

Reference:	19/01687/FUL	
Application Type:	Full Application	
Ward:	Thorpe	
Proposal:	Demolish existing garage block to rear, erect two storey building with basement comprising of two additional hotel apartments, storage and bike store, lay out parking spaces to rear	
Address:	Camelia Hotel, 176 - 178 Eastern Esplanade, Southend-On-Sea	
Applicant:	C/o Agent	
Agent:	ABG Architecture	
Consultation Expiry:	28th February 2020	
Expiry Date:	7th January 2021	
Case Officer:	Robert Lilburn	
Plan Nos:	101P01, 101P02, 101P03, 101P04, 101P05	
Recommendation:	GRANT PLANNING PERMISSION	



1 Site and Surroundings

- 1.1 The site is located on the northern side of Eastern Esplanade and comprises a hotel within 2no. three storey buildings (nos.176 and 178 Eastern Esplanade) each with a two-storey rear projection. There is a vehicular access to the rear car park located between the buildings. It was identified in the previous application 18/01434/FUL that the established Camelia Hotel comprises 70 bed spaces arranged over 28 rooms and 6 apartments.
- 1.2 This part of Eastern Esplanade is mixed in character and comprises residential dwellings, hotels, guest houses and B&Bs. The scale of the neighbouring buildings along the Esplanade is some 3 to 4 storeys, falling to two storeys around the large surface car park behind the site.
- 1.3 The site is included within the Seafront Area and is located within Seafront Character Zone 5. It is located within Flood Zone 3.

2 The Proposal

- 2.1 The application seeks to demolish several single-storey garages to the rear of the site and construct a detached building to provide two self-contained hotel apartments (use class C1) and incidental storage space for the hotel. The building would have a dual-pitched roof and would be formed of two storeys with an additional semi-basement.
- 2.2 Each hotel apartment would be set out over two storeys with open plan kitchen and living accommodation and WC, on the ground floor and two bedrooms and a bathroom on the first floor. Four parking spaces in 2 tandem rows would be provided between the proposed building and the existing hotel building.
- 2.3 The key differences between the submitted plans and the previously approved plans further to application 18/01434/FUL and which remain extant, are as follows:
 - The inclusion of a semi-basement to provide additional storage for the hotel;
 - The inclusion of a single storey element at the west elevation to form a cycle store and separately an access leading to the semi-basement;
 - The submitted plans show that the building would be situated some 5.8m to the north of the existing rear projection of the main hotel building at no.176 whereas previously it would have been situated some 6m to the north of this projection;
 - The ground floor layout has been altered to provide a more open plan space within each unit;
 - The first-floor dormers on the eastern elevation have been widened to provide additional space and daylight into the bedroom spaces and to allow for more flexible window opening options;
 - The inclusion of two low level windows on the flank elevations;
 - Reconfiguration of doors and windows on ground floor east elevation.
- 2.4 The first-floor layout of the units would be unchanged.
- 2.5 Proposed internal floor levels of the habitable accommodation would be unchanged from the earlier approved application at 4.91m AOD at ground floor and 7.56m AOD at first floor.

- 2.6 The front doors to the units would open onto a paved area to the east in common with the extant planning permission.
- 2.7 The approved access and parking arrangements would be unaffected and would be provided as per the existing planning permission with four parking spaces located to the south of the proposed apartments, between the proposed outbuilding and the existing rear projection at the rear of no.176.
- 2.8 The submitted plans show the ground level falling away from the proposed outbuilding; this appears to reflect the existing context, and the proposed floor levels and ground level associated with the proposed building appear to be unchanged from the previous approved application. No material changes to ground levels appear to be proposed over and above the existing extant approval.
- 2.9 The submitted plans show proposed hard surfacing materials as Marshalls Drivesett Argent priora permeable block paving, with box hedging indicated alongside small areas of artificial grass to the immediate west of the proposed units, and a 2m high close-boarded boundary fence along the west boundary of no.176.
- 2.10 The plans also indicate proposed external materials as Ketley Brick Staffordshire Brown Brindle, and Dreadnought Brown Brindle smooth-faced clay tiles, with slate-grey powder coated aluminium doors and window frames, and graphite grey cladding to form doorway and window canopies. Glass balustrades would also be provided to form Juliet balconies to the dormer windows. A sedum roof would be provided to the flat roof single story projection at the west elevation.
- 2.11 The applicant states that the waste and recycling needs of the proposal would be integrated into the existing provision which is located directly opposite the two units and identified on the submitted proposed site layout plan.
- 2.12 The application is supported by a revised Flood Risk Assessment (FRA) dated 27/01/2020 and a supporting statement from the agent.
- 2.13 The application has been called in to Development Control Committee by Councillor Woodley.

