.25 of the applicant's submitted Transport Assessment deal with the existing parking. It is stated that even at its peak use, the long stay car parking areas are occupied at a rate of 70% leaving 358 car parking spaces available. Furthermore, there is the extant planning permission 19/00568/BC4 for a parking area accommodating 260 spaces to the south-east of Harp House Roundabout, some 190m away from the application site.
- 7.12 The highway authority for SBC is concerned at the loss of the existing parking. They consider that, bearing in mind LSA's expressed targets for further expansion in terms of passengers' numbers, the spare capacity in the long stay parking area would be lost and there could be additional parking need created in the surrounding areas. They suggest that mitigation measures be sought with a Section 106 legal agreement either to create in the short-term additional parking capacity at the permitted site at Harp House Roundabout or to create a Controlled Parking Zone (CPZ) for residents only around the streets near the airport.
- 7.13 It has been reported by reputable media sources that the recent COVID-19 pandemic hit the aviation industry particularly hard and most companies do not expect to achieve pre-pandemic passenger levels in the short-term. However, irrespective of the pandemic and its impact on the aviation industry, the ASAS and ATP have a strong orientation towards encouraging employees and passengers to use public transport. The applicant explains that requiring LSA to increase its parking space capacity when there is no need for it could potentially impact the price of parking, making the use of private vehicles more attractive. This would clearly be counter-productive.
- 7.14 The operator of LSA has the discretion to authorise any employee to be able to park in any of the areas they control, subject to limitations imposed by planning conditions. On balance, it is considered that the spare capacity of the long stay parking area for the short-term and the additional parking area at Harp House Roundabout for the long-term

are acceptable mitigation for the resulting loss of airport staff car parking spaces, and that the additional measures suggested by the Highways authority cannot reasonably be considered to be a necessary element of any permission given for the hotel use proposed.

7.15 To secure any planning obligation through a Section 106 legal agreement, the obligation must meet the three statutory tests of Regulation 122 of the amended Community Infrastructure Levy Regulations 2010. Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms. They must be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

7.16 As set out in previous paragraphs, the planning obligations suggested by the Highways team are not considered to be necessary to make the development acceptable in planning terms. In terms of the suggested contribution towards setting up a new CPZ or requirement for creation of additional parking spaces there is currently insufficient evidence to support a sustainable planning-based argument that the additional parking or the CPZ are required in the short term. In most cases, CPZs can also be designed to cover their own costs through parking permits and enforcement. Furthermore, the highway related contributions sought are not directly related to this proposed development but relate to general impacts generated by the airport. Hence approaching the planning related considerations in the above way these three tests are not considered to be met in this instance. Highways objections are noted and have been taken carefully into account in the assessment of the proposal. When judged on its individual merits in planning terms it is considered, on balance, that this specific proposal would have an acceptable impact on the highway and parking conditions in the area subject to conditions. Taken in the round there is, therefore, no objection to the principle of the development, on balance. Other material planning considerations, including other aspects of the schemes transport impacts, are discussed in the following sections of this report.

Design and Impact on the Character of the Area

7.17 Good design is a fundamental requirement of new development in order to achieve high quality living environments. Its importance is reflected in the NPPF, in Policies KP2 and CP4 of the S-o-S Core Strategy and also in Policy DM1 of the S-o-S Development Management Document. RDC's policies CP1 of the RCS and DM1 of RDMP stipulate similarly high design standards. The S-o-S 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."

7.18 Paragraph 124 of the NPPF states that: "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."

7.19 Policy DM1 of the S-o-S 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.” Policy DM4 of the same document requires the highest standards of architecture and materials to be incorporated.

- 7.20 Policy KP2 of the S-o-S Core Strategy states that new development should: “respect the character and scale of the existing neighbourhood where appropriate”. Policy CP4 of the Core Strategy requires that development proposals should: “maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development and respecting the scale and nature of that development”.
- 7.21 Policy DM1 of the RDMP sets out that the design of new developments should promote the character of the locality to ensure that the development positively contributes to the surrounding natural and built environment and residential amenity. The S-o-S Design and Townscape Guide states that: “The successful integration of any new development is dependent upon the appropriate scale, height and massing in relation to the existing built fabric. Buildings that are over scaled will appear dominant [...] the easiest option is to draw reference from the surrounding buildings.”
- 7.22 The application site is at a relatively prominent location, exposed to public views including from long distances. The area is characterised by buildings being set back from the adjacent main highway, Eastwoodbury Crescent, within sites which appear unenclosed at their frontages. Due to the presence of street trees the locality has a comparatively verdant appearance. The hardsurfaced parking area, which is the application site and its adjoining land, is currently somewhat at odds with other development in the streetscene.
- 7.23 The layout of the proposal would result in a rectangular footprint of development being set back from Eastwoodbury Crescent with intervening hardsurfaces for carparking and some soft landscaping. The proposal would respect the urban grain of the area and would have a layout arrangement similar to the Holiday Inn. Although the proposed building would sit further forward from the notional building line set by the Holiday Inn building, this building line is not particularly strong in the locality. The scale of the proposed building would be lower than the neighbouring hotel. Whilst the proposed building would be the second tallest building in the immediate vicinity of the application site, it is considered that the proposed scale would be acceptable on its merits and can be acceptably accommodated within the context of the streetscene and the function of the northern part of Eastwoodbury Crescent.
- 7.24 The proposed form is relatively simple, dominated by rectangular shapes. The recessed middle part of floors 1 to 4 and the setting back of floor 5 add articulation to the otherwise rudimentary form and assist with the integration of the proposed building within the streetscene and breaking up the bulk and mass of the building in a satisfactory way. In terms of appearance, the elevations are well resolved with proportionate levels of glazing and high-quality detailing. The vertical fenestration would be vertically aligned and structured in a strict rhythm. Patterned brick corbelling would be used to externally signify the columns of the structure and to add interest to the elevations. Projecting bands would be used to visually emphasise the horizontal alignment of the fenestration. The proposed use of materials as shown on the submitted elevation plans would complement the appearance of the building. The use of the cladding at the top floor would make this part of the development appear more lightweight. The proposed

