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## 1.0 Site and surroundings

### Site Description

- 1.1 The Roots Hall site is 3.16 hectares and comprises the 12,306 seat Roots Hall Stadium and football pitch, associated buildings including portacabins, the SUFC Club shop and associated car parking area with 310 spaces. The stadium has been in situ since 1955 and was previously a sand quarry and then a waste tip before the Club built its stadium.
- 1.2 The old sand quarry was developed into an excavated cutting for the pitch on the west and south part of the site. To the east, the open space of the car park is on a slope with a fall of approximately 7m from south to north. This forms two distinct topographical areas within the landscape of the site.
- 1.3 The site is predominantly hard-standing or occupied by the pitch and stands associated with the stadium. It presently contains limited biodiversity or ecological assets and there are no sensitive environmental designations within or adjacent to the site. It is located in Flood Zone 1, an area described as 'low probability' of flooding, having a less than 1 in 1,000 annual probability of river or sea flooding, although there is some risk from surface water flooding requiring appropriate mitigation.
- 1.4 The existing primary access to the site is from Victoria Avenue to the east. The site also benefits from access points to Fairfax Drive to the north, Shakespeare Drive to the west and Roots Hall Avenue to the south.
- 1.5 The entirety of the site is contained within the adopted SCAAP Boundary (2018) and is allocated under Policy PA8 Victoria Gateway Neighbourhood Policy Area on the adopted SSBC Proposals Map (2015).
- 1.6 A small part of the application site is located within the designated Prittlewell Conservation Area (PCA), an important part of the history of the Borough which contains some of the Borough's oldest and most notable buildings. The site contains no listed buildings, however it is near to the Grade I listed Church of St Mary.

### Site Surroundings

- 1.7 The site lies within the town's principal approach corridor from the north, Victoria Avenue, beside the settlement of Prittlewell. The Grade I listed St Mary's Parish Church Prittlewell lies approximately 80m to the south-east of the site. There are also two Grade II listed buildings to the south-east at nos. 269-275 and 255 Victoria Avenue.
- 1.8 The site is surrounded for the most part by a large residential neighbourhood, with buildings varying in height between one, two and four storeys including a mixture of bungalows, terraced housing and mid-rise apartments. The "Prospects College site" to the north, fronting Fairfax Drive and adjoining the site to the northeast, is now complete and occupied. A petrol station is located to the south of the site on West Street and a row of shops runs along the north-east of the site on Victoria Avenue, some of which are in use as takeaways or are vacant. There

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is a local centre with a range of commercial and retail uses, clustered around the junction between West Street and Victoria Avenue, although these are separated from the site by an area of more mixed residential and commercial properties.

- 1.9 Roots Hall Stadium lies approximately 1 km to the north of Southend town centre. Bus routes are readily available on Victoria Avenue, linking the site with Southend Victoria and Southend Central train stations and the wider hinterland. Prittlewell Train Station is a short (approximately 5-10 minutes) walk to the east. The site is highly accessible by public transport and a range of cycle and walking options.
- 1.10 Further north of the site lies a private hospital and local schools. A number of open public spaces are in close proximity to the site including: Churchill Gardens to the south east by St. Mary's church; Gainsborough Park and Prittle Brook Greenway to the north; and Priory Park to the north east which contains the listed Prittlewell Priory (Grade I) and Old Crow Stone (Grade II). The site is well connected to a variety of natural landscapes, formal gardens and the sports fields at Southend High School for Boys. Victory Sports Ground is also within walking distance, east of Priory Park and Prittlewell Station.

## 2.0 The proposal

### Summary of Submission and Application

- 2.1 Pre-application consultation took place between the applicant, the Council, statutory consultees and the public over an elongated period from October 2017 to August 2019, as detailed in Section 3.0 of this report.
- 2.2 The planning application was submitted by PowerHaus Consultancy on behalf of Southend United Football Club (SUFC / “the club”) and originally received by the Council on 30 October 2019. The submission comprised:
- Planning Statement
  - Design and Access Statement including Landscaping proposals
  - Outline Construction Logistics Plan
  - Daylight, Sunlight and SRE Overshadowing Report
  - Microclimate Analysis
  - Flood Risk and SUDS Assessment (including Utilities Statement)
  - Sustainability and Energy Strategy
  - Archaeological Desk-Based Assessment
  - Noise Assessment
  - Air Quality Assessment
  - Ecology and Biodiversity Assessment/Conservation of Habitats
  - Consultation Statement
  - Affordable Housing Statement
  - Health Impact Assessment
  - Land Contamination Assessment
  - Historical Analysis, Archaeological Assessment and Heritage Statement
  - Townscape Visual Impact Assessment
  - Outline Residential Travel Plan
  - Outline Car Park Management Plan
  - Outline Waste Management Strategy
  - Environmental Statement: Volumes 1, 2 and 3 and Non-Technical Summary
  - Internal Daylight Assessment
  - Shadow HRA
  - Transport Assessment
  - Utilities Statement
  - Geotechnical and Hydrogeological Assessment
- 2.3 Upon receipt of this material, the application was validated on 10 December 2019. Further consultation with SSBC and statutory consultees took place after validation in December 2019.
- 2.4 In March 2020, Lichfields on behalf of the Council, prepared a Scoping Opinion to inform the preparation of the Environmental Statement (ES) for the application.
- 2.5 In September 2020, amended drawings were submitted to the Council due to changes in the site boundary to omit an ownership constraint, resulting in local changes in the south-west corner of the site.

- 2.6 As a response to the above amendments and reviews, certain application documents were resubmitted in November and December 2020, as detailed in paragraph 2.9.
- 2.7 In December 2020/January 2021 a further consultation took place with statutory consultees and the Council's technical teams. A number of representations have been received as a result of this process which are detailed in Section 3.0 of this report.
- 2.8 An independent review of the revised planning application submission and the revised chapters of the ES, including consultee responses, was undertaken by Prior + Partners and Waterman Infrastructure and Environment Ltd on behalf of the Council between February and May 2021, alongside the application for Fossetts Farm (17/00733/FULM) (subject to separate committee report).
- 2.9 In response to the above boundary change and following further discussions between Council Officers and the applicant, supplementary submissions and updates to documents have been made as follows:
- Design responses with amended drawings, landscape plans and Design & Access Statement, were submitted in February and March 2021 which respond to the Council's assessment and comments raised by Essex Police. In addition, a minor amendment was made to the red line boundary on 15th September 2020, to remove land not within the applicant's control which resulted in minor amendments to the scheme's parking layout.
  - Further technical submissions and updates to three chapters of the ES were submitted, concerning the Chapters of *Development Programme, Demolition and Construction* (December 2020), *Noise* and *Transport* (both March 2021). The Noise chapter particularly responds to questions raised by the Council's Environmental Health Officer (EHO) and localised noise conditions on Victoria Avenue. The Transport chapter responds to more up to date VISSIM modelling undertaken by the Council to assess the cumulative impacts of Fossetts Farm and Roots Hall Stadium, amongst other schemes identified by the Council.
  - Updated phasing of the development. The original application submission envisaged that an early phase of the development would be constructed whilst the club and stadium remained in occupation although it is now proposed that the Club would move to the new stadium prior to commencement of the Roots Hall Stadium site development.
  - Updated Affordable Housing Statement (March 2021)
  - Daylight, Sunlight and Overshadowing Report. Response to Lichfield's Scoping Opinion comments (March 2020) in November 2020.
  - A demolition plan was submitted in March 2021.
  - Ecology and Biodiversity Report to Inform Habitats Regulations Assessment (December 2020)
  - Microclimate Assessment. Response to Lichfield's Scoping Opinion comments (March 2020) in November 2020.
  - Updated Outline Residential Travel Plan (December 2020)
  - Updated Outline Car Park Management Plan (December 2020)

- Updated Outline Recycling and Waste Management Strategy (December 2020)
- Updated Outline Construction Logistics Plan (December 2020)
- Updated Transport Assessment (May 2021)
- Road Safety Audit (March 2021) Stage 1 assessments

2.10 This updated material, along with the retained elements from the original submission, provides the necessary information for the Local Planning Authority to assess the proposals.

2.11 The commentary below provides a description of the scheme, as amended incorporating the latest amendments described above.

**Description of proposed development**

2.12 The application seeks planning permission for the *"Demolition of existing stadium and surrounding buildings and structures, phased erection of nine buildings between two and eight storeys, providing 502 residential units (Use Class C3), car and cycle parking, access and landscaping."*

2.13 The proposed quantum of development has been reached through several design iterations and with regard to pre-application discussions with the Council.

2.14 Three different building types are proposed; terraced houses, detached blocks and continuous blocks. The clear majority (98%) of the residential units are proposed to be flats within the various blocks, to enable the optimum development of the site. The decision to include some terraced housing is reflective of the surrounding residential areas, particularly of the terraced properties on the western boundary, along Shakespeare Drive and beyond, and Roots Hall Avenue.

Housing Mix

2.15 A mix of unit sizes, as shown in Table 2.1 below, are proposed. These proposals have been refined pre-submission with SSBC to better reflect local housing need. The scheme comprises 502 units, including 152 affordable units (30%) with the appearance and materials used between Private and Affordable to be tenure blind.

**Table 2.1 Proposed Unit Types and Amount**

Unit Type	Private	Affordable	Total Amount
1 bed	88	46	134
2 bed	111	47	158
3 bed	111	36	147
4 bed	40	13	53
Houses/Duplex	0	10	10
<b>Total</b>	<b>350</b>	<b>152</b>	<b>502</b>

- 2.16 The arrangement of the residential buildings allows for efficient and effective movement to, from and within the site and integrates the proposed development well within the surrounding area. It is proposed that 'home zones' are incorporated into the streetscape, which would limit vehicular access at ground level to service vehicles and guest parking only. This would then likely enable more sustainable forms of transport such as walking and cycling to take priority.
- 2.17 The arrangement of the buildings has also been designed with consideration of the proposed arrangement of the residential blocks of three, four and five storeys in the Weston Homes application (recently permitted under ref 18/00810/FULM). The intention is for the arrangement and height of the buildings on both sites to complement each other and blend successfully as part of the wider redevelopment of the area.

Proposed Buildings

- 2.18 Buildings A1 - A3 and E of six to eight storeys, (as shown in 2188-02-BR-0100\_P05 Design and Access Statement) and its constituent parts are designed around a Garden Square (centred around the 'pitch'). The inherited topography of the former stadium and pitch provide an opportunity for two levels of parking, on top of which a podium level is formed with a large interactive communal garden for the apartment buildings. The cores of A1-A3 are accessed from the Courtyard Garden and provide access to the car park and the podium garden. The Courtyard Garden is accessible to refuse and delivery vehicles via a barrier.
- 2.19 Building A4 is a terrace of two storey 'Mews' type houses. These will sit on a podium level above the car park at a slightly lower level than the existing houses on Shakespeare Drive to the west and will be accessed from an existing access off Shakespeare Drive. A gap is provided for the pedestrian access to the Courtyard Garden Square through the adjacent A1 -A3 building. Each house has a rear garden that allows for access to the communal podium garden. There will be 4no. wheelchair accessible houses which 'bookend' the terrace. These houses relate to the scale and the street pattern of the adjacent houses on Shakespeare Drive. Parking is located opposite the houses, with a combined refuse bin enclosure and planter between pairs of spaces. Visitor parking is provided on the access road.
- 2.20 Building A5 is a separate six storey transition building located on the northwest corner of the site, sitting partially over the car park to form a transitional three to four storey building at podium level. There is a progressive three to four storey set back away from the existing houses on Shakespeare Drive. Access is provided from the lower level adjacent to the main car park entrance. The building has access to its own communal garden and to the larger communal garden between the A4 houses and A1 - A2 buildings. Parking is provided in the car park below.
- 2.21 Located in the sloping north-east corner of the site, Buildings B1 and B2 follow the plot formed by the main north-south axis road and the east-west secondary route through Building C, connecting to Victoria Avenue. The orientation of Building B1 follows that of the existing four storey St Mary's Court buildings along Victoria Avenue and parallel to Building E to the west. Set back from the Weston



Homes development under construction, Building B1 is seven storeys high, reducing to six storeys to the south where it joins onto Building B2.

- 2.22 Building B2 is generally six storeys high on the incline towards the south, stepping down to five and four storeys as it turns the corner towards the non-vehicular access route from Victoria Avenue through Building C, acknowledging the relationship to the adjacent Conservation Area. Car Parking for wheelchair users is provided locally on-street together with some additional spaces to serve the building. The majority of spaces are provided in the covered car park to Building A1-A2, through the Garden Courtyard. The maximum travel distance is approximately 150m.
- 2.23 Building C1 and C2 comprise two buildings that form a "gateway" into the site from Victoria Avenue. Located partly in the Conservation Area and adjacent to a locally listed building, these buildings seek to mediate between the locally listed building to the South, and the angled buildings of St Mary's Court to the south, set back from Victoria Avenue. Set at four storeys on the principal Victoria Avenue elevation, Building C1 aligns with Building B2 terminating with a projecting gable end. Building C2 is set parallel to C1 forming a vista into the site. Building C3 is three storeys, stepping down to two storeys on Roots Hall Avenue. The brick facades are characterised by distinct gable ends, pitched roofs and projecting bays to reflect the characteristics of the immediate surroundings.
- 2.24 The terraced houses referred to as Building D are located next to the existing two storey houses on Roots Hall Avenue, providing continuity to the terrace. Their appearance and layout are the same as the Building A4 Houses located on the West perimeter of the site. One of the houses is wheelchair accessible.
- 2.25 Building E is in the centre of the site and forms the east side of the Courtyard Garden Square around the former "pitch". The plan form on this east side of the Square is "pulled apart" at the north-west corner for the garden space to connect with the rest of the public realm and also relate to the geometry of Building B1 and the existing St Mary's Court buildings on Victoria Avenue. Given its lower existing level, the main part of the building is seven storeys from the former pitch level of the Garden Square although it is five storeys relative to the local surrounding level to the south and west. A set-back top storey is provided, clad in metallic aluminium cladding. The facade is articulated with setbacks in a darker brick, with the lowest two floors incorporating recessed string courses and projecting bricks to provide "texture". Wheelchair parking spaces are provided locally, with covered parking accessed through the Garden Courtyard. The southern gable end has an external staircase clad in the same material as that for the north end of Building B1.
- 2.26 Building F provides an in-fill corner plot at the junction of the main entrance into the development and the east-west link to the "Square-about". The building aligns with the Weston Homes development to complete the "street" opposite Building A1. The four storeys mediate between the existing two storey houses on Fairfax Drive, the two/five storeys of the Weston Homes development and the seven storeys (set back top floor) of Building A1.

Open space and amenity

- 2.27 The existing site has no effective areas of open space or landscaping. Terra Firma, the landscape architects for the development, have therefore sought to create new clearly defined spaces with distinctive characters and a clear delineation between private and public as part of the development. Permeability across the site has been increased with a range of routes available for pedestrian and cyclists creating links between. Proposals include areas for formal and informal recreation incorporating places for strolling and sitting. Planting will be used to further define the character of the new spaces and to increase biodiversity with a range of native and ornamental species employed to ensure year-round interest and benefits for residents and wildlife.
- 2.28 Landscaping is proposed throughout the site, including the creation of a formal courtyard reflective of the former football pitch, which is intended to act as the key open space. Several informal open spaces, and private amenity spaces are also proposed, including landscaping at the edges of the site to provide an attractive buffer and transitional area to neighbouring sites. A mix of trees and planting are proposed to define the character of the new spaces and to increase biodiversity within the site. Full details of the proposed landscaping are contained within the landscape drawings, submitted as part of the application.
- 2.29 The development would provide the following open space areas with the relevant character areas described further below:
- A total of 6,700 sqm of publicly accessible amenity space for use of residents of the new development and adjacent existing residents;
  - A total of 4,630 sqm of residents only amenity and playspace; and
  - 153 trees of mix species.
- 2.30 Garden Square - Echoing the former football pitch, the new Garden Square lies at the heart of the development and is a more formal space with a central pavilion feature. Stately Liquidambar trees will break up views across the quad, introduce vertical features and human scale, and add year-round interest with their foliage. To one side a small grove of Tibetan cherries is proposed (subject to landscape detailing) that will provide interest in spring with blossom and in winter with ornamental bark, creating a quiet place to sit.
- 2.31 Podium - Planters and low railings are employed to create permeable yet defensible space for properties with direct access to the podium of Building A. Small lawns, areas for play, sitting and quiet recreation are linked by a formal strolling route with a shallow water feature as a focal point. Trees in planters will provide structure and vertical interest and a variety of paving surfaces will be employed to create different spaces. A small informal play area will be surrounded with species-rich meadow grass.
- 2.32 Streetscape - Changes in materials and textures will create the impression of narrower roads and help to slow traffic. Small unit paving will help reinforce the 'human scale' and create a pedestrian friendly environment with granite set borders laid flush to rear of parking bays but laid raised along road edges. Highway junctions will be broken up with trees, benches and changes in paving to slow traffic and decrease any sense of vehicle dominance. A series of squares

defined by changes in paving, formal hedge planting and trees are proposed to create a sense of arrival.

- 2.33 Defensible semi-open private spaces will line the streets and paths without the need for hard boundaries. Low hedges will define private spaces while ensuring active frontage with natural surveillance.
- 2.34 Opportunities exist to incorporate SUDS and rain gardens which will further help define private and public areas as well as bringing ecological benefits. Formal and informal structural tree-planting will bring year-round interest and shade alongside ecological benefits.
- 2.35 Knoll - This wilder, sloped area will be planted with pines and native trees with a native understorey and species-rich grassland. Paths with places to sit will cross the space and link the street, the podium and the quad creating a distinctive feature to the south of the site.

Access arrangements

- 2.36 The existing access points are considered effective in providing suitable access to various forms of traffic and allow for good circulation through the site. The proposed internal roads have been designed to allow for high levels of connectivity to any part of the site, and the inclusion of footpaths ensures safe and accessible movement within the development.
- 2.37 Primary road access to the site will be from Fairfax Drive. Limited access from Shakespeare Drive will service the new houses parallel to this street. Limited access from Roots Hall Avenue will service the terraced houses to be located on this street. The existing main vehicular access on Victoria Avenue will become pedestrian and cycle access only, between Plots C1 and C2/C3. Pedestrian access will be available from all sides including Victoria Avenue to integrate the new development with the existing community. Cycle and pedestrian access will be provided from Victoria Avenue.

Parking provision

- 2.38 A total of 502 car parking spaces are proposed as part of the development, as well as two Car Club spaces. The majority of the parking spaces (392) are to be contained below the podium level located at lower ground levels, which takes advantage of the sloping topography of the site and the existing bowl of the football pitch. This design solution allows for 1:1 car parking to be provided for each of the residential units, with the provision of two car club spaces, which exceeds the local standards. The access from Shakespeare Drive will serve only 16 car parking spaces. For the Roots Hall Avenue access, it should be noted that this only provides access to 11 car parking spaces on the proposed development site, and no access to the wider development.
- 2.39 Provision for motorcycle parking (16 spaces) is also included, within the two secured car parks. 43 accessible parking spaces will be provided as well as 100 spaces with active electric vehicle charging points (EVCPs) from the outset. Passive provision will be made for the remaining spaces to be fitted with EVCPs.

2.40 In line with local requirements, a total of 502 cycle parking spaces are proposed. The spaces are proposed to be located at several locations around the site to allow for safe storage and increased accessibility and connectivity for residents and visitors. Each of the proposed houses also includes a bicycle storage area.

Service arrangements

2.41 It is proposed that service vehicles would access the site from Fairfax Drive. The proposed route and stopping areas have been designed in accordance with SSBCs Development Standards "*Waste Storage, Collection and Management Guide for New Developments*" to ensure that delivery and refuse collection vehicles can easily enter and exit each of the collection points across the site.

2.42 Waste and recycling storage across the development has been planned to comply with SSBC requirements. Sufficient areas for the management of waste, both general and recyclable, are proposed. All refuse and recycling stores are to be located at ground floor level, within an appropriate distance from the refuse vehicles. Access to the stores for the residents is proposed either directly from the apartment buildings or in close proximity under cover. Refuse bins would be provided for each of the houses proposed.

Phasing of development

2.43 It is proposed that the development be constructed in two phases. Phase 1 will include Buildings A1, A2, A3, A4, A5, D, E and F and phase 2 will include the construction of Buildings B1, B2, C1, C2 and C3, which will cover the eastern third of the site, including the existing carparking east of the stadium and Victoria Avenue site accesses. The indicative phasing timetable is set out in Table 2.2. below.

**Table 2.2 Phasing Timetable**

Phase	Element	Commence	Complete
1	Buildings A1, A2, A3, A4, A5, D, E and F	Autumn 2024	Autumn 2027
2	Buildings B1, B2, C1, C2 and C3	Summer 2026	Summer 2028

2.44 The original application submission envisaged that an early phase of the development would be constructed whilst the club and stadium remained in occupation. This is no longer proposed, as the Club will move to the new stadium prior to commencement of the Roots Hall Stadium site development. The development would still be phased due to the number of units proposed, albeit that the phases are likely to run concurrently.

**Environmental Impact Assessment (EIA)**

2.45 The Environmental Statement (ES) has been jointly prepared by the applicant's consultant team and is submitted as part of this application. The submitted ES addresses the detail of the scheme, reviews and responds to statutory consultee responses, assesses the effects of the development proposed, proposes

mitigation where required and should be referred to for detailed information about the scheme's impact and mitigation. It covers the following topics:

- Development Programme, Demolition and Construction
- Socio-Economics and Health
- Built Heritage, Townscape and Visual Amenity
- Sustainability and Energy Assessment
- Noise and Vibration
- Air Quality
- Transport
- Ecology
- Archaeology
- Hydrology, Flood Risk and Drainage
- Ground Conditions
- Micro-Climate and Wind Analysis
- Daylight, Sunlight and Overshadowing
- Cumulative Effects
- Summary of Likely Residual Effects

2.46 SUFC has sought separate Environmental Impact Assessment (EIA) Screening and Scoping Opinions from SSBC in accordance with the EIA requirements (see Planning Statement Appendix 2).

2.47 A Screening Request was submitted to SSBC on 27 April 2018. In its response SSBC stated that the proposals constitute EIA development due to uncertainty in whether or not the proposed development would give rise to potentially significant environmental effects. Subsequently, a request for a Scoping Opinion was submitted to SSBC on 29 August 2018 with the Council's response received on 6 November 2018, which identified the topics which should be 'scoped in' to the ES.

2.48 In March 2020 Lichfields, on behalf of the Council, prepared a further review of the application's ES. Lichfields undertook the review on the basis of criteria established by the Institute of Environmental Management and Assessment ('IEMA') and used to assess the robustness of Environmental Statements prepared by parties accredited with an Environmental Impact Assessment ('EIA') Quality Mark by IEMA.

2.49 Further technical submissions and updates to three chapters of the ES were submitted as a result of the Lichfield review, concerning the chapters of *Development Programme, Demolition and Construction* (December 2020), *Noise and Vibration* and *Transport* (March 2021).