3 Relevant Planning History

- 3.1 19/01686/FUL: Erect ground floor front extension incorporating bifold doors and two storey side extension to form new entrances, reception space, and additional restaurant and bar area, replacement windows with juliet balconies/two balcony terraces to front and alterations to west facing elevation. Approved.
- 3.2 18/01434/FUL: Demolish existing garage block to rear, erect two storey building comprising two additional hotel rooms and layout additional parking spaces to rear (Amended Proposal). Approved.
- 3.3 18/01016/FUL: Demolish existing garage block to rear, erect two storey building comprising two additional hotel rooms and layout additional parking spaces to rear (Amended Proposal). Refused for the following reason:

01. The proposed building would, by reason of its design, size, bulk, mass and siting, result in an overbearing relationship with and an increased sense of visual enclosure to 175 and 175B Eastern Esplanade, to the detriment of the residential amenities of the occupiers of these properties. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2012); Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007); Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015); and the advice contained within the Southend-on-Sea Design and Townscape guide (2009).

3.4 17/02118/FUL: Demolish existing garage block to rear of Hotel and erect a two-storey building to form 2 additional hotel rooms and layout additional parking spaces. Refused.

3.5 02/00337/FUL: Use rear part of building as hotel rooms (Class C1) in association with neighbouring hotel and form an additional self-contained flat (Class C3). Approved.

4 Representation Summary

4.1 Public Consultation

22 neighbouring properties were notified, and a site notice was posted. One letter of representation has been received which is summarised as follows:

- Design, scale and character out of keeping in residential area;
- Overdevelopment;
- Impacts on neighbour amenities and amenities of area;
- Loss of privacy and overlooking;
- Noise impacts;
- Effects of traffic and parking on amenities and highways.

4.2 These concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.

4.3 Environmental Health

No objection subject to conditions and informatives regarding construction hours and methods.

4.4 Highways Team

No objections.

4.5 Resilience Team

No objection provided flood plans are based on at least 1 in 200-year events and include evacuation routes and access to higher ground (i.e. access to upper floors).

4.6 Environment Agency

Holding objection removed given higher refuge available at the application site.

4.7 Council's SuDS and Drainage Engineers

Confirmation sought from emergency planners in relation to suitable rest centres and evacuation routes. The development should incorporate Suds and foul drainage - details to be submitted.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework (2019)
- 5.2 Planning Practice Guidance and National Design Guide (2019)
- 5.3 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles), KP3 (Implementation and Resourced), CP1 (Employment Generating Development) CP3 (Transport and Accessibility) and CP4 (Environment & Urban Renaissance).
- 5.4 Development Management Document (2015) Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land), DM6 (The Seafront), DM12 (Visitor Accommodation) and DM15 (Sustainable Transport Management)
- 5.5 Design and Townscape Guide (2015)
- 5.6 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 including flood risk considerations, design and impact on the character of the area, impact on amenity of neighbouring properties and any traffic and transport issues and CIL. The earlier extant planning permission 18/01434/FUL for a development of similar scale, character and use, is also a material consideration carrying a degree of weight in the assessment.