detailing and materials are considered to represent high standards of architecture and its use on the building can be secured with a planning condition.

- 7.25 The proposed development would retain a hardsurfaced area to the front of the proposed building and would slightly increase the soft landscaped area on site. Limited details have been provided regarding choice of materials, means of enclosure, species of plants and trees to be used. The submitted arboriculture impact assessment shows that the adjacent street trees would be protected from the impacts of the development. Details associated with the landscaping of the site can be required by condition. In the round, whilst the development adopts a more simple form when compared to the neighbouring Holiday Inn, the proposed layout, scale, well-articulated form, well-resolved appearance and high standard of detailing and materials would not materially harm the character and appearance of the streetscene or wider surrounding area. The proposal is considered acceptable and policy compliant in these regards.

Impact on Residential Amenity

- 7.26 Policies DM1 and DM3 of the S-o-S Development Management Document, CP4 of the S-o-S Core Strategy and DM1 of the RDMP refer to the impact of development on neighbouring residential 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. Policy DM1 of the S-o-S Development Management Document requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities and also: "having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight."
- 7.27 The nearest residential properties to the application site are located to the south of Eastwoodbury Crescent, some 30m from the boundary of the application site and 50m from the proposed building. Due to the distance and relationship with the neighbouring residential properties, the proposal would not have a materially adverse impact on the amenity of any neighbouring residential occupier in terms of privacy, overlooking, outlook, sense of enclosure/overbearing relationship, daylight and sunlight. The proposal has the potential to create undue impact on the residential amenity of neighbouring residents in relation to pollution, noise and disturbance. Conditions can be imposed in order to secure appropriate details of any external lighting to avoid any detrimental light pollution and any externally mounted equipment or apparatus to avoid associated noise and disturbance. Appropriate hours for deliveries and collections as well as an appropriate construction method statement can also be secured by conditions. The SBC's Environmental Health service raised no objection subject to such conditions.
- 7.28 Regarding air pollution, many representations raised this issue due to the association of the hotel with LSA. Whilst aviation is a major emitter, the proposed hotel in itself would not enable or accommodate the expansion of LSA. Irrespective of interconnection, air quality for the area is considered cumulatively and the contribution of the individual project is assessed on the basis of the background pollution. In the submitted Air Quality Assessment, no likely significant effects were identified for receptors or the nearest Air Quality Management Area, some 800m to the south of the site, subject to mitigation measures during construction. SBC's Air Quality Specialist raised no objection subject

to the provision of details for the proposed mitigation measures. On this basis and subject to conditions, the proposal is acceptable and policy compliant in the above regards.

Traffic and Transportation Issues

- 7.29 Policy DM15 of the S-o-S Development Management Document states: “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”. The policy also requires that adequate parking should be provided for all development in accordance with the adopted vehicle parking standards. Similar principles are repeated in policies CP3 of the S-o-S Core Strategy, T1 and T3 of the RCS, LS2 and T3 of the JAAP and DM30 and DM31 of the RDMP. RDC has its own adopted parking standards which are similar for a hotel use as those of SBC.
- 7.30 The adopted parking standards require the provision of a maximum of one (1) parking space per bedroom for an establishment in Use Class C1. The proposed development would provide 45 car parking spaces. This requirement is in line with the required standard which is expressed as maximum. In this instance, it is considered acceptable to allow a parking provision lower than the maximum as the majority of the clientele of the proposed hotel is expected to use either public transport or if arriving by car, will park in the LSA’s parking areas. Similarly, hotel employees will be eligible for airport staff permits and would be allowed to park within the designated parking areas controlled by LSA. A framework travel plan has been submitted in support of the application and expresses the general measures to encourage alternative modes of transport. Conditions to require a more detailed travel plan and its monitoring as well as a car parking management plan have been recommended to ensure that the parking strategy functions appropriately and does not create additional parking stress in the local area. It is noted that the neighbouring Holiday Inn hotel was granted planning permission in 2010 with similar parking arrangements.
- 7.31 SBC’s Highways team raised concerns about the parking provision on site to serve the proposed use. They consider that the proposed level of parking would not cover the parking required by employees who may need to travel to and from the site at unsociable hours when public transport is less frequent. Whilst the concerns of the Highways team are noted, officers consider that the applicant has provided sufficient justification for the lower than maximum provision proposed, noting in particular the availability of long term car parking space which remains available to hotel employees within the LSA. Subject to conditions requiring a Detailed Travel Plan with associated monitoring and a Car Parking Management Plan, which the applicant has already indicated to agree with, the scheme is, on balance, found to be acceptable on parking grounds.
- 7.32 In line with the required standards, the proposal includes provision of parking suitable for disabled users. Policy DM15 of the S-o-S Development Management Document seeks development proposals to provide as many electric spaces as possible. It would be reasonable to require all parking spaces to be equipped with cabling to allow their retrofitting in the future. Furthermore, the applicant has offered to provide two electric charging points ready to be used from the first occupation of the proposed hotel. In the absence of any policy requirements regarding the level of electric charging points, the proposed level is considered acceptable and can be secured with a condition. The proposal is anticipated to generate employment for 25 full-time equivalent employees. The parking standards require a minimum cycle storage provision of one space for every