### 3.0 Consultation

#### **Applicant Consultation**

- 3.1 The applicant has actively engaged with SSBC over a two-year period concerning the proposed development as proposals emerged. Formal responses have been provided covering design, transport and scale among other matters.
- 3.2 The first request for pre-application advice was submitted on 5 October 2017. Pre-application advice was given by SSBC on 19 April 2018. The response outlined SSBC's support for the principle of the regeneration of the site for residential use and the inclusion of an element of retail floorspace.
- 3.3 Following receipt of the pre-application response from SSBC, time was taken to fully consider the comments and revise the scheme accordingly. A pre-application presentation was made to officers on the 14 November 2018 in response to the detailed comments from the council dated 19 April 2018. The meeting reviewed the key issues raised in the Council's response ranging from scale, quantum, townscape and relationship to the Conservation Area. This provided more architectural detail of the proposals in the form of elevations, sections and images, indicating where changes to the previous proposals had been made and these were discussed in detail with officers.
- 3.4 The proposal was developed further in the spring of 2019 and an informal pre-application meeting was arranged between the Club and the Senior Planning officer on the 4 April 2019. Pre-application advice was received from SSBC on 21 May 2019, following a presentation to the Council 14 November 2018 and subsequent revisions submitted in April 2019. The formal response from the Council dated 21 May 2019 welcomed the "*clear improvement and positive change compared to the previous proposals.*"
- 3.5 A presentation to Members was held on 25th July 2019. CZWG presented a detailed review of the proposed redevelopment and responded to questions from Members. Following the detailed review of the redevelopment proposals members raised a number of questions regarding matters such as the housing mix and standards, affordable housing, open space, car and cycle parking, accessibility, which have been addressed in the application.
- 3.6 The applicant then carried out a public pre-application consultation on the emerging scheme which is outlined in the applicant's Statement of Community Involvement and summarised below.
- 3.7 A public consultation event was held over two days on the 10 August and 14 August 2019, where proposed plans were shown to the public for feedback. SUFC gave advanced notice of the exhibition by way of written invitations, hand delivered to approximately 2,428 properties located around the site to inform local stakeholders of the details of the two-day public exhibition. In addition, invitations were sent to ward Councillors and senior Council Members and an advertisement for the public exhibition was placed in the local paper. The exhibition was attended by the Club's design and planning team, to answer questions and guide discussion, including representatives from the planning consultant (PowerHaus

Consultancy), transport consultant (Steer), daylight/sunlight consultant (SRE) and the architects (CZWG).

3.8 The exhibition was attended by 41 people across the two events. The majority of attendees were local residents with some local business owners or other interested parties including Councillors. 22 attendants chose to complete a feedback form, with the vast majority supporting the scheme in principle, whilst expressing some concerns on car parking and the impact on social infrastructure. The design and landscaping of the scheme were praised by the respondents.

3.9 An interview with the scheme architect CZWG, was conducted by 'We Love Southend!' using social media on the 14 August. The interview was viewed by 2,500 people and shared several times. The main questions/comments regarding the scheme which were received to the video related to car parking, traffic, renewable energy, uses proposed, public transit subsidies and incentives for cycling. There was considered to be support regarding the design of the scheme, including Secured by Design principles and the number of units proposed.

### **Council Consultation**

3.10 During post submission engagement and as part of the Council's formal public consultation on the submitted proposals, 33 representations have been received by the Council from interested neighbours from December 2019 to October 2021. Twenty-five express their objection and seven their support to the scheme, while one response outlines their concern regarding the planning notice visibility. All responses are summarised in **Appendix 1**. It should be noted that in the site planning notice, the application was advertised as a departure from SCAAP policy and in accordance with the requirements of EIA applications.

3.11 These representations have been taken into account fully and carefully in assessing the proposal. It is possible to identify several common themes to comments received and these are summarised below:

#### **Objections**

- Resulting traffic concerns: Concern that the nearby roads may be impacted by the added traffic, and that this may impact the emergency vehicles accessing Southend Hospital.
- Resulting parking concerns: Concern that additional residents may seek to use surrounding streets for parking, as the development may not have capacity to accommodate all.
- Resulting social infrastructure pressure concerns: Concern on the impact on hospitals, GPs and schools.
- Design concerns: Concern on whether the private and affordable homes will be designed to be tenure blind; the scale of the development may be too large and out of character with the area.
- Sunlight/Overshadowing concerns: Concern that the new buildings may impact on the level of sunlight received and potential overshadowing effect on neighbouring houses.
- Pollution: Concern on possible increase of air and noise pollution.
- Crime increase.

- Privacy and overlooking concerns.
- Resulting sewage pressure concerns.
- Impact on skyline.

Support

- Housing delivery needed: The scheme will deliver much needed housing and affordable housing to the area.

3.12 The application has been called to Committee for consideration by Councillor Garston.

**Statutory Consultee Responses**

3.13 A number of statutory consultee responses were received and were fed back to the applicant both pre and post submission.

Environment Agency

3.14 The response confirms that the EA has no comments to make on the application.

Essex Police

3.15 Essex Police Strategic Designing out Crime Officer (SDOCO) raised observations on 12 January 2021 for further consultation from a 'Crime Prevention Through Environmental Design' (CPTED) perspective. These observations were confirmed in their written response dated 16<sup>th</sup> June 2021. As the site has appeared to have a high level of permeability, the SDOCO noted that providing residents with appropriate access across the site requires a sensitive approach. Due to proposed level of underground parking, the need to 'design in' subliminal crime prevention measures and management practices was underlined, as to not inadvertently design in crime, raise the fear of crime and the opportunity for anti-social behaviour. The SDOCO thus proposed access control from the car park into Block A1, A2 and A3 including CCTV and lighting provision. Essex Police also commented upon the design and materials used for the Pavilion and the placement of public amenity within the parameters of ground floor flats. Essex Police proposed early discussions around the design and layout of the planned balconies and roof top gardens proposed within the housing mix. In addition, the SDOCO drew attention to the design of the specific blocks of housing, raising matters for consideration for each, including garden boundary treatment, parking arrangements, permitted lift and stairwell access, natural surveillance, plant rooms use and security and potential 'blind spots'. A Designing Out Crime condition has been included at the request of the police.

Natural England

3.16 Natural England (NE) has outlined that this development site falls within the 'Zone of Influence' (Zoi) of one or more of the European designated sites scoped into the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). Therefore, it has required that detailed assessment of the potential impacts of this proposal upon these designated sites is submitted with any subsequent planning application.

3.17 NE has also commented that the application should consider the provision of green space and green infrastructure within the development proportionate to the



scale of housing and include a commitment to its long-term maintenance and management.

London Southend Airport

3.18 London Southend Airport (LSA) identified that the proposed development would conflict with safeguarding criteria unless the below mentioned conditions are applied to any planning permission:

- *“The development must comply with EASA and CAP 168 regulations given the proximity to the aerodrome.*
- *Under EASA safeguarding regulations the maximum height of any part of the development (including roof plant / aerials must be no greater than 56.46m AOD, in addition the proposed development will need to be assessed against the Instrument Flight Procedures both designed and published for LSA. The assessments will need to be carried out by a third party and the costs would be passed to the developer. Please use the email contact details below to organise assessment. This assessment may restrict the height of the proposed development further.”*

3.19 It has also been noted that should a crane or piling rig be required to construct the proposed development, this will need to be safeguarded separately and dependant on location, may be restricted in height and may also require full coordination with the Airport Authority.

3.20 The above response has informed planning conditions to ensure development does not conflict with airport safeguarding criteria.

Sport England

3.21 As a statutory consultee in respect to the loss and replacement of sporting facilities, Sport England is supportive of the proposals to provide a new, upgraded football stadium for the Club and has raised no objection to the application, subject to provision for the phasing and delivery of the replacement stadium being secured through a section 106 agreement; such a section 106 obligation as well as planning condition are proposed so that this matter is addressed

3.22 However, as a non-statutory consultee, Sport England has raised an objection, commenting that in its view there is the need for community sports facility provision to meet the needs of the proposed residential development. Sport England notes that. *“This position would be reviewed if it was confirmed that appropriate financial contributions would be made towards off-site indoor and outdoor sports facility provision, secured through a section 106 agreement.”* It requests that the Council consider financial contributions towards off-site outdoor and indoor sports facilities to mitigate this impact, taking account of local needs, and refers to its own calculator tools.

Historic England

3.23 A specific area of concern raised at an early stage in the consultation process by Historic England is the potential impact upon the setting of the Grade I listed Church of St Mary, including views of its tower as a prominent and primary local landmark. This has not been raised as a formal objection and is considered to have been adequately addressed through the proposed scheme.

Cadent

- 3.24 Cadent has identified operational gas apparatus within the application site boundary, which may include a legal interest in the land that restricts activity in proximity to Cadent assets in private land. It has been required that the applicant ensures that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance. Cadent has requested that the applicant contacts Cadent's Plant Protection Team to discuss proposed diversions of apparatus.

Anglian Water

- 3.25 Anglian Water has confirmed that the foul drainage from this development is in the catchment of Southend Water Recycling Centre and that the centre has available capacity for these flows. Anglian Water has also confirmed that the submitted relevant Flood Risk and SUDs Assessment documents are acceptable. They have provided a number of informatives to be included in the application.

Essex County Fire and Rescue

- 3.26 It has been outlined that the plans supplied provide insufficient detail to comment on access for Fire Service Appliances. It is therefore not possible to fully confirm compliance at this time and more detailed observations on access and facilities for the Fire Service will be considered on submission of suitable plans at Building Regulation consultation stage. Applicants can decide whether to apply to the Local Authority for Building Control or to appoint an Approved Inspector, to comply with the relevant requirements of the Building Regulations. The applicant has been urged to contact the Water Technical Officer at Service Headquarters regarding water supplies. It has been strongly recommended to adopt a risk-based approach to the inclusion of Automatic Water Suppression Systems.

**Council Responses**

- 3.27 The application has also been extensively reviewed by the Council's relevant technical teams, with their comments summarised in the following paragraphs.

Environmental Health

- 3.28 The EHO has confirmed that no Air Quality condition is necessary as the information provided as part of the application is sufficient.

- 3.29 The EHO has provided responses on key noise risks from the development (4 February, 23 March, 14 May 2021).

- Demolition and Construction Noise and Vibration: Mitigated through a Demolition and Construction Management Plan as required by condition, as well as any application for a Prior Consent.
- Plant Operational Noise: to be controlled by conditions related to noise.
- Traffic Noise: it is demonstrated that desirable internal noise levels can be reached, Certain balconies will be subject to noise levels higher than 50 dB(A), and this is considered inappropriate. A condition requiring specific requirements for noise insulation has been added.

3.30 Conditions are proposed relating to: a Demolition and Construction Management Plan and hours of work; Noise Insulation of Dwellings – Transport Noise; Noise from Residential Building Services and details of alternative means of ventilation and air cooling/heating, ventilation and extract details and mitigation; decontamination and details of all External Illumination of the site.

AECOM on behalf of SSBC as Lead Local Flood Authority (LLFA)

3.31 AECOM has undertaken the review of the Flood Risk and Sustainable Drainage Assessment submitted and confirmed that the LLFA does not object to the planning application (2 January 2021).

3.32 A condition is proposed requiring detailed design of a surface water drainage scheme prior to the commencement of the development.

Design

3.33 The Design Officer provided comments on the proposed development on 27 May 2021.

- Overall Scale and Site Layout: The Officer has commented that the height of the tallest blocks has been reduced during the course of the application but remain significantly higher and larger than the surrounding development. *“The scale and grain of the development generally will, however, be a departure from the prevailing character in this area and therefore a judgement will need to be made on whether benefits of providing new housing on the scale proposed, and the quality of the scheme generally, justifies the impact on the existing character of the site and area.”*
- Longer Views: The Officer has noted that the prominent view of the church from Fairfax Drive (at the junction with Highfield Crescent in particular) will be obscured by the development. This is considered to be contrary to policy and a negative aspect of the proposal overall.
- Relationship with Prittlewell Conservation Area: The demolition of 299 Victoria Avenue will need to be weighed in the balance. This building is recognised in the Prittlewell Conservation Area Appraisal as having the potential to make a positive contribution to the conservation area. Overall, the new buildings in this location will be of a much greater scale than the surrounding development. This will cause a level of harm to the Conservation Area but this is noted as being less than substantial.
- Detailed Design: The success of the scheme will also depend on how well the ground floors of all the blocks relate to pedestrians both in terms of providing an active frontage and the quality of their detailed design and this is particularly highlighted as a requirement in DM4. The ground floors of a number of blocks appear dominated by sizeable lengths of plant and bin and bike stores and this has created significant areas of inactive frontages in key locations.
- Landscaping: Overall the indicative landscaping scheme for the site looks positive. A range of public spaces and public realm is proposed across the site and this will add interest to the scheme and provide attractive pedestrian routes. Detailed design/landscaping of these terraces should be conditioned.

### Highways

- 3.34 Highways officers have considered the information contained within the planning application and a view has been taken of the impacts of the development on the local highway network. Vectos transport consultancy has also independently reviewed the Transport Assessment, highways drawings and transport modelling that were provided by the applicant for the planning application.
- 3.35 It is considered overall that this application accords with the principle of sustainable transport, and that the applicant has demonstrated that the proposed development will not have a severe impact on the highway network. Therefore, there are no objections to this development on highways and transport terms.
- 3.36 The granting of planning permission for this development should be subject to and include the conditions and obligations stated below:
- *CPZ contribution of £10,000 towards consultation on the introduction of a CPZ and the cost of provision if required, payable before first occupation;*
  - *Works to the Fairfax Dr/Victoria Avenue junction, Prittlewell Chase/Fairfax Drive junction as follows;*
    - *Widening the Fairfax Drive approach to the Victoria Avenue signal junction to provide 2 x 3 metre traffic lanes;*
    - *Providing markings for the right turn movements from Victoria Avenue to Fairfax Drive and Priory Crescent in accordance with approved detailed designs;*
    - *Providing two left turn lanes from Prittlewell Chase onto Fairfax Drive;*
    - *TRO and appropriate signage to prevent U turns on Fairfax Drive;*
    - *Or in the event of changes to the baseline situation alternative works with detailed final design and triggers to be agreed, taking into account junction improvement works to be undertaken by the Local Highways Authority pursuant to DfT Levelling up fund submission;*
  - *TRO and signage for entrance of Shakespeare Drive;*
  - *The detailed designs (including relevant road safety audits) of all accesses and egresses into the development and designs of surrounding junctions should be agreed with the Council in line with the final road safety audit approved by the Council;*
  - *No vehicular access to Victoria Avenue other than pedestrian, cycle and emergency access with measures such as rising bollards or equivalent to be agreed with the Council;*
  - *Footways to be provided on both sides of the access from Fairfax Drive;*
  - *Highways Agreement to include a supervision fee of maximum of 10%;*
  - *A detailed car parking management plan and details of electric vehicle charging points be provided to and agreed by the Council prior to the commencement of above ground works of the development;*
  - *A Delivery and Servicing Plan must be provided;*

- *Prior to the commencement of above ground works of the development, a detailed Travel Plan must be submitted to the Council, and approved by the Council;*
- *Travel Packs to be provided to each residential unit, with the ability to be passed down from one occupier to the next;*
- *To provide a car club with two designated bays with two vehicles. These two spaces should have electric charging points provided;*
- *Personalised Journey Planning must be provided to the first occupier of each residential Unit prior to occupation;*
- *Travel Plan monitoring fees should be provided for £3,000 per year for a 5 year period. The trigger for first payment on first occupation of a residential unit;*
- *20% of all car parking spaces to have a charging point installed with the remaining 80% to have passive charging available (ducting ready for electricity cables to put through);*
- *A Construction Management Plan must be provided to and agreed by the Council before any works begin;*
- *A Traffic Management Plan must be provided and agreed by the Council before any works begin.*

#### Economic Development

- 3.37 The response confirms that they are supportive of the scheme in general as it will bring job opportunities for local people and supply chain opportunities for local businesses, and it will also contribute to delivery of new homes in line with the council's ambitions. Certain S106 obligations are proposed with respect to employment and skills cash contributions, local labour and supply chain, the use of South Essex Construction Training Academy as a recruitment route and engagement with the Council's Economic Growth team to make connections into relevant skills and employment.

#### Education

- 3.38 The Education team has advised (16 December 2019) that the application falls within the primary catchment area of The Westborough Academy and secondary catchment area of Chase High School. Chase High School is currently being expanded to meet existing demand and this large development would require the creation of further additional places. Other secondary schools within acceptable travel distances are also either full or have expanded to meet current demand. The catchment primary school is full and on a site too small to expand, but another local primary school might be able to create additional places but accommodation re-modelling could be required. Therefore, funding to assist with the impact of this development on demand for places at Chase High School, Cecil Jones Academy and Southchurch High School has been requested.

#### Parks and Open Spaces

- 3.39 The Environmental and Green Space Project Officer provided a response to the application (23 December 2020). The Officer outlined that "Details of soft landscaping should be agreed before development occurs to ensure suitability and species selection which are known to provide benefit to wildlife. Additionally, there is potential to include other biodiversity enhancing measures such as bird boxes, bat boxes etc. within the development."

Archaeology

- 3.40 Southend Museums Service provided comments on the application (27 January 2021). They have raised concerns on the impact of the development on the potential archaeological significance within Prittlewell Conservation Area and has proposed that archaeological investigation is undertaken before any work can commence, with trial trenching and a watching brief.

Waste

- 3.41 Waste Management has responded on 25 February 2020 that the Full Waste Management Plan should be submitted to meet SSBC's Waste Management Plan/Document and in accordance with the Outline Plan submitted.

Housing

- 3.42 The Strategic Housing Team has provided responses on the proposed housing (27 May 2021, 1 June 2021, 6<sup>th</sup> October 2021 ).

- Affordable housing: confirms that the proposed level of affordable housing is policy compliant and the housing mix is acceptable.
- Tenure split: The Strategic Housing Team is supportive of the 100% affordable rented proposal, given local need and the substantial need for affordable rented accommodation as demonstrated by the pressure on the Council's Housing Register.

**4.0 Relevant Planning History**

- 4.1 The recent planning applications deemed relevant to the proposed development can be found in Table 4.1 below.
- 4.2 Of most note, an Outline permission was granted in June 2011 for the mixed-use redevelopment of the stadium site and the adjacent Prospects College site on Fairfax Drive to provide 275 residential units, a food store and stand-alone retail units (ref: 07/0111 /OUTM). The S106 agreement was signed, reserved matters were approved and some of the conditions were discharged. However, the permission was never implemented and has now expired.

**Table 4.1: Relevant Planning History for Roots Hall Stadium**

<b>Application Reference</b>	<b>Site</b>	<b>Description</b>	<b>Decision and Date</b>
06/01335/OUT	Prospects, Fairfax Drive, 25 Roots Hall Av, 299, 301, 341-365, 1-37 St Marys Court, Roots Hall Victoria Avenue Southend-On-Sea	Demolish football stadium, flats, shops and college; redevelop site with retail food store at first floor level (9290 sq. Metres); and development of up to 7 storeys incorporating 402 residential units including affordable housing, 8 retail units (Class A 1), fitness club,  lay out parking spaces and servicing area, associated landscaping and form vehicular accesses onto Fairfax Drive, Victoria Avenue and Roots Hall Avenue (Outline)	Refused 13 April 2007
07/01111/OUTM	Prospects, Fairfax Drive, 25 Roots Hall Av, 299, 301, 341-365, 1-37 St Mary's Court, Roots Hall, Victoria Avenue	Demolish football stadium, flats, shops and college; redevelop site with retail food store at first floor level (10, 113sqm); and petrol filling station with kiosk, two standalone units fronting Fairfax Drive for class A3, M, B1 and 01 uses, a total of 272 residential units comprising flat, semidetached and terraced houses	Allowed following Call In Inquiry June 2008  Granted 24 June 2011

19/01985/FULM Roots Hall

		(including affordable housing), layout parking spaces (some below buildings) and lay out security areas, form vehicular accesses/ egresses onto Fairfax Drive, Roots Hall Avenue and Victoria Avenue and modify access to Shakespeare Drive for emergency pedestrian only access, lay out associated landscaping and erect retaining walls to southern part of site.	
11/01540/RE SM	Prospects, Fairfax Drive, 299, 301, 341-365, 1-37 St Mary's Court, Roots Hall, Victoria Avenue	Demolish Football Stadium, Flats, Shops and College; Redevelop Site with 3 storey Retail Food Store, 6,976m2 (net) retail floorspace); incorporating parking and associated servicing at ground floor level, sales area at first floor level and staff facilities at mezzanine level, erect Petrol Filling Station with kiosk, cycle parking, form vehicular accesses/ egresses onto Fairfax drive, Roots Hall Avenue and Victoria Avenue and modify access to Shakespeare Drive for emergency and pedestrian only access, lay out associated landscaping and erect retaining walls to southern part of site (Approval of Reserved Matters following grant of outline permission (07 /01111/OUTM dated 24/06/2011).	Granted 11 July 2013
12/00620/OUTM	Prospects, Fairfax Drive, 299,301,341-365, 1-37 St. Mary's Court, Roots Hall, Victoria Avenue	Application for removal of Condition 03 (amount of car parking), Condition 20 (units 1 and 2 to be used as A3/A4/D1 uses only) and Condition 40 (maximum floorspace restricted to 10, 113sqm	Granted



19/01985/FULM Roots Hall

		gross) of planning permission (07/01111/OUT dated 24/06/11).	
18/00810/FULM	10 Fairfax Drive Westcliff-On- Sea Essex SS0 9AG	Demolish existing buildings, erect three blocks of three, four and five storeys comprising of 92 self-contained flats with balconies and parking at ground floor level, landscaping, amenity space, associated works including highway alterations and alteration of existing access onto Fairfax Drive (Amended Proposal).	Granted 10 April 2019

## 5.0 Planning Policy Summary and Material Considerations

### Development plan

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that development proposals must be determined in accordance with the development plan unless material considerations indicate otherwise. The relevant development plan for Southend comprises the Core Strategy (2007), the Development Management Document (2015), and Southend Central Area Action Plan (SCAAP, 2018), noting that relevant saved policies in the Borough Local Plan First and Second Alterations (1994 and 1999) have been superseded by policies within these documents.
- 5.2 The Core Strategy is dated 2007 and was adopted prior to the current NPPF (2021) and previous versions (2012, 2018 and 2019). The NPPF (Para. 74) confirms that Local Planning Authorities should maintain an up-to-date Housing Land Supply using the standard methodology set out in national guidance.
- 5.3 Similarly, the Development Management Document (2015) was adopted pursuant to the Core Strategy and prior to the three latest iterations of the NPPF (2018, 2019 and 2021). The SCAAP was adopted within the last five years (in 2018)..
- 5.4 The Essex Waste Plan (2017) also forms part of Southend's development plan, but this includes no relevant policies for the consideration of this application.