7 Appraisal

Principle of Development including Flood Risk

- 7.1 The proposed development would provide additional visitor accommodation and would support economic activity within the town.
- 7.2 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, while safeguarding and improving the environment and ensuring safe and healthy living conditions*'.
- 7.3 Paragraph 80 of the NPPF states '*Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.*'
- 7.4 The site is located within Seafront Character Zone 5 as set out in Policy DM6. The development principles of this zone include: '*(i) To encourage enhancements that promote this location as a tourist and leisure destination...*'.
- 7.5 Policy DM12 of the Development Management Document states '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 (the 'Key Areas'). Within the Key Areas visitor accommodation will be retained'.

- 7.6 The proposed development would provide additional visitor accommodation at a location on the seafront and would support economic activity. This would be acceptable further to the above-noted objectives of the NPPF and Policies DM6 and DM12 of the Development Management Document. Consistent with the assessment of the proposal in application 18/01434/FUL the proposal is acceptable as a matter of general principle in these respects.
- 7.7 The site is located within Flood Zone 3a and the proposal would intensify the use of the site by two units in a 'more vulnerable' use, as defined in the NPPF and Planning Practice Guidance.
- 7.8 Policy KP1 of the Core Strategy states that all development proposals within identified 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 states 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*'.
- 7.9 Paragraph 155 of the NPPF states that '*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 made safe for its lifetime without increasing flood risk elsewhere*'.
- 7.10 Paragraphs 158 and 159 of the NPPF state '*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 the area with a lower risk of flooding...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*'.
- 7.11 The application site falls within the Seafront Area identified in Policy KP1 of the Core Strategy. This policy was adopted further to the Thames Gateway South Essex Partnership Strategic Flood Risk Assessment. The preamble to Policy KP1 notes there are limited options to achieve regeneration and growth within the Borough and that development on flood plains will be considered. Therefore, Policy KP1 directs development into the area which includes the application site.
- 7.12 The area is promoted for regeneration and growth. It is considered that further development in the Seafront area is acceptable in principle subject to a site-specific investigation. The proposal is therefore considered to pass the requirements of the sequential test.
- 7.13 Paragraph 160 of the NPPF states '*For the exceptions test to be passed it should be demonstrated that: a) The development would provide wider sustainability benefits to the community that outweigh the flood risk; and b) The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible will reduce flood risk overall*'.

- 7.14 The proposal would provide sustainability benefits by resulting in a more efficient use of land, providing additional hotel and tourist facilities located on previously developed land. The development would therefore provide wider sustainability benefits. Part A of the exceptions test of the National Planning Policy Framework is therefore considered to be satisfied in this instance.
- 7.15 Part B of the exceptions test set out in in the National Planning Policy Framework, requires development to be safe.
- 7.16 A Flood Risk Assessment by UK Flood Risk Consultants ref. QFRA 1563/814 v1.1 dated 27/01/2020 (FRA) has been submitted.
- 7.17 The Environment Agency (EA) has considered the FRA and note that the proposed first floor would flood internally by 0.47m depth in the 0.1% (1 in 1000) annual probability with climate change (breach) flood event. However, on the basis that higher refuge is available within the established hotel buildings, the EA has confirmed no objection to the proposal. The Borough Council's resilience team have commented that the provision of refuge through access to the existing upper floors is satisfactory. The proposal is therefore considered acceptable further to Part B of the exceptions test.
- 7.18 The principle of the development is therefore found acceptable.

Design and Impact on the Character of the Area

- 7.19 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"*.
- 7.20 The National Design Guide seeks well-designed places in which development integrates and relates well into its surroundings. This accounts for patterns of built form including routes and spaces around buildings.
- 7.21 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"*. Policy DM6 seeks to protect the positive characteristics of the Seafront area. In Character Zone 5 it seeks to protect the existing architectural character and mix of uses; to resist inappropriate development fronting the Seafront; preserve the vernacular form and fine urban grain of the seafront; maintain the low-rise height of existing buildings in future development.
- 7.22 Policy KP2 of the 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"*.