five staff and one space per ten bedrooms, for this scheme, nineteen (19) cycle parking spaces. The proposal would exceed the minimum standard required offering twenty-four (24) spaces in a convenient and secure location.

- 7.33 In terms of traffic generation, the submitted Transport Assessment has estimated the expected traffic levels by surveying the neighbouring hotel and other similar sites. Surveys of local junctions were also carried out. Adopting the highest trip generation estimate of some 268 vehicle movements per day, along with modelled future growth the conservative assessment found that the worst impact would be some 2.3% at the Eastwoodbury Crescent / Holiday Inn Exit junction. This impact is considered negligible and no mitigation would be required.
- 7.34 Regarding the access arrangements, the Phase 1 Road Safety Audit identified some issues which were resolved during the course of the application. The audit of the amended access scheme includes some suggestions, such as the provision of adequate signage for the new "T" junctions, which can be secured by conditions. The provision of a service bay and the drop-off bay would be in an appropriate and accessible location. The proposal is acceptable and policy compliant in the above regards.

Refuse and Recycling Storage

- 7.35 The submitted plans show refuse and recycling store areas within the rear part of the building. SBC's Waste Management Guide requires that refuse storage is located in a convenient location for collection and offers sufficient capacity for the intended use. It is considered that the proposed arrangements would result in an easily accessible area and would offer sufficient capacity for the proposed hotel use. Subject to a condition requiring the provision of the bin storage prior to the first use of the proposed development, these details are acceptable and policy compliant.

Energy and Water Sustainability

- 7.36 Policy KP2 of the S-o-S Core Strategy requires that: "at least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources)". A similar requirement is expressed in policy ENV8 of the RCS. Policy DM2 of the S-o-S Development Management Document states that: "to ensure the delivery of sustainable development, all development proposals should contribute to minimising energy demand and carbon dioxide emissions". This includes energy efficient design and the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting. The same policy, along with policies ENV7 of the JAAP and ENV10 of the RCS require non-residential buildings to achieve a minimum BREEAM rating of 'Very Good'
- 7.37 The submitted BREEAM pre-assessment confirms that the building has been designed to achieve an 'Excellent' rating, higher than that required. The appropriate certification can be secured by condition in line with policy requirement. The submitted energy statement confirms that the proposal would exceed the policy requirement of 10% of the energy need to be covered by renewable sources. The provision of solar photovoltaic panels on the roof of the building would be a visually acceptable solution towards the achievement of that aim. The proposal is acceptable and policy compliant in these regards, subject to conditions.

Flooding and surface water drainage

7.38 National policy requires that any development is safe from flooding and does not increase the risk of flooding elsewhere. The proposal has been submitted with a surface water strategy to increase the drainage performance of the site in accordance with principles of Sustainable Drainage Systems. The Lead Local Flood Authorities for SBC and RDC require some additional information in relation to the proposed drainage strategy. The required information and appropriate implementation of the proposed drainage scheme can be secured by condition. Subject to such a condition, the development would be acceptable and policy compliant in these regards.

Land contamination

7.39 Paragraph 170 of the NPPF stipulates that planning decisions should contribute to and enhance the natural and local environment by, among others, remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. Paragraph 178 of the NPPF requires that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination and after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

7.40 Policy DM14 of the S-o-S 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:

- (i) An appropriate Contaminated Land Assessment has been carried out as part of the application to identify any risks to human health, the natural environment or water quality; and
- (ii) 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 appropriate remedial measures to ensure that the site is suitable for the proposed use and that the development can safely proceed.
- (iii) Remediation works will be carried out before the commencement of any new development.

7.41 Policy ENV11 of the RCS states that the presence of contaminated land would not be a reason to resist development subject to investigation, remediation and mitigation measures.

7.42 The submitted Phase 1 Desk Risk Assessment confirms that the land may be contaminated and further on-site investigations are required. Conditions to require the investigations are undertaken and any necessary remediation and mitigation measures are agreed and implemented can be imposed. SBC's Environmental Health service raised no objection in this regard subject to conditions. The proposal is acceptable and policy compliant in the above regards.