### Emerging Plans

- 5.5 A New Southend-on-Sea Local Plan - *Planning for Growth and Change*, is in preparation with an Issues and Options paper the subject of consultation between February and April 2019. The next stage of plan preparation is Refining Options, is taking place in Q3 of 2021. The publication of a Preferred Approach consultation document is due to follow in Q3 2022 with the proposed submission of the Local Plan to the Secretary of State for Examination estimated for Q4 2023. These timescales are subject to approval and may change.
- 5.6 However, the very early nature of this document is noted and given this (in particular, its pre-examination status), and in accordance with the guidance in the NPPF (paragraph 48), no weight is given to this emerging Plan in the consideration of this application.
- 5.7 The Council, along with Basildon, Brentwood, Castle Point, Rochford, Thurrock and Essex County Council, are preparing a South Essex Joint Strategic Framework, but to date no formal consultation has been carried out. Again, no weight is given to this emerging document in the consideration of this application.

### Material Considerations

- 5.8 Several other strategic and local documents are material to this application. The National Planning Policy Framework ("NPPF"), Planning Practice Guidance ("PPG") and National Design Guide (2019) documents set out Government policies and explain how they should be applied. The Council's Design and

Townscape (2009); its Streetscape Manual (2015); and its Planning Obligations, A Guide to Section 106 and Developer Contributions (2015), are relevant material considerations. In addition, the Council's Southend Car Parking Strategy (2018) provides relevant guidance, and is material to the determination of this application.

**Development Plan Policy**

5.9 A full schedule of development plan policies relevant to the application proposals is provided at **Appendix 2**. This includes an appraisal of the proposals against each policy objective. The policies inform the key planning considerations that are identified and assessed in Section 6.0 of this report, where the outcome of this appraisal is referenced.

5.10 The ability of the application proposals to satisfy the detailed requirements of this policy will help inform an appraisal of the scheme's contribution towards satisfying other wider policy objectives in the Plan. The Council's Spatial Strategy and Development Principles (Policy KP1 and KP2 of the Core Strategy) are also considered to be particularly relevant.

Core Strategy (2007)

5.11 Relevant policies:

- Policy KP1 – Spatial Strategy
- Policy KP2 – Development Principles
- Policy KP3 - Implementation and Resources
- Policy CP1 – Employment Generating Development
- Policy CP2 - Town Centre and Retail Development
- Policy CP3 – Transport and Accessibility
- Policy CP4 – The Environment and Urban Renaissance
- Policy CP6 – Community Infrastructure
- Policy CP7 – Sport, Recreational and Green Space
- Policy CP8 – Dwelling Provision

Development Management Document (2015)

5.12 Relevant policies:

- Policy DM1 – Design Quality
- Policy DM2 – Low Carbon development and Efficient use of Resources
- Policy DM3 – The efficient and effective use of land
- Policy DM4 – Tall and Large buildings
- Policy DM5 – Southend-on-Sea's Historic Environment
- Policy DM7 – Dwelling mix, size and type
- Policy DM8 – Residential standards
- Policy DM10 – Employment Sectors
- Policy DM14 - Environmental Protection
- Policy DM15 – Sustainable Transport Management

Southend Central Area Action Plan (SCAAP) (2018)

5.13 Relevant policies:

- Policy DS2 – Key Views
- Policy DS3 – Landmarks and Landmark Buildings
- Policy DS4 – Flood Risk management and sustainable Drainage

Policy DS5 – Transport Access and Public Realm  
Policy PA8 - Victoria Gateway Neighbourhood Policy Area Development Principles

5.14 The entirety of the site is located within the Victoria Gateway Neighbourhood policy area. Policy PA8, which is the site-specific policy for the policy area, states:

*“1. The Council, through its role in determining planning applications and other initiatives, will:*

- a. look favourably on high quality developments and schemes which can demonstrate that they will contribute to the transformation of this area into a vibrant community, which is integrated with the surrounding neighbourhood and set within a remodelled built form of a quality that befits this key gateway to the Town Centre;*
- b. ensure all development within and adjacent to Prittlewell Conservation Area, seeks to conserve and enhance the heritage assets and repair gaps in the frontage along Victoria Avenue, realising the potential of the backland area to the rear of Victoria Avenue (west side 255-289) as a ‘Lanes’ style development, promoting specialist and independent industries, associated small scale businesses and ancillary residential units;*
- c. consider the provision of additional education facilities based on an assessment of expansion needs when and where appropriate development opportunities arise;*
- d. promote energy efficiency as appropriate, including opportunity for decentralised energy supply, and the retrofit of existing development in line with local policy;*
- e. use its enforcement and other powers to reduce the damage to amenities and the environment resulting from long term vacant and derelict land and buildings;*
- f. promote the provision of easily accessible new social and community infrastructure, such as doctor and dental surgeries, nurseries and community hubs;*
- g. promote enhanced cultural facilities to complement the Beecroft Centre, the Central Museum Building and the former Water Board site on North Road;*
- h. ensure that housing development including mix and tenure is delivered in line with Development Management Policy DM7 – Dwelling Mix, Size and Type;*
- i. seek to conserve existing landmark buildings and ensure new development respects views to and from them, their setting and character, in line with Policy DS3: Landmarks and Landmark Buildings.*

*2. There is potential for archaeological deposits within the area of Nazareth House and Roots Hall and as such developers should have regard to Policy DM5 – Southend-on-Sea’s Historic Environment of the Development Management Document.*

3. The Council will promote the following access and public realm improvements, addressing the principles of the Streetscape Manual SPD and any future masterplan for the area where applicable:

- a. a priority public transport route linking Southend Central Area with London Southend Airport and adjacent development areas;
- b. appropriate enhancements to North Road, including new civic space at the junction with Chelmsford Avenue, to improve the residential environment, provide for walking and cycling, and improve linkages to West Street local shopping centre, and cultural and community facilities on North Road, including Prittlewell Chapel;
- c. public realm improvements to the Victoria Avenue service road in association with development proposals within Opportunity Site PA8.1;
- d. public art provision to buildings, public and private spaces;
- e. full integration with the surrounding area through the provision of pedestrian and cycling routes, to improve access and linkages. Provision for mixed mode - pedestrian and cycle priority route along Victoria Avenue between Queensway dual carriageway and Harcourt Avenue;
- f. urban greening projects linked to the green grid, including planting and the creation of new public and private green space within new development;
- g. enhancement of the existing Civic Space (including the Holocaust Memorial) on the east side of Victoria Avenue between the Civic Centre and Law Courts, and its integration with the broader area;
- h. Junction improvements at along Victoria Avenue at Fairfax Drive, East Street/ West Street, Carnarvon Road and Great Eastern Avenue and provide an enhanced public realm complemented by soft landscaping and planting.”

5.15 As outlined above, the table at **Appendix 2** sets out the relevant policies in more detail and provides a commentary to assess how the proposed development relates to the policy objectives in turn.

### **Other Material Considerations**

#### National Planning Policy

5.16 The National Planning Policy Framework (July 2021) sets out the Government's planning policies and explains how they should be applied. It states that the purpose of the planning system is “to contribute to the achievement of sustainable development” (paragraph. 7). Paragraph 8 sets out the three dimensions of sustainable development; ‘economic’ in helping to build a strong, responsive and competitive economy, ‘social’ in supporting strong communities and providing the supply of housing required for present and future generations, and ‘environmental’ in protecting and enhancing the environment.

5.17 Fundamental to the assessment of this application the NPPF identifies a presumption in favour of sustainable development (paragraph 10). Plans and local decisions should apply this presumption in favour of sustainable development, and where development proposals accord with an up-to-date plan,

they should be approved without delay (paragraph 11c). Where policies which are most important for determining the application are out-of-date, including where the Housing Delivery Test indicates that the delivery of housing was substantially below the housing requirement over the previous three years, or where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74)– both of which are the case for Southend Borough Council, paragraph 11d goes on to state that planning permission should be granted unless “*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*”

- 5.18 Also fundamental to the assessment of this application, Paragraph 60 states that to support the Government’s objective of “*significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.*” Paragraph 64 goes on to support the re-use of brownfield land.
- 5.19 Under the economic dimension of sustainable development, paragraph 81 confirms that significant weight should be placed on supporting applications for economic growth and productivity, considering local business needs and the wider opportunities for development. Linked to this, paragraph 86 relates to the vitality of town centres, confirming “*planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation*”.
- 5.20 Under Paragraph 120 the NPPF requires decision makers to “*give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs...*”.
- 5.21 Design is highlighted as an important aspect of planning decision-making, with Paragraph 126 of the NPPF confirming 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*”. Planning decisions should ensure developments function well over the lifetime of the development; are visually attractive; sympathetic to local character and history; establish or maintain a strong sense of place; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible.
- 5.22 The NPPF states under Paragraph 159 that “*inappropriate development in areas at risk from flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere*”.

- 5.23 Section 9 of the NPPF entitled, 'Promoting Sustainable Transport', highlights a need for developments to encourage walking, cycling and public transport use. Proposals should create places that are safe, secure and attractive; should take into account the delivery of goods and access from emergency services and; incorporate charging of plug-in and low emission vehicles in safe, accessible and convenient locations. Paragraph 108 refers to parking standards and confirm, *"maximum parking standards for residential or non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in the city and town centres and other locations well served by public transport"*.
- 5.24 With regard to traffic impact, Paragraph 111 makes it clear that *"Development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe"*.
- 5.25 Paragraph 174 emphasises the need to conserve and protect the natural environment. Planning decisions should *"prevent new and existing development from contributing to, and being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality..."*. In paragraph 179 of the NPPF, it states that LPAs should aim to conserve and enhance biodiversity during plan making. Paragraph 180 sets out several principles that should be applied during determination. One of the principles is that 'opportunities to incorporate biodiversity improvements in and around developments should be encouraged'.
- 5.26 With reference to heritage assets, the NPPF continues at Paragraph 189, that *"these assets are an irreplaceable source, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations."* In determining proposals, local planning authorities should require an applicant to describe the significance of any heritage assets affected. *"Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise...to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal."*
- 5.27 Paragraph 201 confirms that *"Where a proposed development will lead to substantial harm to .... a designated heritage asset, local authorities should refuse consent, unless it can be demonstrated that the substantial harm .... is necessary to achieve substantial public benefits that outweigh that harm."*
- 5.28 Paragraph 202 confirms that where harm is less than 'substantial', this should be weighed against the public benefits of the proposal. Effects on non-designated heritage assets also should be considered (Paragraph 203) in the overall balance.

National Planning Practice Guidance

- 5.29 The online Planning Practice Guidance (PPG), originally introduced in March 2014, sets out guidance on the interpretation and implementation of the policies within the NPPF. This includes further detail on topics including town centre and retail, flood risk, waste and noise, among others, which are periodically updated or expanded.

National Design Guide (2019)

- 5.30 The National Design Guide forms part of the Government's collection of planning practice guidance, and details what the Government considers 'good design' means in practice. As such it represents a relevant material consideration for the planning application. The Design Guide identifies ten characteristics that contribute to well-designed and well-built places. Paragraph 35 of the Guide states that "*well-designed places have individual characteristics which work together to create its physical character. The ten characteristics help to nurture and sustain a sense of Community. They work to positively address environmental issues affecting Climate. They all contribute towards the cross-cutting themes for good design set out in the National Planning Policy Framework.*"

The ten characteristics are:

- Context: Well-designed places should enhance the surroundings;
- Identity: Proposals should be attractive and distinctive;
- Built Form: Schemes should adopt a coherent pattern of development with compact permeable layouts;
- Movement: Schemes should be accessible and easy to move around;
- Nature: Opportunities to enhance and optimise natural assets should be grasped;
- Public spaces: Spaces should be safe, social and inclusive;
- Uses: Proposed land uses should be mixed and integrated;
- Homes and buildings: Development should be functional, healthy and sustainable;
- Resources: Well-designed spaces should be efficient and resilient reducing their resource requirements (including land, energy and water); and,
- Lifespan: Well-designed spaces should be made to last.

Technical Housing Standards – nationally described space standard (2015) and Technical Housing Standards Policy Transition Statement (2015)

- 5.31 These documents set out the internal space standards that developments are required to meet where new dwellings are being provided and the transitional processes for implementing these standards.

Planning (Listed Building and Conservation) Act 1990

- 5.32 Section 72 (1) of the Planning (Listed Building and Conservation Area) Act 1990 states that in determining a planning application special attention should be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Section 66 (1) of this Act states for in determining a planning application development which affects a Listed Building or its setting that special



regard shall be had to the desirability and preserving the building or its setting or any feature of special architectural interest that it possesses.

Design and Townscape Guide (2009)

- 5.33 The Council's Design and Townscape Guide is a relevant material consideration for the consideration of this planning application.
- 5.34 The overarching principle of the Guide is for new developments, renovations, streets and urban spaces to be of a high-quality design and of a sustainable nature, whilst safeguarding and enhancing local character. New developments should be designed to allow access for all; conserve and enhance built heritage and natural resources; whilst not increasing the risk from climate change and flooding.
- 5.35 Development in Southend should create a quality, sustainable urban environment, where there is a diversity of activity. Creative design should be used to achieve sustainable development, whilst making the best use of previously developed land and improving the quality and attractiveness of residential and commercial areas.
- 5.36 The Guide recognises that through development, there can be opportunities to improve pedestrian, cycle and vehicular access. By creating new links and improving existing links, the use of sustainable modes of transport can become more attractive.
- 5.37 Another key aspect in the Design and Townscape Guide is the recognition of the importance of protecting and enhancing existing local landmarks and the setting of historic buildings. Views contribute to the character of an area and new developments should open views where possible to increase legibility and help integrate the scheme with the surroundings. Conservation Areas should also be preserved or enhanced, with the Guide recognising the importance of the layout, density and scale of buildings within any new proposal, as well as the relationship of open space, gardens and trees to buildings and streets. Views into and out of an area, focal points, roads, building alignments and landscape features are other aspects that can contribute to an area's character, and it is important these aspects are maintained in proposals.
- 5.38 Large mixed-use development schemes will be expected to include as part of masterplans, an area of public open space that can be used by the wider community. The document recognises that a well-designed open space which is well designed and landscaped and has a clear function can play a significant role in the creation of a sustainable community. There is a general presumption against developments which lead to the loss of existing open space. The contribution of open spaces to biodiversity is another key area for consideration, achieved through careful landscaping.
- 5.39 With regards to car parking, the Design and Townscape Guide advises that developers should be able to demonstrate that the level of parking provision proposed is adequate and does not visually dominate the scheme. In all types of development, cycle parking should be provided that is safe, secure and weatherproof.

Streetscape Manual (2015)

- 5.40 The Guide aims to reinforce the identity of the Borough by providing a consistent and high quality approach to the design of new and existing streets in the Borough. It applies the “remove, relocate, rethink” principles to all new and existing schemes to provide a clutter-free environment, make the Borough’s streets and public realm safe and accessible for all. It recognises the needs of vulnerable road users and encourages walking, cycling and other sustainable modes of transport; it seeks to improve the street environment for residents helping to attract visitors to the town and promote the regeneration of the Central Area, whilst also enhancing the Borough’s Green Infrastructure.
- 5.41 The SPD provides guidance to encourage development proposals to “*strike a balance between reducing unnecessary street clutter and hazards, encouraging personal responsibility and community interaction, whilst maintaining the necessary movement of people in and out of vehicles. Where appropriate, the mixing of modes should be encouraged, giving priority to the most vulnerable road users, promoting accessibility to all areas in Southend in a safe, easily navigable way.*”

Planning Obligations: A Guide to Section 106 and Developer Contributions (2015)

- 5.42 This Guide sets out the Council’s approach and priorities in regard to planning obligations and how Section 106 obligations, CIL, planning conditions and Section 278 agreements work together to help achieve sustainable development. The document also provides clarity on what infrastructure will be secured through these mechanisms.
- 5.43 The document notes that for commercial schemes improvements to transport networks and the wider public realm are likely to be required to serve both employees and other users, while for residential schemes this could include provision to meet increased demands for education and training, health facilities, arts and culture, open space and leisure. A Section 106 Agreement can also secure the provision of affordable housing.

Southend Car Parking Strategy (2018)

- 5.44 The Council commissioned consultants to produce a Borough-wide Parking and Access Strategy for Southend. The document, published in April 2018, sought to identify how Southend could provide the best experience for residents and visitors to the Borough, with regard to embracing new technologies and car park management techniques.
- 5.45 As part of its appreciation of prevailing conditions, it confirmed that Southend Central Area has 2,562 spaces in key visitor car parks, serving the Central Seafront and Town Centre. In addition, an additional 580 paid for spaces on street or in private car parks to the south of Southend Central Area were identified. Reference is made to the Gas Works site on the Eastern Esplanade that the Council acquired and has converted to a car park, to provide approximately 200 additional spaces. The Report also acknowledges the presence of 2,800 spaces to the north of the Central Area that had the potential to be used by visitors; but in a less convenient location. It concludes that car parking provisions within and

around Southend is relatively high, with visitors likely to be able to find a space except for busy peak days when there is a shortage of capacity close to seafront tourist attractions.

5.46 With this background established, the Strategy presents a series of Objectives for the Borough, to be incorporated with a Visitor Access and Parking Management Plan.

5.47 Objective 1 of the strategy places its focus on reducing demand for parking by residents in key visitor car parks on peak days and congestion hot spots, encouraging walking, cycling and public transport as alternatives. Objective 2 seeks to improve Communications with travellers before they leave for Southend providing visitors with an online parking map, improved information on the Council's parking page, improved information and links to journey planners and car parks. Objective 3, aims to improve travel information for visitors during their trip with improved signage at car park entrances, VMS, local area maps for pedestrians at exit points and payment machines. Objective 4 aims to provide a designated traffic management response crew on busy visitor days to manage the circulation of traffic at key junctions. Objective 5 proposes better collection of data of visitor behaviours to allow for a better understanding of the flows of visitors to Southend. Objective 6 considers improved access options such as bike shared docking stations, seafront bus route, seafront pedestrian/cycle route, cycle route signage, highways work, and improved walking routes. Finally, the Strategy proposes to increase its seasonal park and ride offer (Objective 7).

5.48 The Strategy also proposes a detailed signage strategy, to improve better direct drivers to the most appropriate car parks, especially on days of high demand.

Local Transport Plan (LTP3) (2011-2026, revised 2015)

5.49 This document has been devised after consultation with local transport companies, residents and transport user groups. It contains policies that aim to reduce congestion in Southend and to develop economic and environmental growth.

Vehicle Crossing Policy & Application Guidance (2014)

5.50 This document sets out the policy and approach to providing vehicle crossings in development proposals.

Community Infrastructure Levy (CIL) Charging Schedule (2015)

5.51 The Community Infrastructure Levy (CIL) is a charge on new development to help fund infrastructure such as transport schemes and schools, which the Council, local community and neighbourhoods require to support growth from development. CIL is governed by the CIL Regulations 2010 (as amended). The Charging Schedule was adopted on 27 July 2015.

Waste Storage, Collection and Management Guide for New Developments (2019)

5.52 The purpose of this Guide is to provide an outline of the waste storage, collection and management criteria that developers should be applying to new developments in Southend.

Historic England: GPA3 – The Setting of Heritage Assets (2017)

5.53 This document sets out guidance, against the background of the National Planning Policy Framework (NPPF) and the related guidance given in the Planning Practice Guide (PPG), on managing change within the settings of heritage assets, including archaeological remains and historic buildings, sites, areas, and landscapes.

5.54 It gives general advice on understanding setting, and how it may contribute to the significance of heritage assets and allow that significance to be appreciated, as well as advice on how views contribute to setting.

Essex Coast Recreational Avoidance Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) (2020)

5.55 The SPD considers the impact of development on Designated Habitats Sites with a potential to have an impact on the birds. All new homes within the Zone of Influence are required to pay a tariff per dwelling to contribute to the Essex Coast RAMS and mitigate likely significant effects from recreational disturbance.

## 6.0 Planning Appraisal

6.1 Within the context of prevailing Development Plan policy (outlined in **Appendix 2**) and with due regard to other material considerations, that include additional Policy Guidance, planning history and consultee comments, the following key planning considerations relevant to this planning application have been identified. Each is addressed in turn.

- 1) **Principle of Development**
- 2) **Housing mix, type and standards**
- 3) **Transport and accessibility**
- 4) **Parking**
- 5) **Design and landscaping**
- 6) **Townscape and Visual Impact**
- 7) **Heritage and archaeology**
- 8) **Residential amenity**
- 9) **Socio-economic impacts**
- 10) **Ecology and biodiversity**
- 11) **Sustainability and energy strategy**
- 12) **Other environmental matters**

### 1) Principle of Development

6.2 The site is subject to range of planning policies including the Victoria Gateway Neighbourhood Policy Area Development Principles (Policy PA8). The overarching aim within the policy area PA8 is to create an attractive and vibrant gateway to the town centre through high standard of design, improved connections and accessibility and urban greening techniques. Central to this is an attractive area in which to live, where residents will benefit from the sustainability of the location and the celebration of Prittlewell Conservation Area. The planning application directly addresses these aspirations, by unlocking the potential of the site in a way that makes the most out of its sustainable location. As a residential-led development the application does not seek to introduce competing uses to the Victoria Avenue frontage, and by introducing additional population will assist in supporting and regenerating existing commercial activities.

### **Residential**

6.3 Subject to ensuring no loss of sporting and recreational facilities the principle of residential-led redevelopment at the application site is strongly supported by planning policy at all levels and should carry significant weight in the assessment of the application.

- 6.4 Paragraph 119 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.”*
- 6.5 Paragraph 121 of the NPPF states *“Local planning authorities, and other plan-making bodies, should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them.”*
- 6.6 The site falls within Southend Central Area. Within the Core Strategy, Policy KP1 identifies Southend Central Area as the primary focus for regeneration and growth within Southend, including for the provision of *“at least 2,000 additional homes.”* Making the best use of previously developed land is promoted via Policy KP2 and Policy CP8 of the Core Strategy, the latter confirming that *“Provision is made for 3,350 net additional dwellings between 2001 and 2011 and for 3,150 net additional dwellings between 2011 and 2021.”*
- 6.7 Within Southend Central Area, the SCAAP outlines the Council’s Vision and Strategic Objectives for the Area. The Strategic Objectives include (No.3) to *“increase the number and diversity of people living within Southend Central Area and its Gateway Neighbourhoods by building more homes and ensure that living in the area becomes appealing to more families with children, supported by social and community infrastructure that contribute to reducing inequalities in health and wellbeing and support all ages to lead independent lives and live healthy lifestyles”.*
- 6.8 This support is carried over in the specific policy for the site (SCAAP Policy PA8). The SCAAP identifies the entirety of the application site as falling within the Victoria Gateway Neighbourhood Policy Area (Policy PA8). The Policy confirms that the Council will *“look favourably on high quality developments and schemes which can demonstrate that they will contribute to the transformation of this area into a vibrant community, ensure all development within and adjacent to Prittlewell Conservation Area repair gaps in the frontage along Victoria Avenue and ensure that housing development including mix and tenure is delivered in line with Development Management Policy DM7 – Dwelling Mix, Size and Type.”* The policy continues to state that *“The Council will promote full integration with the surrounding area through the provision of pedestrian and cycling routes, to improve access and linkages, the creation of new public and private green space within new development.”*
- 6.9 Given the Core Strategy is more than five years old, pre-dating the NPPF, policy related to the number of homes required to be delivered is out-of-date. Accordingly, the Standard Method (December 2020) should be considered. This increases the annual housing need of the Borough to 1,181 homes, compared to the targeted 325 dwellings per annum stated in Core Strategy Policy CP8, representing a 263% increase and highlighting the pressing need for housing within the Borough. The Housing Delivery Test (HDT) was introduced as part of the National Planning Policy Framework (NPPF, 2019), which showed that for

Southend the delivery rate as of March 2018 was 49% of the assessed needs. Because this result was below the 95% threshold SSBC prepared an Action Plan to help improve its performance in this respect. The Action Plan (2019) prioritises housing delivery corporately by promoting Southend as a location for sustainable growth and attracting developers and large-scale housebuilders, who could boost delivery. The HDT 2020 now identifies that Southend delivered 36% of its homes and is now in an automatic presumption in favour of sustainable development.