- 7.23 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”*.
- 7.24 The position, scale and layout of the proposed building would not be materially different to that approved in application 18/01434/FUL, except for the proposed single storey projection. Since application 18/01434/FUL was determined, the revised National Planning Policy Framework (2019) has come into force. It is considered that the contents of the revised NPPF do not materially alter the assessment of the impacts of the proposal relative to that application. The addition of the single storey projection would not compromise the character and appearance of the proposed building or its context.
- 7.25 The detailed design would be acceptable, and the proposed red-brown finish of the external materials specified would be acceptable in this location. The proposed soft landscaping and hard surfacing would be acceptable. The development would be reasonably integrated into the existing built form. The application is found acceptable and policy compliant with development plan policies for the reasons identified regarding design, character and appearance.

Impact on Residential Amenity

- 7.26 Paragraph 127 of the NPPF seeks to secure a good standard of amenity for all existing and future occupants of land and buildings. Policy KP2 of the Core Strategy seeks to secure improvements to the urban environment through quality design. Policy CP4 seeks to maintain and enhance the amenities, appeal and character of residential areas.
- 7.27 Policies DM1 and DM3 of the Development Management Document seek to support sustainable development which is appropriate in its setting, and that protects the amenity of the site, immediate neighbours, and surrounding area, having regard to matters including privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight.
- 7.28 The Guide also states that *“the Borough Council is committed to good design and will seek to create attractive, high-quality living environments”* and that *“extensions must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties”*.
- 7.29 The position, layout, scale, and design of the proposed building, except for the single storey projection, are not materially different to the earlier scheme where these aspects were found acceptable in relation to neighbouring occupiers. The amount of visitor accommodation and the layout of car parking would not be materially changed.
- 7.30 Since application 18/01434/FUL was determined the revised National Planning Policy Framework (2019) has come into force, it is considered however, that the contents of the revised NPPF do not materially alter the assessment of the impacts of the proposal relative to that application.
- 7.31 The proposed single storey projection and associated stores would not have a materially harmful impact on neighbouring occupiers, given its scale, position and use ancillary to the hotel.

- 7.32 The windows proposed in the south and north elevations of the building would face the existing hotel and car park area. The proposed east facing windows would overlook the access road into the rear car park and ancillary buildings and would not result in any material overlooking or loss of privacy.
- 7.33 On the west elevation each apartment would be provided with large ground floor rear doors, a first-floor rear window and two roof lights. These windows would be in close proximity to the western boundary, overlooking the private amenity area of nos.175 and 175b Eastern Esplanade.
- 7.34 The ground floor doors could be largely screened by standard boundary treatments, which can be secured via a planning condition. The first-floor western rear windows proposed serve the staircases for each apartment and as such could be reasonably conditioned to be obscure glazed with limited openings to prevent any material overlooking or loss of privacy to the dwellings to the west.
- 7.35 The proposed roof lights, given their nature and positions within the roof, would not result in any material overlooking or loss of privacy. It is considered that this proposal would not result in material perceived or actual overlooking. The proposal is acceptable and policy compliant in this respect subject to conditions.
- 7.36 It is considered that the proposal is acceptable and compliant with development plan policies regarding neighbour amenities.

Traffic and Transportation Issues

- 7.37 Policy CP3 of the Core Strategy states the aim of improving road safety, quality of life and equality of access for all. It also states that all development will need to reduce sole reliance on the car for accessibility.
- 7.38 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. All development should meet the adopted parking standards (including cycle parking).
- 7.39 Policy DM15 of the Development Management Document states that parking should be provided at a maximum rate of 1 space per bedroom for hotel uses (Class C1).
- 7.40 In common with the earlier approved application 18/01434/FUL, the proposed development is to be sited in a location which is currently used for informal parking and contains several garages. Whilst limited plans of the existing garages have been provided, they appear to be below the minimum size required (7m x 3m) and cannot therefore be counted as standard parking spaces.
- 7.41 This area can currently accommodate approximately 3 vehicles parked informally on the hardstanding. This proposal will include provision of 4 formal parking spaces provided in 2 tandem rows. Tandem parking is not ideal, however, the information submitted with this application indicates that the spaces would be for staff use. Tandem parking for staff will be easier to control than for customers and other users. It is also noted that the site is in a relatively sustainable location.