Community Infrastructure Levy (CIL)

7.43 This application is CIL liable and there will be a CIL charge payable. In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is

being reported as a material 'local finance consideration' for the purpose of planning decisions. The proposed development includes a gross internal area of 5,405.55m², which may equate to a CIL charge of approximately £69,440.53 (subject to confirmation). Any existing floor area that is being retained/demolished that satisfies the 'in-use building' test, as set out in the CIL Regulations 2010 (as amended), may be deducted from the chargeable area thus resulting in a reduction in the chargeable amount.

8 Conclusion

- 8.1 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 local and national policies and guidance. The proposal, subject to conditions, would have an acceptable impact on the character and appearance of the area and the amenities of neighbouring occupiers. Highways objections are noted and have been taken carefully into account in the assessment of the proposal. When judged on its individual merits in planning terms it is considered, on balance, that this specific proposal would have an acceptable impact on the highway and parking conditions in the area subject to conditions. The proposed development would provide acceptable waste and recycling bin storage provision, drainage strategy on site and energy and water sustainability. Risk from contamination would be managed sufficiently, subject to conditions. This application is, therefore, recommended for approval subject to conditions.

9 Recommendation

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

General Conditions

- 01 The development hereby permitted shall be begun not 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 hereby approved shall be carried out in accordance with the approved plans: 6126 (00) 001 REV P6, 6126 (20) 000 REV P6, 6126 (20) 001 (1) REV P5, 6126 (20) 002 (1) REV P5, 6126 (20) 100 (1) REV P5, 6126 (20) 101 (1) REV P2, 6126 (20) 102 (1) REV P2, 6126 (20) 103 (1) REV P2, 6126 (20) 104 (1) REV P4, 6126 (20) 300 (1) REV P2, 6126 (20) 301 (1) REV P3, 6126 (20) 400 REV P3, 6126 (20) 401 REV P3, 6126 (20) 402 REV P3, 6126 (20) 403 REV P3, 6126 (20) 500 (1) REV P3, 6126 (20) 501 (1) REV P3, 6126 (20) 502 (1) REV P3, 6126 600 REV P1, 019869-RPS-SI-XX-DR-C-0701 REV P01, 019869-RPS-SI-XX-DR-D-0300 REV P01, 019869-RPS-SI-XX-DR-D-0301 REV P01, LSA-TPP-161019 REV A, Y321_PL_DR_201 rev F.**

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

- 03 The development hereby approved shall only be used as a hotel within Use Class C1 and shall not be used for any other purposes including any other purposes**

within that use class in the Town and Country Planning (Use Classes) Order 1987 (as amended) nor any change of use permitted under the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or in any provision equivalent to that Class in any statutory instruments revoking or re-enacting these Orders.

Reason: To determine the scope of the permission in the interest of the character and functionality of the area in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP1 of the Southend-on-Sea Core Strategy (2007), Policies DM10, DM11 and DM12 of the Southend-on-Sea Development Management Document (2015), Policy ADZ1 of the London Southend Airport and Environs Joint Area Action Plan (2014), Policies ED1 and ED2 of the Rochford Core Strategy (2011).

Design and visual impact

- 04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works except demolition and construction up to ground floor slab level shall take place until samples of the materials to be used in the construction of the external elevations of the building hereby permitted, including balconies, balustrades, screening and fenestration, have been submitted to and approved in writing by Southend-on-Sea Borough Council as the majority Local Planning Authority, in consultation with Rochford District Council as the minority Local Planning Authority. Development shall be carried out solely in full accordance with the approved details before it is first occupied.

Reason: In the interest of visual amenity of the area in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM4 of the Southend-on-Sea Development Management Document (2015), Policies LS1 and LS2 of the London Southend Airport and Environs Joint Area Action Plan (2014), Policy CP1 of the Rochford Core Strategy (2011), Policy DM1 of the Rochford Development Management Plan and the advice contained within the National Design Guide (2019), the Rochford Supplementary Document 7 (2007) and Southend-on-Sea Design and Townscape Guide (2009).

- 05 No works shall take place on site unless and until the tree protection measures identified within the submitted Arboricultural Impact Assessment and Method Statement dated 24th October 2019 prepared by Place Services have been implemented on site and these shall be retained for the duration of the construction works.

Reason: In the interest of visual amenity of the area in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM4 of the Southend-on-Sea Development Management Document (2015), Policies LS1 and LS2 of the London Southend Airport and Environs Joint Area Action Plan (2014), Policy CP1 of the Rochford Core Strategy (2011), Policy DM1 of the Rochford Development Management Plan and the advice contained within the National Design Guide (2019), the Rochford Supplementary Document 7 (2007) and Southend-on-Sea Design and Townscape Guide (2009).

- 06** Within the first available planting season (October to March inclusive) following the first use of the development hereby approved, a soft landscaping scheme shall be implemented and completed in full accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall follow the general principles shown within the approved plan 6126 (20) 002 Rev P5 and shall include measures to enhance the biodiversity on site, details of the species to be planted, the treatment of the ground before planting and maintenance details.

Within a period of five years from the completion of the development hereby approved, or from the date of the planting of any tree or any tree planted in its replacement, if any tree existing or planted as part of the approved landscaping scheme is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that of the original tree shall be planted in the same place or in accordance with alternative tree replacement details approved under the scope of this planning condition.