- 6.10 The application proposes the erection of 502 new homes (use class C3) in nine buildings, associated car and cycle parking, amenity space, landscaping and highways works for vehicular access. Thus, the proposed development will make a substantial contribution towards providing additional homes, including policy compliant number of affordable homes. The proposed development makes effective use of land and will redevelop a previously developed site in a highly accessible and sustainable location. The principle of redeveloping the site for a residential-led mixed use development of this residential quantum is therefore fully acceptable and strongly supported.

**Loss of Roots Hall Stadium**

- 6.11 Core Strategy Policy CP7 *Sport, Recreation and Green Space* seeks to safeguard all existing sport facilities from loss or displacement to other uses, except where it can be clearly demonstrated that alternative facilities of a higher standard are being provided. It continues that “*Any alternative facilities provided in accordance with the above considerations will be required to be provided and available for use before existing facilities are lost.*”
- 6.12 Whilst Roots Hall is not a public sports facility, its loss is still highly relevant in the planning consideration of this development proposal. This scheme is however submitted along with a proposal for a new stadium, which it is expected SUFC would relocate to the Fossetts Farm site, and which is applied for in parallel to this application. The two associated applications are considered together as one whole project where relevant for the purposes of the ES assessment but are each subject to separate determinations.
- 6.13 The SUFC Stadium relocation is in principle supported by relevant SSBC policy. Policy KP1 *Spatial Strategy*, which identifies Fossetts Farm as a key Priority Urban Area, states that “*The relocation of Southend United Football Club Stadium to Fossetts Farm area will be supported in principle.*”
- 6.14 The proposed new SUFC Stadium will be a significant improvement upon the existing facilities. The Fossetts Farm development proposes the creation of a phased stadium delivery which ultimately could see an increased capacity to 21,000 seat Stadium with ancillary uses, which include a Stadium shop and a café/restaurant. The new Stadium is proposed to be a contemporary high standard sporting facility which will demonstrably better cater to the Club’s operational and financial needs.
- 6.15 Loss of use and demolition of the existing Roots Hall Stadium will not be permitted, unless and until the phase I of the new Fossetts Farm Stadium is ready and available and in use for football matches providing additional capacity of 13,893 in comparison to the existing facility. This principle will be secured by

planning condition and S106 obligation to ensure the retention of an operational Stadium (Retention of operational stadium until Fossetts Farm is available for use).

**2) Housing mix, type and standards**

**Housing mix**

6.16 Policy DM7 of the Development Management Document states “*all major residential development is expected to provide a dwelling mix that incorporates a range of dwelling types and bedroom sizes, including family housing, where feasible, to reflect the Borough’s housing need and housing demand.*” Policy DM7 sets out the preferred dwelling mix for developments within the Borough, as follows:

**Table 6.1 Dwelling mix market housing – Policy DM7, Development Management Document**

Dwelling size	1-bed	2-bed	3-bed	4-bed
Proportion	9%	22%	49%	20%

6.17 The preferred dwelling mix reflects the recommendations set out in the Strategic Housing Market Assessment (2013) and reflects the preferred mix across the entirety of the Borough. Policy DM7 requires that reasons for significant deviation from this mix are justified and demonstrated to the Council.

6.18 However, more recent evidence in the form of the Addendum to the South Essex SHMA (2017) proposes the below unit mix:

**Table 6.2 Dwelling mix – SHMA**

Dwelling size: No. of bedrooms	1-bed	2-bed	3-bed	4-bed
Proportion of dwellings	18%	30%	35%	17%

6.19 The proposal seeks to provide the following dwelling mix, strongly aligned to the most recent figures from the SHMA Addendum:

**Table 6.3 Proposed dwelling mix**

Dwelling size: No. of bedrooms	1-bed	2-bed	3-bed	4-bed	Houses/Duplex
Proportion of dwellings	27%	31%	28%	11%	3%

6.20 The above mix will contribute to addressing the requirement for 2-bed, 3-bed and 4-bed properties, as well as providing 1-bed units for smaller households. The majority of the residential units are proposed to be flats within the various blocks, with some terraced housing.



6.21 Overall, taking into account the above, the proposed housing mix is considered to be responsive and appropriate, makes the best use of the land and provides a significant contribution to local housing need.

**Affordable housing**

6.22 In terms of affordable housing, Policy CP8 of the Core Strategy states that residential development proposals will be expected to contribute to local housing needs, including affordable and that the *“Borough Council will... enter into negotiations with developers to ensure that... all residential proposals of 50 dwellings or 2 hectares or more make an affordable housing or key worker provision of not less than 30% of the total number of units on site.”*

6.23 Where affordable housing is provided, Policy DM7 of the Development Management Document identifies that an “indicative tenure mix” of 60:40 between social and/or affordable rented and intermediate housing is sought. The target mix is set out in the table below. The Policy recognises that applications may depart from the stated mix and tenure mix and notes that where an alternative is considered appropriate applicants *“will be required to justify to the satisfaction of the Council, a more appropriate mix. The Council will take into consideration factors such as the latest available affordable housing evidence, the site context and viability amongst other things.”*

**Table 6.4 Dwelling mix affordable housing – Policy DM7, Development Management Document**

Dwelling size: No. of bedrooms	1-bed	2-bed	3-bed	4-bed
Proportion of dwellings	16%	43%	37%	4%

6.24 The level of affordable housing proposed aligns with the level indicated at Policy DM7 that requires provision of 30% affordable homes, which equates to 152 units for this development. The applicant proposes that all 152 affordable homes are affordable rented. The Strategic Housing Team is supportive of this proposal given the substantial need for /affordable rented accommodation and need in the local area as demonstrated by the pressure on the Council’s Housing Register. Furthermore, the Victoria Avenue area has seen several shared ownership schemes come forward in recent years, and the proposal is therefore a welcome contribution to the mix of tenures in this part of the borough.

6.25 The affordable housing mix is proposed as below and has been agreed in consultation with the SSBC Housing Team.

**Table 6.5 Proposed affordable dwelling mix**

Dwelling size: No. of bedrooms	1-bed	2-bed	3-bed	4-bed	3-bed house	4-bed house
Proportion of dwellings	30%	31%	24%	9%	2%	4%

6.26 The Strategic Housing Team is supportive of the proposed dwelling mix which is focused towards one and two bedroom dwellings (drawn from HR data). One and

two bedroom dwellings are in the most demand as evidenced by the Council's Housing Register Data.

6.27 The Design and Access Statement submitted confirms that *“the appearance and materials used between Private and Affordable will be tenure blind.”* The affordable homes will be distributed across four residential blocks as per Table 6.6. The affordable homes will comprise of flats in Blocks A1, B1, C1,C2,C3 and terraced houses in Block A4. Construction phase 1 will deliver more than 30% affordable homes (106 units) and phase 2 (46 units). Which in total equates to 30% AH provision for the development.

**Table 6.6 Affordable dwelling distribution**

Dwelling size: No. of bedrooms	1-bed	2-bed	3-bed	4-bed	3-bed house	4-bed house	Total
A1	25	29	29	13			<b>96</b>
A4					4	6	<b>10</b>
C1	6	10	3				<b>19</b>
C2	8	6	1				<b>15</b>
C3	7	2	1				<b>10</b>
B1			2				<b>2</b>
<b>Total</b>	<b>46</b>	<b>47</b>	<b>36</b>	<b>13</b>	<b>4</b>	<b>6</b>	<b>152</b>

6.28 The quantum and mix of affordable housing provision is acceptable and policy compliant, as secured by the relevant S106 obligation.

**Housing Standards and Amenity Space**

6.29 Paragraph 130 of the NPPF states that planning decision should ensure that developments *“create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users...”*. The Nationally Described Space Standards establish internal space standards.

6.30 Policy DM1 states that the Council will support good quality, innovative design that contributes positively to the creation of successful places. This requires all development to add to the overall quality of the area and respect the character of the site. It must contribute positively to the space between buildings and their relationship to the public realm, protect the amenity of the site, immediate neighbours, and surrounding area.

6.31 Policy DM8 states that developments should meet the Lifetime Homes Standards unless it can be clearly demonstrated that it is not viable and feasible to do so. Lifetime Homes Standards have subsequently been dissolved, but their content has been incorporated into Part M of the Building Regulations and it is considered

that these standards should now provide the basis for the determination of this application. Policy DM8 also requires that 10% of dwellings should be built to be wheelchair accessible.

- 6.32 Policy DM8 of the Development Management Document states new dwellings should “*make provision for usable private outdoor amenity space for the enjoyment of intended occupiers; for flatted schemes this could take the form of a balcony or easily accessible semi-private communal amenity space. Residential schemes with no amenity space will only be considered acceptable in exceptional circumstances, the reason for which will need to be fully justified and clearly demonstrated.*”
- 6.33 All proposed residential units meet or exceed the minimum internal space standards requirements set by the Nationally Described Space Standards (2015).
- 6.34 51 homes (i.e. 10% of total homes) are proposed to be wheelchair accessible or easily adaptable, where easily adaptable means units which can be adapted at a later date without requiring substantial alterations. This is in accordance with the 10% within the M4(3) standard with the remaining 90% meeting the M4(2) standard in accordance with national building regulations.
- 6.35 In terms of private outdoor amenity space, all ground floor homes will be provided with a private terrace or a private garden and all upper floor flats will have a balcony. Residents will have access to 4,630sqm of communal amenity space.
- 6.36 In addition to private amenity space, all homes will have access to publicly accessible outdoor amenity space, totalling 6,700 sqm, for use by both site residents and the public. The Garden Square will be a formal courtyard which is proposed to act as the key open space planted with trees. The Podium will create a communal area of small lawns for play and leisure with direct access for the homes of Block A. The Knoll is proposed to be a wild sloped area planted with native trees and equipped with paths and sitting places. A Section 106 obligation is proposed securing the long-term estate management and details as to how public access to these open spaces will be maintained.
- 6.37 The proposal is therefore considered appropriate and policy compliant in these regards.

### **3) Transport and accessibility**

- 6.38 Chapter 9 of the NPPF encourages the incorporation of sustainable transport methods into new developments, and that significant developments should be located in sustainable locations to ensure that congestion and pollution are reduced.
- 6.39 Para 111 of the NPPF states that “*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*”

- 6.40 This is reiterated at the local level through Core Strategy Policy KP2, which requires all development to contribute to regeneration in a sustainable way, including by "*not placing a damaging burden on existing infrastructure; securing improvements to transport networks, infrastructure and facilities; and, by promoting improved sustainable modes of transport.*"
- 6.41 Core Strategy Policy CP3 builds on this, by seeking to widen travel choice, particularly by car share, rail, bus, including social transport, taxi, cycling and walking and improve road safety, quality of life and equality of access for all. The policy directs higher density development to areas well served by a range of transport modes and requires all development to reduce sole reliance on the car for accessibility. DMD Policy DM 15(3) also encourages development to prioritise and promote viable alternatives to private vehicle use.
- 6.42 Specific to major developments, DM15(4) requires such applications to make provision for "*safe, convenient and legible access to public transport for pedestrians and cyclists*". The policy promotes the use of Travel Plans, car clubs, car sharing and pooling as a means of achieving this goal.
- 6.43 Some local objections received in response to this application have been made in relation to fear of increased traffic arising from the proposed additional homes, pressure on parking on surrounding streets and highways safety. However, the Council's Transport and Highways teams have assessed that the application proposals are acceptable in these respects, subject to mitigation.

#### **Pedestrian and Cyclist Movement**

- 6.44 The site itself is within walking and cycling distance to a range of local public transport interchanges and local amenities. The site is within 5-10 minutes walking distance to Prittlewell Station, and the town centre is within a 10 minute cycle ride. However, movement through the site is currently obstructed by existing structures.
- 6.45 Pedestrian footways are provided on both sides of Fairfax Drive, the A127 Victoria Avenue, West Street and Shakespeare Drive, as well as East Street towards Prittlewell Station. Dropped kerb facilities and tactile paving are provided along all foreseeable desire lines at major junctions in the vicinity of the site. Thus existing infrastructure is considered acceptable to support local pedestrian movement and the needs of the development proposals.
- 6.46 There are a number of dedicated and/or signed cycle routes in the Southend area. This includes the National Cycle Network Route 16, which remains under development and Prittle Brook Greenway, a 5.7km route which connects the Stadium with existing tracks. The site is situated within a 7-minute cycle of Southend town centre; a 9-minute cycle of Westcliff station; a 12-minute cycle of Rochford; a 14-minute cycle from Eastwood; a 19-minute cycle of Thorpe Bay; and within 30 minutes' cycle ride of Hockley, Ashingdon, Shoeburyness and Hadleigh.

6.47 To fully take advantage of the site's location, a focus of this application is to design the site in a manner that prioritises the movement of pedestrians and cyclists, both within and through the site. This has been facilitated through:

- Pedestrian and cycle infrastructure;
- Links to the existing cycle routes in the local area;
- Street design and landscaping encouraging low traffic speeds through the development and discouraging through-traffic (the design standards used are consistent with best practice in the Manual for Streets);
- Localised junction improvements;
- Implementation of a Residential Travel Plan (RTP) and Car Park Management Plan (CPMP).

6.48 In conclusion, the development is considered to adequately cater for prioritising pedestrian and cycling movements, and there is the potential for residents of the site to be encouraged to walk and cycle through a mixture of physical interventions applied and the delivery of a high quality Residential Travel Plan, which is secured by planning condition.

### **Public Transport**

6.49 The site is well served by public transport. There are frequent bus services running along Victoria Avenue, with other services on Fairfax Drive and Prittlewell Chase. The Transport Assessment shows that the site is directly served by 13 bus services, and while 3 such services only run once or twice on school days, 7 of these services run every 30 minutes at a minimum during the peaks. Several of the stops in the area have bus shelters and real time information screens.

6.50 Prittlewell Station is within a 5-10 minute walk of the site. The station has real time information on services and covered waiting areas. During the off-peak, 3 services per hour run in both directions, towards Southend Victoria and London Liverpool Street (calling at all stations to Shenfield). Trains also operate to and from the station on Sundays. Southend Central National Rail station is situated 1.6 km south of Roots Hall, approximately 22 minutes' walk. The station is served by c2c services on the Essex Thameside line, providing connections between Shoeburyness and London Fenchurch Street, via Leigh-on-Sea, Basildon and Barking.

6.51 The Transport Assessment estimates that as a result of the additional residents generated, during the busiest peak periods there will be an additional 12 two-way trips by bus during the PM peak, and an additional 29 two-way trips by rail during the PM peak as a result of the development. A total of 116 passengers are forecast to arrive/depart on regular bus services throughout the day. There are eight frequent bus routes available within the vicinity of the Site providing up to 19 buses per hour during peak periods. The proposed development would therefore generate less than one additional trip per bus which will have a 'Negligible' effect on these services and can be adequately accommodated on the existing bus network.

- 6.52 The proposed development is forecast to generate 26 two-way rail trips during the AM peak and 29 two-way rail trips during the PM peak. Prittlewell station is located approximately 650m (8-minute walk) from the site and provides up to 4 trains to/from London Liverpool Street and Southend Victoria at peak times. Assuming all AM rail departures from the development are towards London and all PM arrivals are those returning from London, then an additional 5 passengers per train would be generated by the Proposed Development. This would have a 'Negligible' effect on the capacity and operation of these services. No comments have been received from bus operators or rail operators.
- 6.53 The Residential Travel Plan offers the opportunity for the developer to leverage this easy access to public transport and encourage residents and visitors to use sustainable modes of transport.

### Highways

- 6.54 The Transport Assessment (TA) refers to relevant national and local transport policy including the National Planning Policy Framework (NPPF), Southend Borough Council Core Strategy (DPD1), Development Management (DPD2) and Local Transport Plan (LTP3). It also references the National Planning Practice Guidance (NPPG) and, with respect to good practice in design for accommodating the needs of disabled people, British Standard 8300:2009.
- 6.55 It references the Institute of Environmental Management and Assessment (IEMA) publication '*Guidelines for the Environmental Assessment of Road Traffic*' (the '*IEMA Guidelines*') as the appropriate guidance against which to assess the transport and access effects. Reference is also made to the Design Manual for Roads and Bridges (DMRB) '*LA 112 Population and human health*' with respect to walkers, cyclists and horse-riders (WCH). These references are considered acceptable.

### Baseline Assessment

- 6.56 The site is encircled by Fairfax Drive (to the north), the A127 (to the east), Roots Hall Drive/Roots Hall Avenue (to the south) and Shakespeare Drive (to the west). Site access is currently possible via all routes, except Roots Hall Drive which is a residential cul-de-sac. Fairfax Drive is a two-way, predominantly single-lane street featuring a hatched central reservation, pedestrian footways and street lighting on both sides, and a 30mph speed limit within the site's vicinity. The A127 Victoria Avenue is also known as Southend Arterial Road. It is a two-way major road which is predominantly duelled and connects Southend-on-Sea's centre with Romford and Basildon to the west. The junction of the A127 Victoria Avenue, Fairfax Drive and Priory Crescent is a four-way signalised junction to the northeast of the site.
- 6.57 The ES Chapter identified 2019 as the assessment baseline year. Traffic flows were based upon traffic surveys conducted in February 2018 on local junctions in the immediate vicinity of the site and flows derived from the VISSIM model for Southend, factored by TEMPro growth to generate the 2019 baseline. This methodology is considered reasonable given the ongoing Covid-19 pandemic and its impact upon the ability to collect new representative traffic data.

- 6.58 Members may be aware that the Council is pursuing schemes for highway improvements at the A127 Victoria Avenue junction with East and West Street, A127 Victoria Avenue Junction with Fairfax Drive and the Prittlewell Chase/Fairfax Drive junction. These schemes are subject to an emerging Levelling Up Funding (LUF) bid to Government. If LUF is approved, and subject to final detail design, these improvements would be carried out by the Council and would help to improve the free flow of traffic in this area.

Construction Impact and Mitigation

- 6.59 In terms of the impact of the development during construction, the anticipated peak construction flows are expected to take place in winter 2022, comprising circa 248 two-way daily movements and would enter and exit the site via Fairfax Drive from the A127, thereby avoiding local roads where the impact of construction traffic would be more pronounced. The ES Chapter reports the construction vehicle peak hour impact for the AM Peak (38 construction vehicle movements) on Fairfax Drive at 4% percentage change from 2019 baseline AM peak flows and asserts that “*construction vehicle activity would have a negligible impact on traffic volumes in the vicinity of the Site.*”
- 6.60 The mitigation of construction traffic through the implementation of the development will be secured via a Construction Logistics Plan to be agreed with SSBC prior to the commencement of works. This requirement is to be secured by planning condition. Therefore, following mitigation, the residual impact of construction traffic is considered to be ‘Negligible’.

Operation Impact and Mitigation

- 6.61 The proposal seeks to make several changes to the highway network. This includes changed accesses off Victoria Avenue, Fairfax Drive and Shakespeare Drive, and a new access off Roots Hall Avenue.
- 6.62 The main access to the site will be located off Fairfax Drive. The current proposals show that a footway is only provided on one side of this access road, which Vectos the transport planning consultants, raised as a consideration. In a response received on 17th February 2021, the applicant stated that “it would be possible to provide a footway on the western side of the access road, however this would result in the loss of the proposed landscaped area.” In a meeting held with the applicant on Wednesday 10th March, it was indicated that the provision of footways on both sides of the road is acceptable. This matter should be progressed at the detailed design stage for the highways works, as secured by the Detailed Highways Design condition.
- 6.63 For the accesses from Shakespeare Drive, this is provided from the existing crossover on Shakespeare Drive, providing 2 metre wide footways on either side of the access. The access from Shakespeare Drive will serve only 16 car parking spaces. For the Roots Hall Avenue access, it should be noted that this only provides access to 11 car parking spaces on the proposed development site, and no access to the wider development. The applicant proposes a level surface access at these junctions, meaning that the pedestrian crossings are level with the kerb. Pedestrian walking routes should have dropped kerbs in place for less able pedestrians and those with pushchairs and mobility scooters. This should

be considered as part of the next stage of the Road Safety Audit and the detailed design stage processes, as secured by the Detailed Highways Design condition.

6.64 As part of the planning application the applicant has provided transport modelling information based on a process that is Department for Transport (DfT) Transport Analysis Guidance (TAG) compliant.

6.65 VISSIM (local micro simulation) modelling was undertaken for the following scenarios:

- Base 2019 (Weekday AM, Weekday PM, Saturday matchday and non-matchday)
- 2025 Do-Minimum (DM) (Weekday AM, Weekday PM, Saturday matchday and non-matchday)
- 2025 Do Something (DS) (Weekday AM, Weekday PM, Saturday matchday and non-matchday)

6.66 Additionally, junction analysis was undertaken for the existing Fairfax Drive access using PICADY, assessing for the ratio of flow to capacity (RFC), with a ratio of flow to capacity of 1 indicating the junction is at capacity. For the junction analysis of the Fairfax Drive/new access, all assessments for all scenarios showed that the junction has an RFC of a maximum of 0.2. This indicates the junction will operate well within its capacity.

6.67 The modelling has been undertaken with mitigation included and has shown that the development does not have a significant impact on the highway network. The mitigation that has been included is listed below:

- Widening the Fairfax Drive approach to the Victoria Avenue signal junction to provide 2 x 3 metre traffic lanes;
- Providing markings for the right turn movements from Victoria Avenue to Fairfax Drive and Priory Crescent in accordance with approved detailed designs;
- Providing two left turn lanes from Prittlewell Chase onto Fairfax Drive;

6.68 The LUF works were then also added into the modelling which show that these works have a further benefit to the strategic highway network. Therefore, the works put forward as part of the planning application are necessary, however the planning agreement includes scope to amend these works should LUF funding allow for more effective solutions.