- 7.42 The quantity and accessibility of car parking to serve the development would be acceptable from a traffic and highways viewpoint, and it would not be materially different to the earlier arrangement, approved under application 18/01434/FUL. The Highway Team has raised no objections to the proposal in this respect. The proposal is therefore policy compliant and no objection is raised on this basis.
- 7.43 Policy DM15 provides maximum cycle parking standards for hotels of 1 space per 5 staff plus 1 space per 10 bedrooms. Secure and covered cycle storage would be provided for two cycles within the store at the rear single storey projection. The development would provide two hotel apartments and this provision is considered acceptable.
- 7.44 The application shows that the existing hotel bin store, within the single storey buildings at the east side of the site, would be utilised for waste arising from the proposed pair of apartments.
- 7.45 The proposal is found acceptable and policy compliant in relation to parking and highway and pedestrian safety.

Community Infrastructure Levy (CIL)

- 7.46 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 some 260.2sqm, which may equate to a CIL charge of approximately £3342 (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 development plan policies and guidance. The proposal would be acceptable in principle, including in flood risk terms, and would have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site, street scene and the locality more widely. There would be no materially adverse traffic, parking or highways impacts caused by the proposed development. This application is therefore recommended for approval subject to conditions.

9 Recommendation

GRANT PLANNING PERMISSION subject to the following 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 shall be carried out in accordance with the approved plans: 101P01, 101P02, 101P03, 101P04, 101P05.**

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

- 03. The development shall be carried out only using external materials as identified on the approved plan 101P05, or otherwise in accordance with details to have been previously submitted to and approved in writing by the local planning authority.**

Reason: In the interests of visual amenity further to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM6 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

- 04. Prior to the first use of the hotel apartments hereby approved, 4 off-street car parking spaces shall be provided at the site as shown on Drawing No. 101P05. The approved parking spaces shall thereafter be retained in perpetuity only for parking by the staff and customers of the hotel.**

Reason: To ensure the adequate provision of parking at the site in accordance with Policy DM15 of the Development Management Document (2015).

- 05. The hard landscaping works identified on the approved plan 101P05 shall be completed prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.**

Reason: In the interests of visual amenity and to ensure a satisfactory standard of landscaping and drainage is implemented pursuant to Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM6 of the Development Management Document (2015).

- 06. Prior to the first use of the hotel apartments hereby approved, the cycle and refuse and recycling storage facilities shown on the submitted plans shall be provided in full and made available for use, and shall be retained as such for the lifetime of the development thereafter.**

Reason: To ensure the provision of adequate cycle parking and refuse storage in accordance with Policies DM3, DM8 and DM15 of Development Management Document.

07. The first floor west facing windows in the development hereby approved shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level before the development is brought into first use and shall be retained as such in perpetuity thereafter. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

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, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

08. Hours of demolition and construction works associated with the development hereby approved shall be 8am - 6pm Monday to Friday, 8am - 1pm Saturday only and no works shall be carried out on Sundays or Bank Holidays.

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, Policies KP2 and CP4 of the Core Strategy (2007), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

09. Notwithstanding the provisions of Class T of Part 3, Schedule 2 to the Town and Country Planning General Permitted Development Order 2015 (or any statutory amendment, modification or re-enactment or replacement thereof (as the case may be) for the time being in force), the apartments hereby approved shall be retained for hotel use only (use class C1) and shall remain ancillary to the hotel at the application site in perpetuity.

Reason: To ensure the consent accords with the permission sought and because the flood refuge for the development is associated with the established hotel. This is in the interests of flood risk mitigation for the safety of occupants further to the National Planning Policy Framework and Policies KP1, KP2 and KP3 of the Core Strategy (2007).