Reason: In the interest of visual amenity of the area in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM4 of the Southend-on-Sea Development Management Document (2015), Policies LS1 and LS2 of the London Southend Airport and Environs Joint Area Action Plan (2014), Policy CP1 of the Rochford Core Strategy (2011), Policy DM1 of the Rochford Development Management Plan and the advice contained within the National Design Guide (2019), the Rochford Supplementary Document 7 (2007) and Southend-on-Sea Design and Townscape Guide (2009).

- 07** The use of the development hereby approved shall not commence until a hard landscaping scheme has been carried out and implemented solely in full accordance with details which have previously been submitted to and approved in writing by Southend-on-Sea Borough Council as the majority Local Planning Authority in consultation with Rochford District Council as the minority Local Planning Authority. The hard landscaping scheme shall follow the general principles shown on the approved plan 6126 (20) 002 Rev P5 and shall include details and, where practicable, samples of materials to be used on hardsurfacing, elevations and details of materials for cycle stores and boundary treatment of the site, including boundaries within the site.

Reason: In the interest of visual amenity of the area in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM4 of the Southend-on-Sea Development Management Document (2015), Policies LS1 and LS2 of the London Southend Airport and Environs Joint Area Action Plan (2014), Policy CP1 of the Rochford Core Strategy (2011), Policy DM1 of the Rochford Development Management Plan and the advice contained within the National Design Guide (2019), the Rochford Supplementary Document 7 (2007) and Southend-on-Sea Design and Townscape Guide (2009).

- 08** Notwithstanding the information submitted and otherwise hereby approved, the substation hereby approved shall be not be constructed unless it is solely in accordance with details, including details of materials and elevation drawings,

which have previously been submitted to and approved in writing by Southend-on-Sea Borough Council as the majority Local Planning Authority in consultation with Rochford District Council as the minority Local Planning Authority.

Reason: In the interest of visual amenity of the area in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM4 of the Southend-on-Sea Development Management Document (2015), Policies LS1 and LS2 of the London Southend Airport and Environs Joint Area Action Plan (2014), Policy CP1 of the Rochford Core Strategy (2011), Policy DM1 of the Rochford Development Management Plan and the advice contained within the National Design Guide (2019), the Rochford Supplementary Document 7 (2007) and Southend-on-Sea Design and Townscape Guide (2009).

- 09 Prior to the first use of the development hereby approved, a signage strategy shall be implemented in full accordance with details which have previously been submitted to and agreed in writing by Southend-on-Sea Borough Council as the majority Local Planning Authority in consultation with Rochford District Council as the minority Local Planning Authority.

Reason: In the interest of visual amenity of the area in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM4 of the Southend-on-Sea Development Management Document (2015), Policies LS1 and LS2 of the London Southend Airport and Environs Joint Area Action Plan (2014), Policy CP1 of the Rochford Core Strategy (2011), Policy DM1 of the Rochford Development Management Plan and the advice contained within the National Design Guide (2019), the Rochford Supplementary Document 7 (2007) and Southend-on-Sea Design and Townscape Guide (2009).

Residential amenity

- 10 No development shall take place, including any works of demolition or excavation, unless and until a Construction Management Plan and Strategy to include a Dust Mitigation Strategy has been submitted to, and approved in writing by Southend-on-Sea Borough Council as the majority Local Planning Authority in consultation with Rochford District Council as the minority Local Planning Authority. The approved Construction Management Plan and Strategy shall be adhered to in full throughout the construction period and 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 hoarding
 - v) measures to control the emission of dust and dirt during construction
 - vi) a scheme for recycling/disposing of waste resulting from construction works that does not allow for the burning of waste on site.
 - vii) a dust management plan to include mitigation and boundary particulate monitoring during demolition and construction.
 - viii) details of the duration and location of any noisy activities and the measures to be implemented to minimise noise impacts.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM4 of the Southend-on-Sea Development Management Document (2015), Policies LS1 and LS2 of the London Southend Airport and Environs Joint Area Action Plan (2014), Policy CP1 of the Rochford Core Strategy (2011), Policy DM1 of the Rochford Development Management Plan and the advice contained within the National Design Guide (2019), the Rochford Supplementary Document 7 (2007) and Southend-on-Sea Design and Townscape Guide (2009).

- 11** Construction works associated with the approved development on site shall only be undertaken between 7:30 am to 6 pm on weekdays, between 8 am and 1 pm on Saturdays and not at any time on Sundays and Public Holidays.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM4 of the Southend-on-Sea Development Management Document (2015), Policies LS1 and LS2 of the London Southend Airport and Environs Joint Area Action Plan (2014), Policy CP1 of the Rochford Core Strategy (2011), Policy DM1 of the Rochford Development Management Plan and the advice contained within the National Design Guide (2019), the Rochford Supplementary Document 7 (2007) and Southend-on-Sea Design and Townscape Guide (2009).