**Impact on Road Safety**

6.69 The applicant has provided an independent Stage 1 Road Safety Audit of the scheme.

6.70 The elements of the scheme subject to this audit are the highway proposals around the existing Roots Hall Stadium:

- Shakespeare Drive Access: Priority junction: Access to 27 residential units and 16 parking spaces.



- Roots Hall Avenue Access: Priority junction: Access to three residential units and 11 parking spaces.
- Fairfax Drive Access: Access to 472 residential units with associated parking.
- Fairfax Drive / Prittlewell Chase: Widening of approach to signal junction with Victoria Avenue, banning of right turn from Prittlewell Chase and associated works.

6.71 With regards to the proposed Shakespeare Drive access, a risk of low-speed sideswipe collisions from HGVs has been identified and has been recommended that the junction area should be protected with sufficient parking controls to permit normal vehicular access with reasonable ease. The applicant's Design team's response confirmed that parking restrictions will be incorporated as part of the detailed design and will be secured by planning condition (Detailed Highways Design).

6.72 The originally proposed ghost island junction (2.2m width) at Fairfax Drive has been assessed as being too narrow which may increase the risk of collisions with through traffic. It has been assessed that the combined carriageway width is 8.8m as opposed to 8.15m shown in the proposed drawings (23258301-STR-HGN-100-DR-D-00306 Rev P3). Therefore, it is recommended that the applicant's Design team verify the available carriageway width and, should it prove possible, allow a more generous ghost island. The applicant's Design team has confirmed that a 2.5m minimum width right turn lane will be provided in detailed design as secured by planning condition.

6.73 The drawing for the proposed segregation island on Fairfax Drive at the Prittlewell Chase junction shows that the existing ghost island marking will be removed upon the new installation. There is concern that absence of these markings may increase the risk of collisions with the existing refuge island, particularly as the segregation island is narrower than the refuge island. It is therefore proposed that drivers and riders are clearly guided around the refuge island, by retaining the existing ghost island markings. The applicant's Design team has responded that the drawing is based on OS base mapping, however a topographical survey will be used to develop the detailed design. As part of the detailed design, the exact widths will be confirmed and the design and road markings reviewed accordingly to address this concern, as secured by planning condition.

6.74 The scheme will amend the existing left/right turn layout from Prittlewell Chase to Fairfax Drive at the junction to a double left turn only. The right turn will be physically prevented by a segregation island on Fairfax Drive, opposite Prittlewell Chase. However, the segregation island may also prove to be a constraint on some left turn movements for larger vehicles, potentially resulting in sideswipe collisions. It is therefore proposed that the adequacy of the junction's geometry in accommodating the double left turn is verified using swept path analysis and amended if found wanting. The applicant's Design team has confirmed that as part of the detailed design the exact widths will be confirmed, including swept path analysis, to confirm the safe operation of the junction to address this concern and secured by planning condition.

6.75 With regards to the left turn from Prittlewell Chase to Fairfax Drive, some drivers who would have wished to turn right from Prittlewell Chase to Fairfax Drive may elect to U-turn on Fairfax Drive instead, thus increasing the risk of collisions. It is recommended that U-turning in the vicinity of the Prittlewell Chase/Fairfax Drive junction should be discouraged. The applicant's Design team has confirmed that signage will be progressed as part of the detailed design.

6.76 As summarised above, in response to the views of the road safety auditor, the applicant has accepted their recommendations and has confirmed that further detailed designs along with the required safety audit process will be undertaken if planning permission is given, and this secured by planning condition.

#### **Residential Travel Plan and Sustainable Transport**

6.77 The site is in a highly sustainable central location. It is within a short walk of local amenities including appropriate food outlets, cash vendors, outdoor open spaces, recreational/leisure/sport facilities and local shops and a 20-minute walk to Southend High Street. The proximity of Prittlewell railway station and the 13 bus services that serve the site, add to its high accessibility.

6.78 The proposed layout of the application site has been designed specifically to maximise pedestrian permeability and accessibility through the proposed development, and clear, attractive connections to destinations beyond the application site.

6.79 The pedestrian environment within the application site will be of high quality with the provision of an attractive open space, well-maintained and with legible illuminated pedestrian routes and natural/passive surveillance provided by the residential lobbies of the application site. The proposed development is also considered to contribute to the perception of pedestrian safety by significantly enhancing the public realm and increasing natural surveillance of pedestrian routes. Lastly, the proposed development would also contribute to significantly improved north-south and east-west connectivity through the site, reducing the existing severance between locations surrounding the site, due to the 'closed' football ground use currently.

6.80 The proposed development also is also considered to provide a well-designed cyclist environment, increasing capacity in the area and reducing existing severance, delays and fear. The proposed cycle parking facilities will help to encourage an increase in the use of cycling by incoming residents, and cycle use will be monitored as part of the Residential Travel Plan, which is secured by planning condition.

6.81 As detailed in the specific Parking section below, the development proposes 100 car parking spaces provided with active electric vehicle charging points (EVCPs) from the outset and passive provision will be made for the remaining spaces. 2 car club parking spaces will also be provided at ground level. It is envisaged that a local car club operator such as 'E-Car' will provide vehicles in this location for public usage. In addition, 502 secure and covered cycle parking spaces in line with current SSBC standards are proposed. The majority of spaces will be Josta two-tier stackers, with 26 of these spaces provided using Sheffield stands (13 stands) to accommodate adapted and non-conventional cycles.

- 6.82 An Outline Residential Travel Plan was submitted as part of the application. This proposes an approach to encourage residents and visitors to use sustainable modes of transport and this approach should be reflected in the detailed Residential Travel Plan to be submitted, as secured by planning condition. The key elements which are expected as part of the detailed document are the establishment of an environmentally responsible travel behaviour, the introduction of travel patterns that will benefit the health and wellbeing of residents and visitors and the reinforcement of environmental responsibility. Measures to achieve these should include the provision of incentives away from the single occupancy private vehicle and towards walking, cycling and the use of public transport.
- 6.83 The conditioned Residential Travel Plan will require the provision of Travel Packs and PJP (Personalised Journey Planning) for the occupants of the proposed development and must include details on monitoring and SMART targets. The specific measures and fall-back mechanisms to achieve its enforcement will be detailed through the section 106 Agreement. Travel Packs will be provided to each residential unit, with the ability to be passed down from one occupier to the next and should include free and discounted travel tickets, car club driving hours and a general push towards the use of sustainable modes. Personalised Journey Planning will also be provided to the first occupier of each residential unit prior to occupation. This should include, but not be limited to, details of local bus and rail operators, taxi companies, community transport, school transport operators and free travel tickets. These measures will support the targeted mode share in the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality. The applicant has confirmed in a response on 17 February 2021 that this provision is intended.
- 6.84 Residential Travel Plan monitoring fees will also be secured through S106 for £3,000 per year for a 5-year period. The trigger for first payment will be upon first occupation of a residential unit.
- 6.85 It is considered that the development makes reasonable proposals towards sustainable travel and is therefore acceptable.

**Access and Servicing**

- 6.86 The primary vehicular access to the development will be from the existing access on Fairfax Drive. The existing access will be formalised to provide a priority-controlled junction with footways along both sides of the access road. A right turn lane will also be accommodated within the existing highway layout by widening the central hatch.
- 6.87 The Fairfax Drive access will provide access to the majority of residential car parking spaces across the site and also provide access for refuse, delivery and servicing vehicles. It will therefore accommodate the majority of vehicular trips associated with the Proposed Development. Vehicular access will also be provided via the existing crossover on Shakespeare Drive. These arrangements are all considered acceptable, subject to detailed design.

6.88 Within the development, vehicle barriers/bollards will be installed to ensure no through access for vehicles and to restrict general access to certain areas such as the public open space between Plots A and E, which will be restricted to refuse collection and emergency vehicle access only. The existing main vehicular access on Victoria Avenue will become for pedestrian and cycle access only, between Plots C1 and C2/C3. There will be no through access for vehicles via Roots Hall Avenue with access only to vehicular parking for a small number of units.

6.89 Servicing and waste collection vehicles will be expected to use the Fairfax Drive entrance to access all plots except Plot A4, which will be serviceable from the Shakespeare Drive access and plots C1 and C2 which will be serviced from Victoria Avenue. A Delivery and Servicing Plan will be conditioned.

**Section 278**

6.90 For the development to go ahead, various works need to be carried out on the existing adopted highway or in the event of changes to the baseline situation, alternative works agreed and implemented, and therefore a S278 agreement will need to be completed between the developer and the Council, to ensure minimal impact to the transport network. The works and contributions required are as follows:

- CPZ contribution of £10,000 towards consultation on the introduction of a CPZ and the cost of provision if required, payable before first occupation;
- Works to the Fairfax Dr/Victoria Avenue junction, Prittlewell Chase/Fairfax Drive junction as follows;
  - Widening the Fairfax Drive approach to the Victoria Avenue signal junction to provide 2 x 3 metre traffic lanes;
  - Providing markings for the right turn movements from Victoria Avenue to Fairfax Drive and Priory Crescent in accordance with approved detailed designs;
  - Providing two left turn lanes from Prittlewell Chase onto Fairfax Drive;
  - TRO and appropriate signage to prevent U turns on Fairfax Drive;
  - Or in the event of changes to the baseline situation alternative works with detailed final design and triggers to be agreed, taking into account junction improvement works to be undertaken by the Local Highways Authority pursuant to DfT Levelling up fund submission;
- TRO and signage for entrance of Shakespeare Drive;
- The detailed designs (including relevant road safety audits) of all accesses and egresses into the development and designs of surrounding junctions should be agreed with the Council in line with the final road safety audit approved by the Council.

6.91 The developer will need to agree to enter into an appropriate Highway Agreement which will include a supervision fee of not more than 10%.

### **Conclusions**

- 6.92 Highways officers have considered the information contained within the planning application, and a view has been taken of the impacts of the development on the local highway network. Following detailed assessment, it is considered that this application accords with the principle of sustainable development from a travel perspective, that access arrangements can be delivered safely and that it has been demonstrated that the proposed development will not have a severe impact on the highway network and therefore meets the tests set out in paragraph 111 of the NPPF. Therefore, there are no objections to this development on highways and transport terms.
- 6.93 The granting of planning permission for this development should be subject to and include the conditions and obligations stated in **Appendices 3 and 4 (Conditions 18 to 23)**.

### **4) Parking**

- 6.94 Policy DM15 states that all development should accord with the car and cycle parking standards set out within the Development Management Document.
- 6.95 A total of 502 car parking spaces are proposed, as well as two Car Club spaces. The majority of the parking spaces (392) are to be contained below the podium level located at lower ground levels, which takes advantage of the sloping topography of the site and the existing bowl of the football pitch. This design solution allows for 1:1 car parking to be provided for each of the residential units, whilst providing an optimum level of housing on a highly accessible site. 50 accessible parking spaces are required to serve the 10% wheelchair accessible dwellings, and this will be secured through planning condition (Car Parking Provision).
- 6.96 100 spaces (20% of proposed provision) will be provided with Electric Vehicle Charging infrastructure from the outset with passive provision made to the remainder of the spaces. The Travel Plan and Car Park Management Plan will be used to monitor the uptake of electric vehicles and identify when further Electric Vehicle Charging infrastructure is required.
- 6.97 The applicants Transport Assessment (TA) suggests that having considered the average car ownership levels of the area, a provision of 0.87 spaces per dwelling would be sufficient. Therefore, their proposed provision of 1 space for each dwelling exceeds the average car ownership of the area, however the Roots Hall site sits in an area of relative parking 'stress' and it is important that provision does not add to that stress. Any excess parking provision will also provide space for visitor parking.
- 6.98 The Outline Car Parking Management Plan states that a Car Parking Management Company would be appointed to oversee the management of car parking on the site. The review and monitoring of car parking will be included within the Car Park Management Plan.
- 6.99 If future car parking issues are experienced on nearby streets as a result of the development, the applicant has offered to pay for a consultation exercise led by

SSBC on potential options for delivering parking restrictions, such as a controlled parking zone (through S106 contributions) or residents parking permits. The applicant has also offered that the residents of the development would not be eligible for any proposed off-site parking permits, if such a scheme were to be introduced in future. This would allow the parking conditions on surrounding streets to be monitored post-occupation and give existing adjacent residents the choice on whether they would like such a scheme to be implemented. Future residents of the Roots Hall development would be ineligible to obtain a residents parking permit if such controls were implemented.

- 6.100 It is recommended that a contribution of £10,000, issued at the commencement of the development and returnable after 5 years following the completion of the development, be secured for the purposes of implementing parking restrictions in the event that parking issues on nearby streets do arise from this development.
- 6.101 A condition is proposed requiring a detailed car parking management plan be provided to and agreed by the Council prior to the commencement of above ground works of the development.
- 6.102 16 motorcycle parking spaces are proposed, which are to be located within the same dedicated vehicle parking areas as the car parking spaces. The spaces would be accessible for use by residents in each of the residential blocks.
- 6.103 Table A5(3) of Appendix 6 of the DMD states that 1 cycle space is required per residential dwelling unless a garage or secure area is provided within the curtilage of the dwelling. Each of the proposed houses contains an integrated garage, thereby negating any requirement for cycle parking spaces for these units. A total of 502 cycle parking spaces are proposed to be located at several locations around the site to allow for safe storage and increased accessibility and connectivity for residents and visitors. Cycle parking provision is proposed within the various open spaces and landscaped areas, for use by both residents and visitors to the site.
- 6.104 The proposed car and cycle parking arrangements for the site are fully in accordance with, and in some cases exceed, relevant planning policy and standards. Appropriate electric vehicle, car club and accessible parking is also provided. The development is considered acceptable and policy compliant in these respects.

## 5) Design and landscaping

- 6.105 Good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management Document. The Design and Townscape Guide also confirms that *“the Borough Council is committed to good design and will seek to create attractive, high-quality living environments”*.
- 6.106 The National Planning Policy Framework (Para. 126) states that *“the creation of high-quality, beautiful and sustainable 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.”*

- 6.107 In the Council’s Development Management Document Policy DM1 confirms that 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.*”
- 6.108 Policy KP2 of the Core Strategy requires 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 development, and respecting the scale and nature of that development*”.
- 6.109 Specific local design policy (PA8) in respect of the Victoria Gateway Neighbourhood Policy Area requires that the Council will “*look favourably on high quality developments and schemes which can demonstrate that they will contribute to the transformation of this area into a vibrant community, which is integrated with the surrounding neighbourhood and set within a remodelled built form of a quality that befits this key gateway to the Town Centre*”. Additionally, Policy PA8 stipulates that the Council will promote the public realm improvements including “urban greening projects linked to the green grid, including planting and the creation of new public and private green space within new development.

**Scale and Site Layout**

- 6.110 The proposal seeks to erect nine buildings between two and eight storeys to provide 502 dwellings at the site. The layout comprises large blocks with significant floorplates in the centre flanked by smaller buildings to the west, south and northwest of the site. The height of the tallest blocks has been reduced during the course of design process but remains significantly higher and larger than the surrounding development. The lower elements at the edges will provide a positive transition to the more suburban scale of the surrounding development.
- 6.111 London Southend Airport’s consultation response seeks the imposition of planning conditions in order for the development not to conflict with the airport safeguarding criteria. Subject to those conditions (London Southend Airport Height Restriction, Roof Equipment, Southend Airport Instrument Flight Procedures Compliance, Crane Height) the proposed development will comply with Part 2 (iii) of Policy DM4 and will not adversely impact upon operation of the Airport.
- 6.112 The layout of the site is a departure from the more uniform layout of the surrounding streets but provides for a positive response to the significant level changes across the site. The level change has been used effectively to hide the majority of the parking provision for the development which is welcome in a place-making context.

6.113 The layout links into the surrounding streets on all sides and provides a variety of pedestrian routes across the site. This has improved the permeability of the site and will help to ensure that at street level, the new development integrates well into the surrounding neighbourhoods.

6.114 The scale and grain of the development will generally, however, be a transition and contrast to the prevailing suburban character of the area, nonetheless the benefits of optimising new housing on the site, and the high quality of the scheme generally, justifies the contrast whilst not unduly impacting on the character of the site or the area.

#### **Longer Views**

6.115 St Mary's Church is a Grade I Listed church and recognised in the SCAAP as being an important historic landmark. In its elevated position it can be seen in long views from Prittlewell Chase and Fairfax Drive and makes a positive contribution to the experiential qualities of the skyline and on certain long views.

6.116 The Townscape and Visual Impact Assessment submitted with the application demonstrates that a slightly reduced view of the church tower will be maintained from the southbound carriageway of Prittlewell Chase. It is considered that the prominent view of the church from Fairfax Drive (at the junction with Highfield Crescent in particular) will be obscured by the development. This is considered to cause harm, albeit less than substantial, and is a negative aspect of the proposal overall. This level of harm needs to be weighed in the planning balance. Other views of the church will remain relatively unchanged. The impact of the scheme on the Church is further considered in the specific Heritage and Archaeology and Townscape and Visual Impact Sections of the report.

#### **Relationship with Prittlewell Conservation Area**

6.117 Prittlewell Conservation Area is an important part of the history of the Borough. It contains some of the Borough's oldest and most notable buildings including St Mary's Church which is one of only two churches in the Borough with true landmark status. The Council has a duty to pay special regard to preserving and enhancing the character of Conservation Areas.

6.118 Aside from its historical associations the Conservation Area is characterised by its fine grain and scale, high levels of articulation to the buildings, the forward building line of buildings at the back edge of the pavement and variety in building design and form.

6.119 The site has a relatively short frontage onto Victoria Avenue. Two four storey flatted blocks are proposed in this location (Building C1 and C2). This will involve the demolition of 299 Victoria Avenue, a modest Victorian house which is currently vacant and in a poor condition. Terraced onto its northern side is the existing SUFC ticket office (outside the Conservation Area boundary) which has had a negative impact on its character. 299 Victoria Avenue is recognised in the Prittlewell Conservation Area Appraisal as having the potential to make a positive contribution to the Conservation Area and its loss needs to be weighed in the planning balance.



- 6.120 Unlike the rest of the site, the new buildings fronting Victoria Avenue have pitched roofs and a feature bay to the front facing Victoria Avenue. This is a direct reference to the character of the former Golden Lion Public House adjacent to the site to the south. During design development these frontages have been refined to improve their articulation particularly fronting the main street and this has improved the relationship with the well detailed historic buildings to the south.
- 6.121 The new buildings have relatively narrow frontages onto Victoria Avenue which helps to reference the finer grain of this area but are one storey taller and have very deep floorplates and the increase in scale will be apparent in the street scene.
- 6.122 The two mirrored blocks are linked by an archway feature and will form a gateway into the site from Victoria Avenue. This helps to provide a more domestic scale and will create a sense of place for the development.
- 6.123 The blocks are set on a staggered arrangement stepping back from the pavement to provide a defensible space to the front, reinforce the setting of the public house and provide a transition to the deep building line of St Mary Court to the north. This is different to the character of the Conservation Area and general development in this location where all buildings, with the exception of St Mary's Court, are located on the pavement line. To respond to this a formal line of 9 trees are proposed on the pavement line. This will go some way to ensuring that the enclosure of the street in this location is maintained. Trees in this location will also help soften the development edge and provide new habitat.
- 6.124 Overall, the new buildings in this location will be of a more significant scale than the surrounding development. This will cause a level of harm to the Conservation Area but this is considered to be less than substantial, particularly when taking account of the high quality of the scheme proposed. However, the level of harm caused to the Conservation Area in terms of the increase in scale of the development within its setting, impact on views, such as the partial loss of view to St. Mary's Church, and loss of 299 Victoria Avenue is considered to be outweighed by the wider public benefits of the proposal. It is also recognised that the scheme may provide a catalyst for the wider regeneration of this area, including the Conservation Area, and this should also be weighed in the balance.

#### **Detailed Design**

- 6.125 Further to comments on Buildings C1 and C2 raised above, the general design and detailing of the blocks is refined and cohesive and this is welcomed. Building elevations are generally simple but well-articulated with common design elements, materials and detailing which will help to create a recognisable sense of place for the development.
- 6.126 The creation of a feature 2 storey plinth, feature recesses and set back top floors have all helped to break up the buildings into smaller scaled elements. The use of brick detailing across the blocks adds interest and texture to their otherwise simple elevations and this level of detail is appropriate.
- 6.127 The materials, style and detailing of the larger blocks also transfers well to the lower blocks helping to ensure a cohesive style across the different building

scales and this is also positive and will help to engender the creation of a positive sense of place.

- 6.128 The success of the scheme will also depend on how well the ground floors of all the blocks relate to pedestrians both in terms of providing an active frontage and the quality of their detailed design and this is particularly highlighted as a requirement in Policy DM4. The proposal includes a level of active frontages at ground level within the central space and this is welcomed, however, the ground floors of a number of blocks seem to be dominated by sizeable lengths of plant and bin and bike stores and this has created significant areas of inactive frontages in some locations. However, the detailing of these areas, including picking up on the lattice theme in the doors and screens, has helped them to appear more integral and sympathetic to the overall design.
- 6.129 Brick choice and decorative detailing will be key to the success of the proposal including creating a distinctive character for the development. Bricks colours and textures will need to be complementary. Brick samples and full details of decorative brickwork features will be secured by planning condition (Building materials submission and approval).
- 6.130 It will also be important that the detailing of other key design features, including entrances, balconies, stair towers and windows and doors, including reveals, copings, gateway features, grilles to car parks and stores, vehicle barrier etc. are well considered and these aspects are also conditioned (Building materials submission and approval) to ensure a high-quality development.

### **Landscaping**

- 6.131 The landscaping of the site will also be crucial to the overall success of the development in creating an attractive development with a clear sense of place and identity.
- 6.132 Overall, the indicative landscaping scheme for the site looks positive. A range of public spaces and public realm is proposed across the development and this will add interest to the scheme and provide attractive pedestrian routes.
- 6.133 The use of high-quality surfaces and the absence of tarmac is particularly welcomed. The amount of planting area and tree planting is also positive and will provide softening for the scheme, in line with NPPF par. 131. The trees will need to be of a species which will provide sufficient height so that they are not dwarfed by the scale of the adjacent buildings.
- 6.134 The scale and shape of the central space and its reference to the previous use will contribute to the sense of place and works well. The central Pavilion seating area will provide a focus for this space. Full details and materials are secured by planning condition (Landscaping scheme, phasing Materials details and management).
- 6.135 The proposal includes enclosed amenity terraces to the front of the blocks facing the public streets and spaces. There is no objection to this in principle as it provides valuable amenity for the ground floor units, however for this approach

to be successful and appropriate, a balance needs to be achieved between maintaining an active and attractive frontage for the buildings and providing privacy for the residents. Detailed design and landscaping of these terraces will be subject to condition.

### **Designing Out Crime**

- 6.136 In response to Essex Police's comments on the application, a Designing Out Crime condition will be secured, to ensure that the principles will be implemented in the design to reduce the risk and fear of crime and anti-social behaviour. The design details which will be subject to this include access control measures from car parks to the residential blocks, design and materials of the Pavilion, design of balconies, roof top gardens and garden boundary treatment and creation of natural surveillance.