10. The development permitted by this planning permission shall be carried out and operated in accordance with the mitigation measures identified in the Flood Risk Assessment (FRA) prepared by UK Flood Risk Consultants, referenced QFRA 1563/814 v1.1 dated 27/01/2020. The mitigation measures shall be fully implemented prior to first use of the development and the site shall be operated in accordance with the approved measures thereafter. Additional refuge shall be available at all times to occupiers, at the second floors of the established hotel buildings.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with National Planning Policy Framework and Policies KP1, KP2 and KP3 of the Core Strategy (2007).

11. Prior to first occupation of the development hereby approved, details of boundary treatments shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details before it is brought into use.

Reason: In the interests of visual amenity further to the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

12. No drainage infrastructure associated with this consent shall be undertaken at this site unless and until full details of the drainage infrastructure and a drainage strategy have been submitted to and approved in writing by the local planning authority. The strategy submitted shall apply the sustainable drainage principles and the sustainable drainage hierarchy. Where more sustainable methods of drainage are discounted clear evidence and reasoning for this shall be included within the strategy submitted. The approved drainage infrastructure and strategy shall be implemented in full accordance with the approved scheme prior to the first occupation 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.

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission 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.

10 Informatives

01. Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability Notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/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 construction noise provisions within the Control of Pollution Act 1974. Applicants should contact the Council's Environmental Health Officer for more advice on 01702 215005 or at Regulatory Services, P.O. Box 5558, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend-on-Sea, SS2 6ZQ.**
- 04. Prior to demolition of the existing buildings an appropriate Asbestos survey of the buildings shall be undertaken and a scheme implemented to remove and safely dispose of any asbestos-containing materials.**
- 05. It is recommended that the Council's building control department is notified of the demolition in order that requirements can be made under the Building Act 1984.**
- 06. The additional SuDS and drainage information that will need to be submitted as part of condition 12 includes:**
 - 1. If permeable pavement or pervious surfaces are proposed, construction details, ancillary drainage elements (if applicable) and consideration of deterioration of groundwater quality and ground stability is required.**
 - 2. If partial or total infiltration measures are not proposed, the applicant should provide evidence of ground investigations or records to justify the expected ground conditions. It should be noted that source control options, like permeable pavement, can be used in areas of low infiltration.**
 - 3. The applicant should provide a detailed drainage plan including positively drained areas (permeable and impermeable), proposed SuDS (rainwater harvesting, permeable pavement, etc) and drainage systems, points of connection, discharge restrictions/flow controls and failure/exceedance overland flow routes.**
 - 4. The applicant should provide information showing final discharge points and rates where relevant up to 1 in 100 year storm (including climate change) and evidenced with calculations and approval from the appropriate body where necessary. The applicant should provide information on how the proposed drainage design satisfies SuDS in terms of water quality, attenuation and discharge quantity for the lifetime of the development.**
 - 5. The applicant should provide details of the body that will be responsible for the maintenance of proposed SuDS/drainage throughout the lifetime of the development. The applicant should also provide a management statement to outline the required maintenance for the site and a maintenance schedule.**

6. The applicant should provide a foul drainage strategy with detailed plans.

7. The proposals do not address other items in the Detailed Drainage Design Checklist from Essex County Council. However, these may not be relevant due to the size and nature of the development: a. No information has been provided in relation to the management of Health and Safety Risks arising from the proposals. b. No information has been provided the long-term economic viability of the proposals. c. No information or method statement has been provided for the management of surface water during the construction phase.

07. The applicant should ensure the control of nuisances during construction works to preserve the amenity of the area and avoid nuisances to neighbours:

- a. No waste materials should be burnt on the site, instead being removed by licensed waste contractors;**
- b. No dust emissions should leave the boundary of the site;**
- c. Consideration should be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site;**
- d. Hours of works: works should only be undertaken between 0730 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays.**