- 12** No dust or fume extraction or filtration equipment or air conditioning, ventilation, or refrigeration equipment shall be installed on the building hereby approved unless and until details of its design, siting, discharge points, predicted acoustic performance and details of any noise mitigation measures to be used have been submitted to and approved in writing by Southend-on-Sea Borough Council as the majority Local Planning Authority in consultation with Rochford District Council as the minority Local Planning Authority. The equipment shall be installed only in accordance with the approved details and shall be maintained in good working order thereafter.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM4 of the Southend-on-Sea Development Management Document (2015), Policies LS1 and LS2 of the London Southend Airport and Environs Joint Area Action Plan (2014), Policy CP1 of the Rochford Core Strategy (2011), Policy DM1 of the Rochford Development Management Plan and the advice contained within the National Design Guide (2019), the Rochford Supplementary Document 7 (2007) and Southend-on-Sea Design and Townscape Guide (2009).

- 13** No external lighting shall be installed on site unless in accordance with the details of a scheme which has previously been submitted to and agreed in writing by Southend-on-Sea Borough Council as the majority Local Planning Authority in consultation with Rochford District Council as the minority Local Planning Authority. Details to be submitted for approval shall include design, siting, direction and screening of the light sources on site. All lighting shall be retained on site in accordance with the approved scheme for the lifetime of the

development.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM4 of the Southend-on-Sea Development Management Document (2015), Policies LS1 and LS2 of the London Southend Airport and Environs Joint Area Action Plan (2014), Policy CP1 of the Rochford Core Strategy (2011), Policy DM1 of the Rochford Development Management Plan and the advice contained within the National Design Guide (2019), the Rochford Supplementary Document 7 (2007) and Southend-on-Sea Design and Townscape Guide (2009).

- 14 The premises of the hotel hereby approved shall not be open to non-residents outside the hours of 07:00 am to 11:00 pm on any day.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM4 of the Southend-on-Sea Development Management Document (2015), Policies LS1 and LS2 of the London Southend Airport and Environs Joint Area Action Plan (2014), Policy CP1 of the Rochford Core Strategy (2011), Policy DM1 of the Rochford Development Management Plan and the advice contained within the National Design Guide (2019), the Rochford Supplementary Document 7 (2007) and Southend-on-Sea Design and Townscape Guide (2009).

- 15 Deliveries to and refuse and recycling collection from the premises hereby approved shall not take place outside the hours of 7:30 am to 6 pm on weekdays, between 8 am and 1 pm on Saturdays and not at any time on Sundays and Public Holidays.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM4 of the Southend-on-Sea Development Management Document (2015), Policies LS1 and LS2 of the London Southend Airport and Environs Joint Area Action Plan (2014), Policy CP1 of the Rochford Core Strategy (2011), Policy DM1 of the Rochford Development Management Plan and the advice contained within the National Design Guide (2019), the Rochford Supplementary Document 7 (2007) and Southend-on-Sea Design and Townscape Guide (2009).

- 16 Notwithstanding the details shown on the documents submitted and otherwise hereby approved, with reference to British Standard 7445:2003, the noise rating level arising from activities associated with the use hereby approved (including amplified music and human voices) shall be at least 10dB(A) below the background noise level as measured at 1m from the facades of the neighbouring noise sensitive premises.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM4 of the Southend-on-Sea Development Management Document (2015), Policies LS1 and LS2 of the London Southend Airport and Environs Joint Area Action Plan

(2014), Policy CP1 of the Rochford Core Strategy (2011), Policy DM1 of the Rochford Development Management Plan and the advice contained within the National Design Guide (2019), the Rochford Supplementary Document 7 (2007) and Southend-on-Sea Design and Townscape Guide (2009).

- 17 Notwithstanding the information submitted and otherwise hereby approved, the proposed substation shall not be constructed unless and until full details of the acoustic insulation of this building have been submitted to and approved in writing by Southend-on-Sea Borough Council as the majority Local Planning Authority in consultation with Rochford District Council as the minority Local Planning Authority. The substation shall be constructed in full accordance with the approved details prior to its first use and shall be retained as such thereafter for the lifetime of the development.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM4 of the Southend-on-Sea Development Management Document (2015), Policies LS1 and LS2 of the London Southend Airport and Environs Joint Area Action Plan (2014), Policy CP1 of the Rochford Core Strategy (2011), Policy DM1 of the Rochford Development Management Plan and the advice contained within the National Design Guide (2019), the Rochford Supplementary Document 7 (2007) and Southend-on-Sea Design and Townscape Guide (2009).

Highways

- 18 The development hereby approved shall not be first used unless and until the access improvement works, the servicing bay and the drop off bay shown on approved plan Y321_PL_DR_201 rev F, the forty-five (45) on site car parking spaces, including four (4) spaces for disabled users and the roundabout shown on approved plan 6126 (20) 002 Rev P5 and traffic management signage and pedestrian access improvements, the details of which have previously submitted to and approved in writing by Southend-on-Sea Borough Council as the majority Local Planning Authority in consultation with Rochford District Council as the minority Local Planning Authority, have been fully implemented at the site solely in accordance with the approved details. The parking spaces, the bays, the access arrangements, traffic management signage and pedestrian access improvements shall be permanently maintained thereafter.