## **6) Townscape and Visual Impact**

- 6.137 Policy KP2 of the Core Strategy (2007) states that development should (among other matters) "*9. Secure improvements to the urban environment through quality design [and] 10. Respect the character and scale of the existing neighbourhood where appropriate.*"
- 6.138 Policy DM1 of the Development Management Document (2015) requires that schemes should "*(i) 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...; (ii) provide appropriate detailing that contributes to and enhances the distinctiveness of place; (iii) contribute positively to the space between buildings and their relationship to the public realm;...*"
- 6.139 Policy DM4 relates to tall and large buildings and states that they will be acceptable where "*(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...*". The policy states that tall and large buildings will not be accepted where "*(i) they adversely affect their surroundings in terms of character...; or (ii) they impact adversely on local views that make an important contribution to the character of an area; or (iii) they adversely affect the skyline of Southend as viewed from the foreshore and other important viewpoints and vistas within and outside the Borough;...*"
- 6.140 The Southend Central Area Action Plan (SCAAP) (2018) identifies at Policy DS2 that "*New development within Southend Central Area will be expected to demonstrate that it is compatible with/or enhances Key Views of: - The Seafront; Southend Pier; The Kursaal; Royal Terrace and Clifftown Parade; All Saints Church (outside of the SCAAP boundary); Porters (outside of the SCAAP boundary) and St Mary's Church (outside of the SCAAP boundary).*"

- 6.141 The SCAAP defines Landmark Buildings as buildings that have “become, or may become, a point of reference because of its positive contribution to place making.” It notes that Landmark Buildings “generally occupy strategic locations such as road junctions, terminations of vistas, and corners”. St Mary’s Church is identified as an Existing Landmark Building and the Victoria Avenue Opportunity Site (Policy PA8.1) is identified in Table 3 as one of the potential locations for new landmark buildings. The site is not included within the table; however, it is within close proximity to the opportunity site PA8.1 Victoria Avenue (Victoria Gateway Neighbourhood Policy Area), which lies to the south.
  
- 6.142 In respect of creation of new landmarks, Policy DS3(2) states that the Council will “support and encourage the creation of new landmarks in the areas identified within Table 3, where development proposals must demonstrate that: a. design, detailing and use of materials are of exceptional quality and interest and will help to reinforce local character and distinctiveness; b. the location would provide a focal point for an existing vista/sight line or generate a new one; c. the proposals do not adversely affect the amenity of local residents; and d. the proposals do not harm the setting of nearby heritage assets.”
  
- 6.143 Given the site’s inclusion within Policy PA8 which seeks to regenerate Victoria Avenue and create a vibrant community, it is acknowledged that it will inevitably lead to the introduction of new buildings of some scale. To quantify the nature of this potentially inevitable change to character, the applicant has conducted a Townscape and Visual Impact Assessment (TVIA) as part of the Environmental Statement. This has been subject of peer review by Lichfields on behalf of the Council.
  
- 6.144 The scoping opinion identified a series of matters that the assessment addressed, including: the assessment of the townscape character of the site; the existing visual amenity; the visual impact from key viewpoints and on landmark features; the impact on the townscape setting of Prittlewell Conservation Area and the Grade I St Mary’s Church; proposals to integrate the development into the wider townscape and mitigation measures; proposals for open space and pedestrian links; and day time visual impacts and townscape impacts with reference to the relevant published documents.
  
- 6.145 The visual receptors with the greatest susceptibility to change include viewpoints from St Mary’s Church, Prittlewell Conservation Area, Priory Park and the surrounding streets. All residential views are considered to be of high sensitivity.
  
- 6.146 Key terms within the report for considering the significance of visual and townscape effects are set out in the tables below:

**Table 6.7 Significance of Effects for the Visual Assessment**

Significance of effect	Description
Major beneficial – significant	A marked improvement in the existing view

Moderate beneficial – significant	A noticeable improvement in the existing view
Minor beneficial	A discernible improvement in the existing view
Negligible	No perceptible deterioration or improvement in the existing view
Minor adverse	A discernible deterioration in the existing view
Moderate adverse – significant	A noticeable deterioration in the existing view
Major adverse – significant	A marked deterioration in the existing view

**Table 6.8 Significance of Effects for the Townscape Assessment**

<b>Significance of effect</b>	<b>Description</b>
Major beneficial – significant	Would considerably and distinctly improve and enhance the existing character. Would restore valued characteristic features substantially or entirely lost through other land uses.
Moderate beneficial – significant	Would markedly improve and enhance the existing character. Would restore valued characteristics substantially lost through other land uses.
Minor beneficial	Would improve and enhance the existing character. Would restore valued characteristic features partly lost through other land uses.
Negligible	Would be compatible with the existing character.
Minor adverse	Would be slightly at variance with the existing character.
Moderate adverse – significant	Would be at variance with the existing character. Would be judged adverse at a local level. Would not be wholly compatible with local environmental policies for the protection and enhancement of the townscape.
Major adverse – significant	Would be at considerable variance with the existing character, degrading its integrity. Would permanently degrade, diminish or destroy the integrity of

	valued characteristic features, elements and/or their setting. Would be judged adverse at a national or regional level. Would comprehensively conflict with national, regional or local environmental policies for the protection and enhancement of the townscape.
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**Townscape and Visual Impact Construction phase**

6.147 The impact of the construction phase will be temporary and planned. It will also include variable impact according to the programme as, for example cranes will be visible in some views for specific periods and not at other times. The demolition and then gradual emergence of new built form will be a changing scenario which at times will be both more and less visually intrusive than the final scheme. The TVIA therefore focuses on the operational impacts on completion, at commencement of the operational phase.

6.148 Townscape and visual receptors will experience varying effects from moderate adverse to minor beneficial as the construction phase progresses. These are only at risk of rising to significant i.e., major/moderate adverse, only for the residential properties immediately adjacent and only during specific moments of activity. Therefore, this effect is considered overall not to be significant.

**Townscape Impact Operational phase**

6.149 The assessment is based on Year 1 on the completion of the whole development. Throughout the assessment the balance has been considered in relation to the existing site situation which is of a specific character which includes an ageing football stadium, poor public realm, complex topographical levels and visually intrusive floodlight masts, all of which have been addressed within the new design proposal. Townscape character items therefore show immediate improvements.

6.150 The new development sets out to improve access issues and provide a better integration with the boundary context. The magnitude of change can be seen as low and significance minor beneficial townscape effect. The extensive landscape proposals inherent in the proposed scheme will result in a high magnitude of change and provide a major beneficial townscape impact.

6.151 The existing football stadium and ancillary buildings are of low architectural merit. The new scheme with well-designed buildings and a well thought through site plan, that has gone through an iterative process with planning officers and consultation, can be seen to bring about a high magnitude of change and have a major beneficial townscape impact.

6.152 Prittlewell Conservation Area and the Grade I Listed Church of St Mary have a high townscape value, given their high historic significance to the area. The site has a close relationship with the Conservation Area around the junction of Victoria Avenue and West Street and East Street. This part of the CA includes the Grade I listed St Mary's Church and its graveyard, a Protected Green Space; two other listed buildings; and the linear Protected Green Space off Victoria Avenue. Together these comprise a significant townscape asset. They are

however separated from the site by Victoria Avenue, a very busy highway into the town and a mix of residential and commercial housing west of the Avenue. Considerable regard has been given to the townscape setting of these heritage assets in designing the new development and to protect the interface between the site and the CA. Buildings C1 and C2 lying in the Conservation Area boundary and fronting Victoria Avenue have been designed with direct reference to the character of the former Golden Lion Public House adjacent to the site and their frontages have been refined to improve their articulation particularly fronting the main street. This is considered to improve their relationship with the well detailed historic buildings to the south. This results in a low adverse magnitude of change and moderate/minor adverse townscape impact on the Conservation Area once mitigation is considered.

- 6.153 The new development is going to encroach on the experiential qualities of the skyline and on certain long views, especially on views to St Mary's Church. The scheme has gone to an extent to address these so that key physical attributes of landmarks such as St Mary's are not obscured, culminating in a low/nil adverse magnitude of change and moderate/minor adverse townscape impact.

**Visual Impact Operational phase**

- 6.154 As a result of the mass and height of the new development which will appear in views above and between existing residential buildings, it will impact on the skyline and long views. The removal of the highly visually intrusive floodlighting has been accounted for in the assessment as a positive outcome. Only one identified view, which is particularly wide-open out to the countryside beyond, has been assessed to become obscured with the new development. There are some other views assessed as neutral and beneficial which are balanced out with the positive attributes of the new development, its comprehensive design, site planning and landscape features when compared to the existing football stadium and its associated buildings.
- 6.155 Public rights of way are receptors of higher sensitivity and the findings of the assessment vary from moderate adverse to minor beneficial which can be aggregated to moderate/minor adverse visual effects.
- 6.156 There are moderate adverse effects that can be found in views from confined areas of Gainsborough and Priory Park but generally there is little visibility of the proposed development from Southend's open spaces and recreational areas and some are assessed as beneficial as a result of the removal of the floodlights.
- 6.157 In its elevated position, St Mary's Church tower it can be seen in long views from Prittlewell Chase and Fairfax Drive and makes a positive contribution to the skyline. The application demonstrates that a slightly reduced view of St Mary's Church tower will be maintained from the southbound carriageway of Prittlewell Chase. It is considered that the prominent view of the church from Fairfax Drive (at the junction with Highfield Crescent in particular) will be obscured by the development. This is considered to cause harm and is a negative aspect of the proposal overall. However, other views of the church will remain relatively unchanged. While there are views from within St Mary's churchyard that are assessed as moderate adverse, those from Prittlewell Conservation Area are generally neutral and minor beneficial.

- 6.158 This heritage assets category could be summarized as receiving minor adverse visual effects.

**Residual impacts**

- 6.159 Measures to mitigate the adverse effects were identified early in an iterative design process whereby massing, height and design of development proposals addressed the main issues highlighted by council officers, consultation and the baseline findings.
- 6.160 While the new development has been assessed to carry certain adverse visual impacts, on identified views from public rights of way and St Mary's churchyard, these are not considered to carry high significance. This is balanced out by the significant townscape improvements the development will bring through its design, layout and landscaping and the removal of the stadium that is in a poor condition, contributes little visually and contains intrusive floodlights.

**7) Heritage and archaeology**

- 6.161 The site is located within close proximity to a number of heritage assets. The scale of the proposed development gives the potential to affect the character and appearance of the wider area, with possible impacts on a number of important heritage assets. These include St Mary's Church Grade I Listed church, the Victoria Avenue frontage and interface with the Prittlewell Conservation Area, the interfaces with the entrances from Roots Hall Avenue, Fairfax Drive, and Shakespeare Drive and the possibility of archaeological remains due to the site's proximity to Prittlewell Camp and Prittlewell Priory.
- 6.162 With respect to this application, the applicable statutory provisions are Section 66 (1) and Section 72(1) of the Planning and Listed Building and Conservation Areas Act 1990. Section 66(1) states for development which affects a Listed Building or its setting that special regard shall be had to the desirability of preserving the building or its setting or any feature of special architectural interest that it possesses. Section 72(1) states that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
- 6.163 The NPPF confirms that "*local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.*" The required assessment is provided below.
- 6.164 The NPPF notes at Paragraph 197 that in considering applications, account should be taken of "...*the desirability of sustaining and enhancing the significance of heritage assets...*" and paragraph 199 confirms that "*great weight*" should be attached to conservation of designated heritage assets, "*the more important the asset, the greater the weight should be.*" Should harm or loss result from



alteration, destruction or development within its setting, it requires “*clear and convincing justification*” (Paragraph 200).

- 6.165 The NPPF continues, requiring local planning authorities to refuse consent for development which leads to “...*substantial harm...or total loss of significance of a designated heritage asset...*” unless it can be demonstrated that the harm/loss is necessary for substantial public benefits that outweigh that harm/loss, or the nature of the asset prevents all reasonable uses of the site; there is no viable medium term use; conservation by grant-funding or charitable/public ownership is not possible and the harm/loss is outweighed by the benefit of bringing the site back into use (Paragraph 201). For development proposals that lead to “*less than substantial harm*” to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal. (Paragraph 202).
- 6.166 Paragraph 203 of the NPPF also requires the effect of an application on the significance of a non-designated heritage to be taken into account. Where a non-designated heritage asset will be affected, a balanced judgement is required that considers the scale of any harm or loss and the significance of the heritage asset.
- 6.167 This guidance is reflected in local plan policy. SCAAP Policy PA8 provides clear heritage related development principles stating that the Council will ensure that “*all development within and adjacent to Prittlewell Conservation Area, seek to conserve and enhance the heritage assets, seek to conserve existing landmark buildings and ensure new development respects views to and from them, their setting and character, in line with Policy DS3: Landmarks and Landmark Buildings.*” and that “*There is potential for archaeological deposits within the area of Nazareth House and Roots Hall and as such developers should have regard to Policy DM5 – Southend-on-Sea’s Historic Environment of the Development Management Document.*”
- 6.168 Policy DM5 of the Development Management Document highlights the need for applications that affect heritage assets to be accompanied by an assessment of its significance, and to conserve and enhance its historic and architectural character, setting and townscape value. Development proposals that are demonstrated to result in less than substantial harm to a designated heritage asset will be weighed against the impact on the significance of the asset and the public benefits of the proposal and will be resisted where there is no clear and convincing justification for this. In respect on non-designated heritage assets, Policy DM5 requires development proposals that result in the loss of or harm to the significance of a non-designated heritage asset, such as a locally listed building, to normally be resisted, although a balanced judgement will be made, having regard to the scale of any harm or loss, the significance of the asset and any public benefits.
- 6.169 A specific area of concern raised at an early stage in the consultation process by Historic England is the potential impact upon the setting of the Grade I listed Church of St Mary, including views of its tower as a prominent and primary local landmark. This has not been raised as a formal objection and is considered to have been addressed through the proposed scheme to an extent, albeit it is recognised that is a level of harm to heritage assets as is examined below.

**Archaeological impact**

- 6.170 It is believed that the development site has medium to high potential for spot finds, although early 20th century sand quarrying and the development of the stadium in the 1950s will presumably have reduced the potential in the centre of the development site.
- 6.171 Harm to the archaeological resources will be mitigated by appropriate condition (Archaeological Watching Brief) for a Watching Brief, which will present an opportunity to locate, record, and understand the context of any remains.

**Impact on the setting of St Mary's Church**

- 6.172 St Mary's Church was the only local church at Domesday and remained locally important; most of the existing fabric dates to the early 1100s (following the establishment of Prittlewell Priory) and to the late 1300s and 1400s (when the priory was dissolved and re-established). Its tower is a prominent and primary local landmark. A specific area of concern raised in the consultation process by Historic England is the potential impact upon the setting of the Grade I listed Church of St Mary, with special regard to the views of its tower. As this is a designated heritage asset, considerable weight and importance will be given to the impact the development will result in relation to the asset.
- 6.173 As explained in the Townscape and Visual Impact Assessment, and Design and Access Statement, the consultation process led to detailed and careful attention being paid to the positioning and massing of the proposed blocks of flats, to ensure that harm to sight lines in both short- and long-vista views of the tower is minimised. The outcome of these exercises is that there is minimal impact to the setting of the church itself. Harm has been identified to two views of the tower as a prominent local landmark, albeit assessed as a less-than-substantial harm.

**Impact upon Victoria Avenue, Prittlewell Conservation Area, nearby Listed Buildings, and Non-designated Heritage Assets**

- 6.174 Prittlewell Conservation Area is an important part of the history of the Borough and was designated in 1995. It contains some of the Borough's oldest and most notable buildings including St Mary's Church. The Council has a duty to pay special regard to preserving and enhancing the character of Conservation Areas. Therefore, considerable weight and importance will be given to the impact the development will result in relation to the Conservation Area.
- 6.175 The frontage of the site to Victoria Avenue overlaps the Prittlewell Conservation Area and borders the locally listed building at 287-289 Victoria Avenue (the former Golden Lion public house). The part of the development which falls within the Conservation Area, comprises of Buildings C1 and C2. The proposal seeks to create a pedestrian gateway entrance from Victoria Avenue, flanked by the four-storey blocks of flats (Buildings C1 and C2) which will respond positively to the style and materials of the adjacent, locally listed, former public house. The development's interface with Victoria Avenue and the Prittlewell Conservation Area is of moderate heritage significance and is sensitive in terms of scale and massing.
- 6.176 The new buildings fronting Victoria Avenue have pitched roofs and a feature bay to the front facing Victoria Avenue and their frontages have been refined to

improve their articulation particularly fronting the main street and this has improved the relationship with the well detailed historic buildings to the south. They have relatively narrow frontages onto Victoria Avenue which helps to reference the finer grain of this area. Their interface with Victoria Avenue has been redesigned to create a contextually sympathetic pedestrian gateway entrance at this sensitive interface. In addition to the new buildings' responses to the street-facing character of the Prittlewell Conservation Area further south, the gateway buildings have been set back slightly from the frontage line of the former public house, in order to respect and reinforce the setting of that building as a non-designated heritage asset. They are however one storey taller and have very deep floorplates and the increase in scale will be apparent in the street scene and this is an adverse impact.

- 6.177 The impact upon other heritage assets in the vicinity, the statutory and locally listed buildings in and near the junction of Victoria Avenue with West and East Streets to the south, and Priory Park to the north, is considered to be neutral to minor addressed through the proposed improved building quality, layout and massing and its relationship to surrounding built heritage.

**Impact upon Roots Hall Avenue**

- 6.178 The proposed layout extends the existing terrace at 15-19 Roots Hall Avenue, to provide a transition between an area of two-storey houses and the new development, with the two zones being separated by steps down to the southern boundary garden. This represents a positive and suitable response to the characters of both the existing and proposed residential areas.

**Impact upon entrance from Fairfax Drive**

- 6.179 A four-storey building is introduced to mitigate the transition in scale from the two-storey interwar houses in Fairfax Drive flanking the entrance to the development and the flats beyond (which rise four to five storeys above the ground level of the existing houses). This represents a positive and suitable response to the characters of both the existing and proposed residential areas.

**Impact upon entrance from Shakespeare Drive**

- 6.180 A terrace of two-storey houses above the development's main parking garage reduces the impact of the change in scale, providing a transition between the two-storey, early 20th-century houses of Shakespeare Drive and the flats in the centre of the development (which rise five storeys above the ground level of the surrounding streets).

- 6.181 Consultations between the design team and the council have ensured that heritage issues have been identified and sympathetically accommodated in the proposed development scheme.

- 6.182 In conclusion, the scheme is considered to have addressed issues around heritage impact to an extent, through a context driven design as articulated within the Design and Access Statement. The harm caused to two views of the church tower and the Conservation Area is given considerable weight due to their high heritage significance. This harm, albeit less than substantial, constitutes a departure from local policy especially Policy PA8. NPPF par. 202 states that "*Where a development proposal will lead to less than substantial harm to the*

*significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.” and 203 that “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”. In this regard, the scheme will be assessed against its wider public benefits in order to reach a balanced judgement. The development’s impact on Roots Hall Avenue, Fairfax Drive and Shakespeare Drive has been carefully addressed through design and therefore have a suitable response to their character, through a design that will complement the existing character, and provide a significant contribution to the areas long term character.*

## 8) Residential amenity

6.183 Policies DM1 and DM3 of the Development Management Document and CP4 of the Core Strategy refer to the impact of development on surrounding occupiers. Policy DM1 states that all development should protect the “*amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight.*”

6.184 In relation to overshadowing, Development Management Policy DM4 states that tall and large buildings will not be considered acceptable where they adversely affect their surroundings through overshadowing.

### **Daylight, Sunlight and Overshadowing**

6.185 The Daylight, Sunlight & Overshadowing (DSO) ES chapter presents an assessment of the likely effects of the proposed development at Roots Hall Stadium on the daylight and sunlight amenity to the occupiers of neighbouring properties and overshadowing to existing amenity areas in the vicinity of the application site.

6.186 The chapter provides a summary of the methods used and likely effects during demolition and construction works and once the proposed development is complete and operational.

6.187 The assessment for the proposed development in relation to the existing neighbouring buildings was completed in line with the BRE guidance of “*Site Layout Planning for Daylight and Sunlight*” from PJ Littlefair 2011, which is an acceptable methodology.

6.188 For calculating daylight to neighbouring properties, affected by a proposed development, the primary assessment is the Vertical Sky Component (VSC) method of assessment. The BRE guide emphasises the VSC assessment as the primary method of daylight assessment. Access to direct sunlight to each window of the surrounding buildings has been assessed against the Annual Probable Sunlight Hours (APSH) criterion, which quantifies light that falls directly from the sun on a facade. Access to sunlight to the external courtyards and open spaces

has been assessed by calculating the amount of time where the spaces are overshadowed on a specific day.

- 6.189 The DSO study is a robust process in terms of the modelling and outputs that are generated from the software. The ES chapter outlines that whilst the BRE guidance is not mandatory and there can be situations where the VSC or APSH could be outside of the parameters in the guidance but acceptable to the site-specific situation, at Roots Hall all the calculations sit within the parameters in the guidance.
- 6.190 The BRE guide establishes that a window would be adversely affected if its VSC measured at the centre of a window is less than 27% and less than 0.8 times its former value. A total of 415 windows have been assessed on the adjacent buildings to the proposed development, and of these only 2 kitchen windows (ground floor of St Mary's Court 1-25) have a minor adverse impact in VSC.
- 6.191 There are no windows on the adjacent buildings that have the APSH impacted by the proposed development. Therefore for 100% of 'receptors' the residual effect of the proposed development is insignificant.
- 6.192 There is also no impact outside of the BRE guidance to the gardens of the surrounding properties. Therefore, there is no specific mitigation required.
- 6.193 The development will not result in an adverse impact in terms of overshadowing and sunlight effects on the neighbouring properties. It will only result on a minor adverse impact on the daylight received by 2 out of the 415 windows assessed, and this is considered to be insignificant in the overall assessment.

**Privacy and overlooking**

- 6.194 In terms of the sense of enclosure, outlook, privacy and overlooking, the ES does not identify an adverse impact on neighbouring properties. This is further reinforced by the secured planning conditions in relation to provision of obscured glazing on windows and privacy screens in the new residential blocks.

**Noise and disturbance**

- 6.195 Paragraph 183 of the NPPF states "*Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on healthy, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should...mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.*"
- 6.196 The Noise chapter of the Environmental Statement has been prepared to describe the noise and vibration impact of the proposed redevelopment of Roots Hall Stadium. This chapter has been revised following technical responses by SSBC Environmental Health, Lichfield on behalf of the Council, and by Waterman.

6.197 The provided ES Chapter and associated documents has been prepared in line with relevant current guidance and is considered robust for the purposes of assessment.

6.198 Potential operational effects include noise from increased road traffic, noise from building services plant and noise from servicing operations. Noise will also occur during the demolition and construction phases including noise from construction traffic. The impact on existing residents is considered for the construction and operational phases. The impact of the existing noise climate on the proposed residential units is also considered.

Baseline conditions

6.199 The assessment has been completed based upon baseline noise surveys undertaken in 2018. Baseline measurements were completed at six locations over a 24-hour period. The surveys identify road traffic noise as the key noise source.

6.200 The monitoring locations selected are considered adequate and although the monitoring period is short when compared to what would typically be expected for a development such as that proposed, it is considered to have been adequate.

Potential Impacts on Neighbouring sites and Mitigation

6.201 The construction noise assessment has been completed in line with relevant calculation and assessment procedures. The findings of the construction assessment are as would be expected for a development such as that proposed. It is noted that no assessment of construction related traffic noise has been completed, but due to the fact that the site is accessed primarily from Victoria Avenue and construction traffic will only occur during daytime hours, the effect of construction traffic on noise levels on the Victoria Avenue housing will be negligible.

6.202 The Environmental Health team have provided an informative by which if construction works are to be considered outside of normal hours especially overnight or are expected to cause a nuisance to existing receptors it is recommended that the applicant applies for a prior consent application under section 61 of the Control of Pollution Act 1974. Such an agreement would set out the construction working methods and predicted noise levels for agreement with the Council prior to commencement. A Demolition and Construction Management Plan will be secured by condition.

6.203 The noisiest activity will be the demolition phase, in particular when breaking out concrete hardstandings and other substructure. The site is surrounded closely by residential properties along three of its boundaries, where in some places demolition will have to take place within approximately 7m of residential windows. Overall, properties on Roots Hall Avenue and Roots Hall Drive will be worst affected as a result, and noise levels of up to 77 dB  $L_{Aeq}$  can be expected during the demolition stage, slightly in excess of the 75 dB  $L_{Aeq}$  threshold for significant adverse impact. However, this threshold should not be breached at any of the other noise sensitive receptors.

- 6.204 Vibration from most on-site activities including ground works and vehicles on site are only likely to exceed the minimum significance threshold (0.3mm/s) at distances of less than 10m. Therefore, sustained perceptible vibration is highly unlikely from most normal construction activities. During demolition short shocks such as heavy items falling to the ground can lead to perceptible vibration but the impact of this is limited by the short duration and these events are not expected regularly.
- 6.205 Vibration from Heavy Goods Vehicles (HGVs) associated with construction can in some circumstances lead to perceptible vibration in buildings close to roads. This tends to be at distances of no more than a few meters and when there is a broken or uneven road surface. Therefore, there is little risk of perceptible vibration from heavy goods vehicles as part of the construction stage and will be acceptable when managed through the Demolition and Construction Management Plan as conditioned.
- 6.206 In view of proximity to existing housing, it is essential that a best practicable means approach to noise mitigation be used, and efforts should be targeted particularly at the early, noisier, stages of construction. This includes selecting the quietest methods and equipment. Where possible, acoustic barriers should also be erected close to a location of noisy activity. Construction routes for deliveries and removal of materials must be planned to avoid Fairfax Drive. In addition, a Demolition and Construction Management Plan will be secured by condition to describe how noise effects are to be minimized using best practical means.
- 6.207 Increases of up to 0.7 dB in traffic noise are predicted along the roads identified in the assessment between 2019 and 2025 if all committed development and the proposed scheme goes ahead. The difference made by the scheme is up to 0.2 dB. This is a negligible effect and not considered to be significant, such that no mitigation is required. Assessment of operational effects has been completed in line with current best practice and relevant guidance. The findings of the assessment are considered robust and defensible.
- 6.208 Plant noise can be mitigated by various engineering measures. These will be adopted to ensure that noise levels are within SSBC criteria. These will ensure a low impact according to BS 4142: 2014.

External Noise affecting the Completed Scheme and Mitigation

- 6.209 The proposed site layout was modelled using noise modelling software (IMMI) using road noise levels measured during the survey to calibrate the model. The proposed and existing buildings have then been added to the site so that noise levels can be calculated at the individual façades. The calculations have been completed in line with current best practice and are considered robust.
- 6.210 The noise levels in gardens and balconies are primarily dictated by road traffic noise from the surrounding highway network. Areas around the north-east corner of Block B1, west and part of south façades of Block B2, as well as the west, part of north and the south-east façade of Block C2 will see noise levels above  $L_{Aeq, 16h}$  55dB. In respect of outdoor amenity areas this applies only to balconies. However, the rest of the site will instead see levels below that.

- 6.211 BS 8233:2014 does include a caveat regarding noise in external amenity spaces in noisy areas: *“However, it is also recognised that these guideline values are not achievable in all circumstances where development might be desirable. In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted.”*
- 6.212 The majority of proposed gardens and balconies will be well within the BS 8233:2014 guidance levels. Additionally, there is communal provision for external amenity spaces where the noise levels will be comfortably compliant with the lower  $L_{Aeq,16h}$  50dB noise limit. Therefore, there will be access to outdoor areas which are lower than  $L_{Aeq}$  50dB for all residents.
- 6.213 The site has been laid out to consider noise by ensuring that no dwellings are immediately next to main road noise sources, and most of the site benefits from shielding from the surrounding buildings. The centre of the scheme is well shielded from noise and provides a protected quieter area. The most affected buildings are to the east, with façades looking towards Victoria Avenue. These noise levels require consideration of the sound insulation and ventilation approach. Sound insulation calculations for habitable rooms have been prepared in accordance with BS EN 12354-3 to determine internal noise levels from external noise sources in the dwellings to meet the noise limits discussed earlier in the report. It is assessed that uprated double-glazing configurations will be required on some façades to provide adequate attenuation in order to meet the internal noise limits, as secured by planning condition (Noise Insulation of Dwellings – Transport Noise).
- 6.214 Regarding plant noise, SSBC usually require that plant noise rating level, measures as  $L_{Ar}$ , be at least 10dB below the underlying background noise level outside any residential windows. Regarding low background noise levels, BS 4142:2014 states that *“Where background sound levels and rating levels are low, absolute levels might be as, or more, relevant than the margin by which the rating level exceeds the background. This is especially true at night.”* In line with common practice and for this reason, evening and night-time plant noise limits would be fixed at  $L_{Ar}$  30dB where existing background noise levels are below 40 dB  $L_{A90}$ . This applies to Fairfax Drive at night. This limit will protect amenity and would not be expected to cause adverse impact in terms of sleep disturbance at the nearest residences. To put this in context, the level inside nearby dwellings at night, even with windows open, would be below 20dBA which is an extremely low level.
- 6.215 The internal noise limits on all residential units can be met for background ventilation using either basic unattenuated trickle ventilators in the quietest case, or acoustically attenuated trickle ventilators for the noisiest case. However, the façades with the highest noise levels will be exposed to levels where opening windows for overheating control may exceed preferred internal levels. For these mechanical overheating control could be used, which is often combined with a whole-dwelling mechanical ventilation system. Other approaches to providing overheating control can be considered instead of mechanical methods, including provision of external solar shielding, sound attenuating balconies, attenuated or



plenum windows, etc. This is secured by planning condition (Noise from Residential Building Services).

- 6.216 Rubbish collections and other servicing activities have the potential to disturb existing and future residents. However, such activities are generally acceptable if they are carried out during the daytime. This type of noise can therefore be controlled by providing a condition (Delivery and Servicing Plan) on the permitted hours for servicing operations.
- 6.217 The above mitigation measures to allow adequate internal noise levels to be achieved within residential dwellings appear reasonable. Subject to conditions (Noise Insulation of Dwellings – Transport Noise, Noise from Residential Building Services), the proposed development is considered acceptable and policy compliant in respect of noise and disturbance. The proposed balconies fronting Victoria Avenue, whilst at times exceeding appropriate noise levels due to existing road traffic, are on balance acceptable, due to the desirable preference to provide all residential units with an area of private amenity space.

#### **Air Quality**

- 6.218 Paragraph 174 of the NPPF states *“Planning policies and decisions should contribute to and enhance the natural and local environment by...preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land stability.”*
- 6.219 Paragraph 185 of the NPPF states *“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.”* and 186 *“Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.”*
- 6.220 The air quality chapter of the ES has been prepared to assess the likely impact on air quality in relation to the redevelopment of Roots Hall Stadium.
- 6.221 The assessment has been prepared addressing relevant national and local policy and guidance, including the Planning Practice Guidance, The Air Quality Strategy, Local Air Quality Management Technical Guidance, Guidance on the Assessment of Dust from Demolition and Construction and Land-Use Planning & Development Control: Planning for Air Quality.
- 6.222 Following the Scoping Opinion, the assessment methodology was agreed with Southend-on-Sea Borough Council. As well as the site, the study area for the air quality assessment is defined by the traffic network for which road traffic data has been provided, which includes roads where the development is predicted to increase traffic flows by greater than 500 vehicles per day. The assessment

considers the effects of the operation of the development on concentrations of nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) from road traffic, and nitrogen dioxide from onsite energy plant in the proposed year of opening, and the construction effects on dust soiling and concentrations of PM<sub>10</sub>.

Construction impact and mitigation

- 6.223 The ES chapter has outlined that the impact of construction traffic emissions on air quality within the Air Quality Management Area (the junction of the A127, Hobblythick Lane and Rochford Road, and the junction of the A127 and A159 Cuckoo Corner) can be judged to be insignificant.
- 6.224 The construction works will give rise to a risk of dust impacts during demolition, earthworks and construction, as well as from trackout of dust and dirt by vehicles onto the public highway. Therefore, the dust emission class for construction is considered to be large.
- 6.225 The Institute of Air Quality Management (IAQM) guidance explains that residential properties are 'high' sensitivity receptors to dust soiling and human health effects, and the area surrounding the onsite works is of 'high' sensitivity to dust soiling and 'low' sensitivity to human health effects. The IAQM guidance is clear that with appropriate mitigation in place, the residual effects will normally be 'not significant'. Mitigation measures include the provision of Dust Management details, which is secured by condition through the Demolition and Construction Management Plan. Such a condition is also recommended by the Council's Environmental Health Team.

Operational phase impact and mitigation

- 6.226 The assessment has demonstrated that the proposed development will not cause any exceedances of the air quality objectives at existing properties, and that future residents will be exposed to air of an acceptable quality. The overall effect of road traffic impacts will be 'not significant'. An Outline Residential Travel Plan has been prepared to accompany the planning application. Based on this Plan, a detailed Residential Travel Plan has been conditioned to be submitted prior to occupation and should include the strategies, measures and incentives that will be employed once the proposed development is operational to encourage the use of sustainable modes of transport and reduce the reliance on private car use.
- 6.227 The assessment has demonstrated that the emissions from the proposed energy plant will have a negligible effect on air quality at existing nearby properties and will not lead to any objective exceedances within the proposed development itself. As such, it is not considered necessary to provide any mitigation beyond best practice design measures.
- 6.228 Therefore, subject to conditions, the proposed development is considered acceptable in respect of air quality.

**9) Socio-economic impacts**

- 6.229 At the heart of the NPPF is a "*presumption in favour of sustainable development*". It articulates the Government's vision for how the planning system should

operate, and identifies three interdependent, but mutually supportive objectives for the planning system:

- An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
- A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

6.230 Policy CP6 of the Core Strategy *Community Infrastructure* outlines that development proposals must mitigate their impact on community infrastructure by contributing appropriately to services and facilities that would be adversely affected. New development should therefore demonstrate that it will not jeopardise the Borough's ability to improve the education attainment, health and wellbeing of local residents and visitors to Southend-on-Sea.

6.231 Policy CP7 *Sport, Recreation and Green Space* requires that new housing development should contribute to the provision of additional sport, recreation and green space facilities to a level at least commensurate with the additional population generated by that development.

6.232 As detailed in the Scoping Report submitted to SSBC and confirmed in the subsequent Scoping Opinion provided by SSBC, the socio-economic assessment establishes the socio-economic baseline conditions and the effects that are likely to arise from the proposed development at the site and within SSBC employment generation, provision of new homes and the corresponding new residential population, demand for community facilities arising from the new residential population and potential spending by the new residential population.

6.233 Social infrastructure is assessed by looking at provision within reasonable travel distances/catchments relevant to specific types of facility:

- Primary education and healthcare have been assessed within approximately 2.6km of the proposed development.
- To allow for pupil choice and in recognition that older students are more willing and able to travel further to school, secondary education has been assessed across a 5.5km radius;

- Open space, children's play space and recreation facilities have been considered within the surrounding area, up to approximately 1km from the proposed development.

Employment

- 6.234 Construction related employment expected to be generated by the proposed development is assessed by estimating the average number of Full Time Equivalent (FTE) jobs over the construction phase based on the duration and construction cost. The demolition and construction stage of the proposed development would generate employment within the construction industry. It is estimated that an annual average of 123 FTE construction jobs will be created over the duration of the 4.5-year construction period.
- 6.235 Southend United Football Club currently employs a total of 124 permanent FTE at its Roots Hall ground. In addition to the full-time staff, the Club employs up to 187 casual staff (such as stewards, food and drink concessions, etc.) on match days. Although the applicant has applied to increase the capacity of the stadium by relocating it to land at Fossetts Farm (application 17/00733/FULM), it has been requested in the Scoping Opinion to consider the loss of revenue and socio-economic effects without consideration for the relocation of the existing stadium. The socio-economic assessment considers the gross number of jobs to be lost as a result of the proposed development in the context of the existing level of employment at the site. When assessed cumulatively with the parallel Fossetts Farm development, there will be an increase in direct new jobs created. The FTE employed directly by the football Club will rise to 136 and the match day jobs will rise to around 250. In addition, the development would provide a net additional 515 direct new jobs at the stadium, hotel and conference facilities.
- 6.236 Obligations requiring a proportion of local labour and support for employment and skills training are to be secured through the Section 106 Agreement. Including a contribution to support opportunities for local people. This includes requirement for local labour through construction, end user and supply chain; provision of Apprenticeships and Traineeships on a phase-by-phase approach, based on capital value and number of units. A cash contribution will also be made to support local people gaining SECTA training.

Supply Chain

- 6.237 The proposed development would result in indirect benefits including supply chain effects and spending by construction workers in the local area. As the number of construction workers onsite would fluctuate over the course of the construction programme, it is not possible to quantify the level of spending captured locally.
- 6.238 Local material purchase and procurement will vary depending on the building material required across each phase of the development. The Section 106 Agreement secures a reasonable endeavours obligation by the developer to have 15% of the supply chain procured locally. In the event this is not reached, the developer will pay a £1,000 contribution for each 1% missed towards associated skills, employment or business activity. These effects would be minor beneficial.

Housing

- 6.239 The proposed development would make a significant positive contribution towards housing delivery through the provision of 502 new dwellings.
- 6.240 The proposed development will deliver a mix of housing including flats of one and two beds (58%) as well as larger family sized flats and homes with three or more bedrooms (42%). The proposal will also deliver 152 affordable units (30%) and 350 private units (70%), which meets local policy requirements of 30% affordable. This is discussed in more detail in the previous sections of this report.

Education

- 6.241 Using accepted methodologies, the estimated future population of the proposed development following completion would be 1,199 residents. This new resident population will create additional demand for community facilities, particularly primary healthcare and education.
- 6.242 Secondary school aged children tend to travel further to school, and school place planning is undertaken at the Borough level. Therefore, the baseline assessment considers available capacity 5.5km from the site to account for the wider range of travel.
- 6.243 The increased population on-site would result in increased demand for school places, 58 children for primary school places and 39 for secondary school places. This application falls within the primary catchment area of The Westborough Academy and secondary catchment area of Chase High School. All local primary schools within the acceptable travel distance of two miles are full. The catchment primary school is full and on a site too small to expand. Another local primary school might be able to create additional places but accommodation re-modelling could be required. Chase High School is currently being expanded to meet existing demand and this large development would require the creation of further additional places. Other secondary schools within acceptable travel distances are also either full or have expanded to meet current demand. In view of this S106 funding to assist with the impact of this development on demand for places at Chase High School, Cecil Jones Academy and Southchurch High School is requested.
- 6.244 This requirement will be mitigated through financial contribution through the Section 106 agreement detailed in Section 8.

Healthcare

- 6.245 An additional 1,199 residents accommodated by the proposed development would result in a need for the equivalent of 0.67 GPs (which represents a negligible magnitude of impact at the local level), with the current patient per GP ratio for GPs within 2.6km of the site slightly increasing from 1,871 per GP to 1,889 per GP (negligible magnitude of impact at the local level).
- 6.246 However, all 14 GP surgeries within 2.6km of the site are currently accepting new patients and demand in six out of 14 of local GPs is lower than the recommended threshold. This suggests that any new demand could be met by existing services. It is therefore anticipated that the proposed development would be sufficiently supported in terms of primary healthcare in the local area.

Open Space, Playspace, Sports and Leisure Facilities

- 6.247 The site currently does not have any open space but houses a football stadium. There are two Local equipped areas for play (LEAPs) within 400m of the site, Gainsborough and Priory Park. There are no Neighbourhood equipped areas for play (NEAPs, smaller in scale than a LEAP) within 1km of the site.
- 6.248 As well as residential dwellings, the proposed development will deliver open and natural spaces designed to be accessible to the local community, with landscaping of shrubbery and trees planted around the perimeter of the proposed development. The Garden Square is one of two new areas of green space and provides public play space with lawn and benches for youth and children at the centre of the development. This will be publicly accessible to all as secured through the Estate Management obligation within the Section 106 agreement. These areas accommodate footpaths and cycle routes available for pedestrian and cyclists to connect with the public realm. Private and communal play spaces are also provided on the ground floor gardens as well as the roofs of blocks D and E.
- 6.249 According to Southend-on-Sea's Parks and Green Spaces Strategy the required ratio of open space per 1,000 persons is 1 hectare. While the development's public open space provision does not meet this ratio (0.67ha of public open space proposed for 1,199 new residents), the site falls within Prittlewell Ward where the ratio is 1.64-2.88ha per 1000 residents. Evidently, the proposed development lies within an area with sufficient publicly accessible open space. Combined with the new open spaces created as part of the proposal, the needs of future residents at the site could be sufficiently met without negatively impacting on existing residents.
- 6.250 With regards to indoor and outdoor sports facilities provision, to meet the needs of the proposed residential development, the applicant has not provided financial contributions towards off-site indoor and outdoor sports facilities provision and this is a negative impact of the development.

Additional Spending

- 6.251 The proposed development would generate economic benefits for the local economy through indirect spending. The ES chapter estimates that the 502 new homes would generate approximately £7.6 million per annum in additional spending. Given the site's location in relation to the Town Centre of Southend-on-Sea, it can be expected that a significant proportion of this household spending would be captured locally.
- 6.252 Without accounting for the relocation and expansion of the new stadium prior to the redevelopment of Roots Hall taking place, the spending impact of the net loss in employees resulting from the proposed development would decrease by £407,715 per annum.

Conclusion

- 6.253 The proposed development will have a range of beneficial effects, which include helping to meet housing needs in the Borough, including policy compliant affordable numbers, additional open space on site and increased expenditure

resulting from future residents. However, the assessment finds that there will be adverse effects upon secondary school places and through the displacement of existing employment on site. S106 contributions will be secured to reduce the development's impact on Chase High School, Cecil Jones Academy and Southchurch High School and improve their capacity.

- 6.254 Overall, the proposals support the policy ambition of SCAAP objectives, bringing economic vitality to the Southend Central Area. Furthermore, consistent with the NPPF, the evidenced positive contribution the scheme makes towards the local economy should be given significant weight in the consideration of this application.

## 10) Ecology and biodiversity

- 6.255 The Ecology ES chapter assessed the impacts of the proposed development on the ecological features of the site and surrounding areas, including sites, habitats and species during construction and operation.
- 6.256 The assessment has been carried out with reference to the current Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines for Ecological Impact Assessment in the UK and Ireland -Terrestrial, Freshwater and Coastal, 2nd Edition (CIEEM 2018).
- 6.257 The assessment refers, as appropriate, to the following legislation relating to protected habitats and species including the Conservation of Habitats and Species Regulations 2017 (the Habitat Regulations), the Wildlife and Countryside Act 1981 (as amended) (the WCA), the National Parks and Access to the Countryside Act 1949 (as amended) (the National Parks Act), the Natural Environment and Rural Communities Act 2006 (NERC Act), the Countryside and Right of Way Act 2000 (CRoW Act), the Protection of Badgers Act 1992 (the Badgers Act) and the Marine and Coastal Access Act 2009.
- 6.258 Paragraph 174 of the NPPF states that "*Planning policies and decisions should contribute to and enhance the natural and local environment by:*
- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan).*
  - d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures"*
- 6.259 Paragraph 179 of the NPPF outlines that "*To protect and enhance biodiversity and geodiversity, plans should:*
- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat*

*management, enhancement, restoration or creation; and  
b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity."*

- 6.260 The NPPF (Para. 180) also states the following: "*When determining planning applications, local planning authorities should apply the following principles:*
- *if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
  - *development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments) should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest...". It continues, confirming that "opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity".*
- 6.261 Relevant local planning policies for Southend on Sea are included in section 6 of the Core Strategy Development Plan Document (December 2007). Policy CP4 *The Environment and Urban Renaissance* includes the following relevant provisions:  
*"2. maximising the use of previously developed land, whilst recognising potential biodiversity value and promoting good, well-designed, quality mixed use developments  
9. safeguarding, protecting and enhancing nature and conservation sites of international, national and local importance"*
- 6.262 The baseline study (summarised here but included in full in the Environmental Statement Appendix 10) showed that the largest area of amenity grassland is within the stadium and is managed as a football pitch, close mown and treated, and is of negligible ecological value. A further area of amenity grassland maintained as close mown sward is located to the east of the stadium buildings and is of low ecological value. The majority of the site comprised of the stadium, smaller buildings and hardstanding (most used for car parking) and are of negligible - low ecological value. An area of the eastern corner of the site comprises of mostly bramble scrub and some small trees and scattered scrub located within the amenity grassland area outside of the stadium building. These areas are both of low ecological value. A small area of introduced shrub planting was recorded east of the stadium. This habitat is of negligible ecological value.
- 6.263 Bat records for one common species (common pipistrelle) were recorded in the desktop study but not within or adjacent to the sites (within 500m). The buildings within the site were assessed for bat roost potential with the majority considered to be of negligible or low value. The nearest records of badgers were recorded 900 m distant from the site. No evidence of badgers were observed at Roots Hall



Stadium during surveys. The desktop study included twelve recent records of Schedule 1 bird species including Red Kite and Redwing, apparently observed from within the site. Surveys completed by the applicant indicate there is no suitable nesting or foraging habitats for Schedule 1 birds within the site. A recent desktop record for slow worm, 250 m from the site was included in the results. There are no suitable habitats for this or other common reptile species within the site. Other European Protected Species (EPS) were not recorded in the desktop search.

### **Impact Assessment**

- 6.264 The assessment is based on a reasonable ecological survey and data collection exercise for a site of this size and nature using current accepted best practice. It must also be recognised that ecological systems are dynamic and subject to change over time, through the management and natural succession of habitats and in particular the movement of fauna.