Reason: To ensure that acceptable access arrangements and adequate car parking is provided and retained to serve the development in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP3 of the Southend-on-Sea Core Strategy (2007), Policies DM3 and DM15 of the Southend-on-Sea Development Management Document (2015), Policies T1 and T7 of the London Southend Airport and Environs Joint Area Action Plan (2014), Policy T1 of the Rochford Core Strategy (2011), Policies DM30 and DM31 of the Rochford Development Management Plan and the advice contained within the Rochford Parking Standards Design and Good Practice Supplementary Planning Document (2010).

- 19 The development shall not be brought into first use unless and until at least 24 secure and covered cycle parking spaces to serve the development have been

provided on site and made available for use in line with details previously submitted to and approved in writing by Southend-on-Sea Borough Council as the majority Local Planning Authority in consultation with Rochford District Council as the minority Local Planning Authority. The approved cycle parking spaces shall thereafter be permanently maintained solely for use by users of the development.

Reason: To ensure the provision of adequate cycle parking in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP3 of the Southend-on-Sea Core Strategy (2007), Policies DM3 and DM15 of the Southend-on-Sea Development Management Document (2015), Policies T1 and T5 of the London Southend Airport and Environs Joint Area Action Plan (2014), Policy T1 of the Rochford Core Strategy (2011), Policy DM30 of the Rochford Development Management Plan and the advice contained within the Rochford Parking Standards Design and Good Practice Supplementary Planning Document (2010).

- 20 Prior to the first occupation of the development hereby approved at least two (2) car parking spaces shall have an active electric charging point provided, capable of charging vehicles from the outset, and every car parking space shall be future proofed with passive electric vehicle charging point provision, with measures such as, but not exclusively, four-way duct and drawpits to all service bays, so that electric charging points can be installed when demand requires.

Reason: In the interests of providing sustainable transport choices in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP3 of the Southend-on-Sea Core Strategy (2007), Policies DM3 and DM15 of the Southend-on-Sea Development Management Document (2015), Policies T1 and T7 of the London Southend Airport and Environs Joint Area Action Plan (2014), Policy T1 of the Rochford Core Strategy (2011), Policy DM30 of the Rochford Development Management Plan and the advice contained within the Rochford Parking Standards Design and Good Practice Supplementary Planning Document (2010).

- 21 The development hereby approved shall not be brought into first use unless and until a Detailed Travel Plan to promote sustainable travel for journeys associated with the proposed development, which shall include, among other requirements, details of parking packs, booking arrangements to be offered to customers, details of parking areas for staff, a communication strategy, which shall include the provision of individual travel packs to engage with customers and employees in order to encourage them to use public transport to access the hotel and implementation, monitoring and review arrangements for the Detailed Travel Plan, has been submitted to and approved in writing by Southend-on-Sea Borough Council as the majority Local Planning Authority in consultation with Rochford District Council as the minority Local Planning Authority. The Detailed Travel Plan shall be implemented in accordance with the terms set out in the approved details.

Reason: In the interests of providing sustainable transport choices in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP3 of the Southend-on-Sea Core Strategy (2007), Policies DM3 and DM15 of the Southend-on-Sea Development Management Document (2015), Policies T1, T3, T4 and T5 of the London Southend Airport and Environs Joint Area Action Plan (2014), Policies T1 and T3 of the Rochford Core Strategy (2011), Policies DM30 and DM31 of the Rochford Development Management Plan and the advice contained within the

Rochford Parking Standards Design and Good Practice Supplementary Planning Document (2010).

- 22 The development hereby approved shall not be brought into first use unless and until a Car Parking Management Plan to promote sustainable use of the available car parking spaces associated with the proposed development, which shall include, among other requirements, details of the operation of the car parking facilities e.g. timed use of parking by different users, management and enforcement, and consideration to the Safer Parking Award, has been submitted to and approved in writing by Southend-on-Sea Borough Council as the majority Local Planning Authority in consultation with Rochford District Council as the minority Local Planning Authority. The Car Parking Management Plan shall be implemented and operated for the lifetime of the approved development in accordance with the terms set out in the approved details.**

Reason: In the interests of providing sustainable car parking in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP3 of the Southend-on-Sea Core Strategy (2007), Policies DM3 and DM15 of the Southend-on-Sea Development Management Document (2015), Policies T1, T3, T4 and T5 of the London Southend Airport and Environs Joint Area Action Plan (2014), Policies T1 and T3 of the Rochford Core Strategy (2011), Policies DM30 and DM31 of the Rochford Development Management Plan and the advice contained within the Rochford Parking Standards Design and Good Practice Supplementary Planning Document (2010).

Waste management

- 23 Prior to the first occupation of the development hereby approved the refuse area shown on the approved plan 6126 (20) 100 (1) REV P5 shall be provided and operated in full accordance with the principles contained within the Design and Access Statement REV F (prepared by Aros Architects and dated December 2019) and the Supporting Planning Statement (prepared by Vantage Planning and dated November 2019) in perpetuity for the lifetime of the hotel.**

Reason: To ensure that the development is satisfactorily serviced and that refuse and recycling facilities are proposed in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with the National Planning Policy Framework (2019), Policies KP2, CP3 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM15 of the Southend-on-Sea Development Management Document (2015), Policies LS1, LS2, T1, T3 and T5 of the London Southend Airport and Environs Joint Area Action Plan (2014), Policies CP1 and T1 of the Rochford Core Strategy (2011), Policies DM1, DM30 and DM31 of the Rochford Development Management Plan and the advice contained within the National Design Guide (2019), the Rochford Supplementary Document 7 (2007), Southend-on-Sea Design and Townscape Guide (2009) and Rochford Parking Standards Design and Good Practice Supplementary Planning Document (2010).

Energy and water sustainability

- 24 The development hereby approved shall not be first used unless and until a final**

Certificate has been issued certifying that a BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating “Excellent” has been achieved for the development.

Reason: In the interests of providing a sustainable development, in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policy DM2 of the Southend-on-Sea Development Management Document (2015), Policy ENV7 of the London Southend Airport and Environs Joint Area Action Plan (2014) and Policies ENV8 and ENV10 of the Rochford Core Strategy (2011).

- 25 Prior to occupation of the development hereby approved the energy efficiency and other sustainability measures to benefit the scheme, including the provision of at least 10% of the energy needs of the development hereby approved being provided from onsite renewable sources, shall be implemented on site in accordance with the agreed details contained within in the submitted Energy Statement RREV 04 (prepared by Hoare Lea and dated 06 November 2019).**

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), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policy DM2 of the Southend-on-Sea Development Management Document (2015), Policy ENV7 of the London Southend Airport and Environs Joint Area Action Plan (2014) and Policy ENV8 of the Rochford Core Strategy (2011).

Flooding and water drainage

- 26 In accordance with the latest submitted Updated Drainage Strategy (RPS, February 2020, Document Ref: NK019869-HPS-SI-XX-HP-DS-301 P01), no construction works other than demolition and excavation works shall take place on site unless and until detailed designs of a surface water drainage scheme incorporating the following measures has been submitted to and agreed in writing by Southend-on-Sea Borough Council as the majority Local Planning Authority in consultation with Rochford District Council as the minority Local Planning Authority and the Lead Local Flood Authorities. The approved scheme shall be implemented prior to the first occupation of the development. The scheme shall address the following matters:**

- a. Information on overland flow routes.**
- b. Evidence of infiltration testing in accordance with BRE 365 to confirm infiltration is not a viable option on this specific site. If infiltration is found to be viable an updated drainage strategy should be submitted along with information in relation to the potential for ground instability or deterioration in groundwater quality as a result of infiltration.**
- c. Details of how the attenuation system connects and drains via the proposed Aquaswirl and Hydrobrake control chambers.**
- d. Evidence of correspondence from Anglian Water for the proposed discharge rate and connection location to the public surface water sewer.**

Reason: To ensure the approved development does not increase flood risk elsewhere in accordance with the National Planning Policy Framework (2019),

Policies KP1 and KP2 of the Southend-on-Sea Core Strategy (2007) and Policy LS1 of the London Southend Airport and Environs Joint Area Action Plan (2014).

Land Contamination

- 27 (a) Notwithstanding the details submitted and otherwise hereby approved, no development shall take place, other than that required to carry out additional necessary investigation which in this case may include demolition, site clearance, removal of underground tanks and old structures, and any construction 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 on the site whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be submitted to and approved in writing by the local planning authority.

The report of the findings must include:

- i) A survey of extent, scale and nature of contamination;
- ii) An assessment of the potential risks to:
 - human health;
 - properly (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 by a competent person and 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 Southend-on-Sea Borough Council as the majority Local Planning Authority in consultation with Rochford District Council as the minority Local Planning Authority.

(b) Remediation Scheme: Notwithstanding the details submitted and otherwise hereby approved, no development shall be undertaken, other than where necessary to carry out additional investigation, until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by Southend-on-Sea Borough Council as the majority Local Planning Authority in consultation with Rochford District Council as the minority 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 Authorities 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.

(c) Implementation of Remediation Scheme: Notwithstanding the details submitted and otherwise hereby approved, no development shall be undertaken unless and until the measures set out in the detailed remediation scheme approved under part (b) of this condition have been implemented. Southend-on-Sea Borough Council as the majority Local Planning Authority in consultation with Rochford District Council as the minority Local Planning Authority may give approval for the commencement of development prior to the completion of the remedial measures when it is deemed necessary to do so in order to complete the agreed remediation scheme. The Local Planning Authorities must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report 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 Southend-on-Sea Borough Council as the majority Local Planning Authority in consultation with Rochford District Council as the minority Local Planning Authority.

(d) Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 7 days to the Local Planning Authorities. Development must be halted on that part of the site until an assessment 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 Southend-on-Sea Borough Council as the majority Local Planning Authority in consultation with Rochford District Council as the minority 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 must be submitted to and approved in writing by Southend-on-Sea Borough Council as the majority Local Planning Authority in consultation with Rochford District Council as the minority Local Planning Authority before the development is brought into use.

Reason: To ensure that any contamination on site is identified and treated so that it does not harm anyone who uses the site in the future and in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policy DM14 of the Southend-on-Sea Development Management Document (2015) and Policy ENV11 of the Rochford Core Strategy (2011).

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.

Informatives:

- 1 Please note that the development which is the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact S106andCILAdministration@southend.gov.uk to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters can be found on the Planning Portal (www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy) or the Council's website (www.southend.gov.uk/cil).**
- 2 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that the 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.**