### Habitats Regulation Assessment

- 6.265 Several international and European sites were recorded in the desktop search, including Benfleet and Southend Marshes, Crouch & Roach Estuaries (Mid-Essex Coast Phase 3), Foulness (Mid-Essex Coast Phase 5) and Outer Thames Estuary. These are mostly coastal and marine related designations.

- 6.266 The applicant has submitted an initial Stage 1 screening to inform an Appropriate Assessment and Natural England has subsequently requested that a Stage 2 Appropriate Assessment is undertaken by the Council to secure any necessary recreational disturbance mitigation and record this decision within the planning documentation.

- 6.267 According to the HRA Appropriate Assessment, the Roots Hall site is within the Zone of Influence of several European Protected Sites which were identified as potentially vulnerable to impact. These sites are Crouch and Roach Estuaries SAC, Benfleet and Southend Marshes, Foulness (Mid Essex Coast Phase 5) SAC, Essex Estuaries SAC, Dengie Coast SPA and Blackwater Estuary SPA. The development includes 502 new residential units. All new residential developments within the evidenced Zone of Influence where there is a net increase in dwelling numbers are included in the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy. The assessment has shown that it is likely that the recreational use and demand on the European coastal wildlife sites and their perimeter, will be increased and therefore a Likely Significant Impact cannot be avoided. This impact includes disturbances from new residents on wintering birds, through increased dog walking, jogging, walking, cycling and other activities.

### Habitats on site

- 6.268 None of the habitats present at Roots Hall Stadium were identified as of being of high intrinsic ecological value. Habitat removal will occur during the construction phase and this will be a minor adverse impact significant at the local level in relation to trees and hedgerows and of minor adverse impact significant at the site level. There will be no impact on existing habitats during operation as they will have been removed during construction. The new habitats proposed as part of the landscape proposals include a substantial increase in green infrastructure

and native species planting and landscape and amenity planting. This will be a moderate beneficial impact, significant locally.

Species on site

- 6.269 No bats have been recorded within or close to the site. However, buildings within the site were assessed for potential roosting features. Using the precautionary principle and assuming that the most likely type of roost would be a night roost for an individual or small number of a relatively common species (as recorded in the desktop study) the following impacts are considered.
- 6.270 All existing buildings will be removed during construction. Bat roosts for small numbers of common species are not regarded as of nature conservation significance (by Natural England) (although they are also fully protected), so the impact would be considered to be minor adverse, significant at the site level.
- 6.271 There may be an impact of new lighting for the development on bats. The existing lighting of Roots Hall Stadium is likely to be moderately adverse to bats, significant locally. New lighting proposed for the development will be provided to modern specifications, which are designed to take account for potential effects on wildlife (Institute of Lighting Professionals/Bat Conservation Trust Guidance Note 8 Bats and Artificial Lighting 2018). Suitable lighting will be secured by planning condition (External Illumination). A compliant lighting scheme is likely to be minor beneficial, significant at the site level, in comparison to the existing lighting.
- 6.272 Bird nesting and foraging habitat will be removed during construction, which includes the majority of the site. Current nesting habitat is suitable for a limited number of species (house sparrow, pigeons and gulls). The loss of nesting habitat will be of minor adverse impact, significant at the local level. The operational development will continue to be suitable for the currently assumed assemblage of nesting birds. A requirement for the provision of bat and bird boxes is provided as a condition (Scheme of Biodiversity Enhancement) to mitigate any habitat loss and encourage future biodiversity.

**Mitigation**

Protected Sites

- 6.273 The site is not subject to any statutory designations, but there are a number of statutory designated sites within the defined Ecological Zone of Influence within the ES. The HRA Appropriate Assessment proposed mitigation for this recreational impact is the Essex RAMS tariff calculated at £127.30 per residential unit. Given that 502 units are being proposed, this would result in a payment of £63,904.60. This amount would be targeted towards information and awareness raising, fencing/waymarking/screening, pedestrian, cycle (and dog) access, enforcement and habitat creation. In addition, the scheme provides new public open space that will assist in further mitigation.

Habitats on site

- 6.274 The majority of existing habitats on site will be lost to development. It is noted that no Biodiversity Net Gain assessment has been undertaken. However, given the low to negligible ecological value of existing habitats on site, the proposed

development is considered to create an uplift in ecological gain through the increase in green infrastructure and native species planting and landscape and amenity planting. In order to secure this gain, a net biodiversity net gain is secured by condition.

Species on site

- 6.275 Prior to construction bat roost features will be assessed for the presence of bats. If shown to be present a mitigation licence would be applied for and implemented. Appropriate mitigation includes the incorporation of bird and bat boxes as secured by planning condition. In accordance with good construction practice, lighting should be kept to a minimum during the bat active season and not be directed towards vegetation. A lighting scheme is not finalised to assess at this time, but a detailed scheme of lighting will be required by condition and to ensure that this shall be designed in accordance with the Institute of Lighting Professionals "Guidance Note 01/20: Guidance notes for the reduction of obtrusive light" and the Bat Conservation Trust "Guidance Note 8 Bats and Artificial Lighting 2018" and/or any current authoritative guidance or standards. Modern, sensitive lighting designs can be of benefit with respect to older schemes and stadium lighting. New landscape planting, including native species planting will provide additional foraging and commuting habitat for bats within the development and increase landscape connectivity to the north (with Priory Park).
- 6.276 Demolition of buildings and clearance of vegetation will be timed to avoid the nesting bird season (March - August inclusive). Where works cannot be avoided during these months buildings and vegetation should be checked to confirm that active nests are not present or to advise on exclusion zones and delay of works, as appropriate. Nest provision for species, including house sparrow will be integrated into the buildings of the development. New landscape planting, including native species planting will provide additional shelter and foraging habitat for birds. This will be secured by condition (Scheme of Biodiversity Enhancement).
- 6.277 Overall, the existing stadium is of relatively low ecological value and does not support important habitats or populations of protected species. With appropriate mitigation the limited bat and bird species will be protected. Further, the proposal will add significant new planting which will provide additional habitat for these species. The development's impact on Protected Sites will also be mitigated through contribution to the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) tariff. As there are limited 'brownfield' sites available for housing schemes in the borough or elsewhere, and the ecological impacts of the proposals are minor, it is considered that the proposal is acceptable.

**11) Sustainability and energy strategy**

- 6.278 To appreciate the sustainable credentials of the development proposals, it is appropriate to initially set out the key aspects of sustainable development, as defined by prevailing policy. The NPPF, as referenced in Section 5.0 of this Report, confirms that the purpose of the planning system is to contribute towards the achievement of sustainable development, which is delivered through the pursuit of three overarching objectives. The economic objective requires support for the economy, encouraging growth, innovation and improved productivity. The social objective looks to support strong, vibrant and healthy communities, whilst

the environmental objective seeks to protect and enhance the natural, built and historic environment, making effective use of land, helping biodiversity, minimising waste and pollution, and adapting to climate change.

- 6.279 Policy KP2 of the Core Strategy reflects the sustainable themes referenced in the NPPF, calling for development proposals to make best use of previously used land; avoid flood risk; reduce the need for travel; ensuring good levels of accessibility; the promotion of public transport; protection for natural and historical assets; a reduction in the use of resources; the adoption of renewable and recycled energy, water and other resources (including a target of 10% of energy needs to be met by on-site renewable options); and the adoption of SUDs techniques. Policy KP1 embraces the economic objectives of sustainability, identifying a spatial development strategy that identifies the Southend Town Centre and Central Area as the primary focus for regeneration. Policy CP4 of the Core Strategy mirrors much of these policy requirements, again prioritising the use of previously developed land; the adoption of sustainable and renewable resources in construction and development; creating accessible development and spaces; protecting heritage assets and existing open spaces; and reducing all forms of pollution.
- 6.280 Applying these identified sustainable themes to the application proposals results in a positive appraisal of the development's sustainability credentials:
- 6.281 Previously developed site: the proposals involve the redevelopment of a brownfield site which hosts the Roots Hall Stadium and other buildings and will result in a dramatic increase in residential floorspace. A comprehensive landscaping scheme will also be implemented across the site. This will result in a substantial net uplift and diversification in open space provision and the creation of new public open spaces.
- 6.282 Location: the site is located within the Southend Central Area and is within convenient walking distance of local amenities including appropriate food outlets, cash vendors, outdoor open spaces, recreational/leisure/sport facilities and local shops and a 20 minute walk to Southend High Street. Its allocation within the SCAAP further supports the suitability of the site's location to deliver sustainable development.
- 6.283 Sustainable travel: the site location within the Southend Central Area and its public transport facilities ensures it provides opportunities for occupiers and visitors to embrace sustainable transport alternatives to the private car. The proximity of Prittlewell railway station and the 13 bus services that serve the site, add to its high accessibility. The substantial on-site improvements to pedestrian and cycle routes, significantly further enhances sustainable travel opportunities. The provision of two car club spaces will provide an alternative to private car ownership and electric vehicle charging facilities will support the use of electric vehicles. The site is a highly accessible location and this characteristic is taken advantage of and enhanced by the development proposals.
- 6.284 Economy: the proposed development would generate economic benefits for the local economy through indirect spending. The ES chapter estimates that the 502 new homes would generate approximately £7.6 million per annum in additional

spending. Given the site's location in relation to the Town Centre of Southend-on-Sea, it can be expected that a significant proportion of this household spending would be captured locally.

- 6.285 Building Design, Renewable Technologies and Energy: the submitted proposal includes a renewable energy scheme and water efficient design measures to limit water consumption to 105 litres per person per day, to be secured by planning condition.
- 6.286 Open Space and Landscape: the development proposes a total of 6,700 sqm of publicly accessible amenity space for use of residents of the new development and adjacent existing residents and a total of 4,630 sqm of residents only amenity and playspace. The location and relationship of open spaces throughout the site will create a diverse range of spaces suitable for play, socialising and relaxation setting a framework for improved community cohesion. The proposals seek to deliver an increased number of trees across the site with 153 new trees of mix species.
- 6.287 Heritage: the development is found to result in less than substantial harm to heritage assets. The level of harm found is concluded to be outweighed by the substantial and holistic public benefits generated by the development.
- 6.288 Biodiversity: the site itself has negligible habitat and biodiversity value. Through the implementation of the landscape strategy proposed as part of the development, overall biodiversity value of the site can be enhanced and biodiversity gain delivered.
- 6.289 Flooding: the site lies within an area that is susceptible to surface water flooding. Throughout the development there is embedded mitigation included through permeable paving for hard landscaped areas, with a permeable sub-base to provide filtration of surface water runoff, green roofs, Bioretention SuDS and attenuation tanks to reduce surface water runoff rates off the site and raised finished floor levels (FFL) to prevent the ingress of surface water into the proposed buildings. The detailed design of surface water drainage, taking into account these requirements is secured through condition.
- 6.290 Pollution: with the imposition of a number of appropriately worded conditions relating to noise, air quality and ground conditions, pollution will be limited and controlled through the detailed design stage.

### **Energy Use and Carbon Dioxide Emissions**

- 6.291 The Energy Use & Carbon Dioxide ES chapter presents an assessment of the likely energy demand and associated CO2 emission effects of the proposed development at Roots Hall.
- 6.292 Energy modelling of the proposed development was undertaken in line with the Standard Assessment Procedure (SAP 2012), as applied to all domestic dwellings in the UK, and in accordance with Building Regulations 2013 Part L1A Approved Document. The modelling undertaken followed general National Energy Policy and the Energy Hierarchy. This is considered acceptable.

6.293 The energy modelling of the proposed development was undertaken in line with the Energy Hierarchy, primarily to ensure compliance with Southend-on-Sea Core Strategy Policy KP2, which states: "*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), such as those set out in SPD 1 Design and Townscape Guide, wherever feasible.*"

Energy Conservations Measures (Be Lean)

6.294 According to the relevant ES Chapter, efficiency measures are to be incorporated throughout the proposed development to reduce the overall energy demand, and subsequent CO2 emissions.

6.295 The measures include passive solar gain through the specification of large openings especially within the living areas; insulation in excess of the Building Regulations Part L1a requirements to further reduce heat loss; Air Pressure testing to be undertaken on all units; thermal bridging to be reduced through the use of Accredited Construction Details (ACDs) to ensure that architectural details retain thermal continuity; lighting to be of a low energy type; the majority of dwellings having openings on a minimum of 2 no. elevations to enable cross ventilation and reduce overheating potential; and mechanical ventilation to be provided in line with Building Regulations Part F requirements to allow adequate purge, trickle and extract ventilation to all necessary spaces.

Energy Supply (Be Clean)

6.296 An initial assessment was undertaken into the proposed development for the availability of District Energy Schemes within the immediate surroundings. The investigation showed that these were not present and therefore connection to an existing scheme is not possible. Therefore, the use of a site-wide communal system was investigated, with Combined Heat and Power (CHP) being proposed to provide greater CO2 offset through electrical generation. More than 10% of the energy demand for the scheme has been assessed to be generated through the CHP, thereby meeting the requirements of Core Strategy policy KP2.

Renewable Energy (Be Green)

6.297 In lieu of the application of a CHP to provide communal heating and hot water, photovoltaic panels could potentially be used to provide CO2 offset should an individual gas boiler heating solution be provided. Modelling of the individual gas boiler solution has indicated that ~280kWp would be required to generate 10% of the energy demand in line with local policy requirements. This would equate to 1,056 PV panels.

6.298 Other renewable technologies such as wind, biomass, solar water heating and the use of heat pumps were discounted due to noise and smoke issues and/or conflicts with other technologies already installed.

6.299 In order to generate the baseline energy model and subsequent improvements, a sample number of unit types (in size, orientation and location) have been used to inform the overall energy and CO2 figures. As such there will be refinement of the overall predicted energy and CO2 figures during detailed design when all units are individually modelled. This may result in a slightly higher or lower figure. Nonetheless, the study has modelled a policy compliant scheme, highlighting the

two different energy routes to achieving compliance, which both could lead to over 10% of the energy needs being met by either onsite renewable or decentralised sources. It can be assessed that an SSBC policy compliant energy scheme is achievable, and this can be secured by planning condition to meet the policy compliant levels.

### Conclusion

- 6.300 Overall, it is considered that this development proposal is a sustainable development. It appropriately optimises the locational and physical potential of the site and stitches it with Southend Central Area to improve connections and deliver a holistic package of sustainability benefits for both the site and surrounding areas.
- 6.301 The above review of project characteristics demonstrate that the sustainable benefits delivered through the implementation of the development, most noticeably through the transformation of a previously developed central Southend location into a new residential development, are of considerable merit. The NPPF identifies a presumption in favour of sustainable development, requiring local authorities to approve such proposals where they accord with the development plan. In this instance, the proposals are considered to comply with Development Plan policies. Hence the application proposals should benefit from this presumption, and it is appropriate that the sustainable nature of the development proposals should weigh in favour of the application, in the consideration of the overall planning balance.

## 12) Other environmental matters

### **Ground Conditions**

- 6.302 The Ground Conditions chapter of the ES provides an assessment of potentially significant effects relating to ground conditions and contaminated land.
- 6.303 The scope of this assessment was informed by the Screening Opinion provided by Southend-on-Sea Borough Council and has been agreed with relevant consultees including Environmental Health.
- 6.304 As the majority of sites impacted by historic contamination are not classed as "*Contaminated Land*" under Part IIA of the EPA, the remediation of any contamination present is generally managed through the planning regime.
- 6.305 Policy KP2 *Development Principles* outlines that "*All new development, including transport infrastructure, should contribute to economic, social, physical and environmental regeneration in a sustainable way throughout the Thames Gateway Area, and to the regeneration of Southend's primary role within Thames Gateway as a cultural and intellectual hub and a higher education centre of excellence. This must be achieved in ways which: Include appropriate measures in design, layout, operation and materials to achieve avoidance or appropriate mitigation of actual and potential pollution impacts of development.*"
- 6.306 Policy CP4 *Environment and Urban Renaissance* states that "*Development proposals will be expected to contribute to the creation of a high quality,*

*sustainable urban environment which enhances and complements the natural and built assets of Southend. This will be achieved by preventing, reducing or remedying all forms of pollution including soil, water, noise and other forms of airborne pollution."*

- 6.307 The desk study report has identified the presence of several sources of potential contamination both on and in the immediate vicinity of the site. Within the site boundary, potential sources of contamination are primarily associated with historical infill materials and the Corporation Yard, which was historically located in the north-east of the site. With respect to the underlying Secondary A aquifer within the Taplow Gravel Formation superficial deposits underlying the site, the effects that could potentially occur from construction and operation activities include the creation of preferential pathways for the leaching and migration of potential contaminants.
- 6.308 The operation of the proposed development, with respect to human health (both on site residents and to neighbouring properties and residents) and flora/fauna, could lead to site users and maintenance workers coming into contact with potentially contaminated soils. Given the sensitivity of human health is considered to be of high importance, the magnitude of effects associated is therefore major/moderate adverse.
- 6.309 Based on the identified potential effects, a Site Characterisation investigation will be secured by planning condition which should include that prior to construction works commencing, the necessary investigation works and risk assessment be undertaken to fully determine the existing baseline conditions. Therefore, subject to imposition of this condition, the development is considered acceptable in this respect.

**Flood Risk and Drainage**

- 6.310 The flood risk and drainage chapter of the ES has assessed the potential impacts and associated likely effects of the proposed development in respect of water resources, drainage and flood risk within the application site and surrounding area.
- 6.311 The assessment methodology follows the approach set out in the Design Manual for Roads and Bridges (DMRB), Volume 11, Section 3, Part 10 (Road Drainage and the Water Environment) and applies to both the demolition and construction and completed development stages.
- 6.312 The National Planning Policy Framework (NPPF) 2021 is the overarching strategy by which water resources and flood risk are managed within the planning system. Water quality and flood risk is covered in Chapter 15 *Conserving and enhancing the natural environment* with the emphasis on ensuring both that new development is not at unacceptable risk from pollution or flooding, and that development does not contribute to unacceptable increases in either.
- 6.313 The Planning Practice Guidance sections that are relevant to water resources and flood risk are Climate change, Flood risk and coastal change and Water supply, wastewater and water quality.



- 6.314 The site is located within the Victoria Gateway Neighbourhood Policy Area. It is noted that this area is susceptible to surface water flooding and therefore development in this area needs to adhere to local flood risk management policies, in particular regarding SuDS within Policy DS4.
- 6.315 Policy DM2 *Low Carbon Development and Efficient Use of Resources* has relevance to Water and Hydrology chapter because it states that "*Urban greening measures and promoting biodiversity from the beginning of the design process. Urban greening design measures include but are not limited to: provision of soft landscaped open space; tree planting; green roofs; living walls; nest boxes; and soft landscaping.*" Urban greening aids the reduction of surface water flow rates off the site.
- 6.316 SSBC has issued a Local Flood Risk Management Strategy. It is a high level, statutory document that sets out SSBC's approach to limiting the impacts of local flooding across the county. It promotes greater partnership working arrangements between those organisations with a responsibility for managing local flood risk.
- 6.317 The LLFA does not object to the application subject to conditions requiring detailed design of a surface water drainage scheme being submitted to and agreed with the LPA in consultation with the LLFA. The EA has made no comment on the application.
- 6.318 Throughout the development there is embedded mitigation included through permeable paving for hard landscaped areas, with a permeable sub-base to provide filtration of surface water runoff, green roofs, Bioretention SuDS and attenuation tanks to reduce surface water runoff rates off the site and raised finished floor levels (FFL) to prevent the ingress of surface water into the proposed buildings.
- Groundwater Contamination
- 6.319 The proposed development includes a new basement and foundations. The main pathway for impacts on groundwater quality is leaching of contaminants from ground or excavation level, through topsoil to the superficial deposits. This pathway can be prevented by ensuring activities that could result in spills occur on impermeable ground and within areas where surface water is excluded. The effects on groundwater will be mitigated through the assessment of the potential risks to groundwater secured by planning condition (Land Contamination) and includes all the necessary mitigation measures. The embedded mitigation would ensure that the risks of a pollution incident affecting groundwater are less than 1% annually, which constitutes a low impact to medium value receptors.
- 6.320 Following construction, the only source of potential impacts on groundwater contamination is spills on the application site. Plant rooms etc are located within the buildings and there are no pathways for pollutants to either groundwater or surface water bodies and most of the car parking facilities will be below ground. The overall likely effect of the development on groundwater quality is neutral (not significant).

Surface Water Quality

- 6.321 The most likely source of potential impacts to surface water quality are chemical spills. The main pathway for potential surface water contamination is runoff from contaminated areas being discharged either overland into the Prittle Brook or via collection systems into the surface water sewers which discharge to the Prittle Brook. Mitigation measures outlined in the conditioned Demolition and Construction Management Plan would ensure that the risks of a pollution incident affecting surface water quality are less than 1% annually, which constitutes a low impact to medium value receptors.
- 6.322 Following construction, there are two sources of potential impacts on surface water quality; spills on site and flooding of foul sewers being collected into the surface water drainage network or discharging overland to surface waterbodies. In case of spills potential sources are limited by the proposed site use, and an existing source of potential pollution due to the existing car parking would be removed.
- 6.323 New foul sewerage will be designed and constructed to accommodate the proposed development with connections to the existing public sewerage operated by Anglian Water. The new foul sewerage will be designed to adoptable standards in accordance with Sewers for Adoption (Currently 7th Edition). Therefore, the risk of the new foul sewerage surcharging under normal operating conditions is low.
- 6.324 Surface water can also infiltrate into the permeable subbase below the car parking bays, pedestrian walkways and patios. This embedded mitigation is considered sufficient to remove any potential contaminants that could be generated within these areas, and the risk of contaminating surface water via this pathway is negligible.

Hydrology and Flood Risk

- 6.325 The pathways for a potential impact on the risk of flooding elsewhere relates to excavation at the application site or if chemicals on the application site were located in the surface water flow route that occurs on the site at times of high rainfall events. Mitigation measures such as placing chemicals out of, or above, the surface water flow path would reduce the risk of pollutants affecting the surface water quality. In addition, placing compounds and machinery out of, or above, the flow path would prevent damage to these items if surface water flooding occurred on the application site. The overall likely effect of demolition and construction on hydrology and flood risk is negligible.
- 6.326 The proposed development is not at risk of fluvial nor tidal flooding but is at potential risk of surface water flooding. A surface water flow route occurs on the site which flows from the southern boundary to the northern boundary following the topography on the site. All buildings located near the flow path include finished floor levels 300mm above the surrounding ground levels. This should minimise the risk of surface water ingress into these buildings. In addition, no buildings are located directly in the flow path. The development is not expected to be affected by the risk of flooding from any source with the mitigation measures outlined. The overall likely effect of the proposed development on hydrology and flood risk is neutral (not significant).

Mains Water and Foul Drainage

- 6.327 Any requirement for foul drainage is expected to be reduced relative to the existing application site requirements during the demolition and construction phases. Therefore, there would be a beneficial impact on foul drainage during demolition and construction.
- 6.328 There is potential for high water usage during demolition and construction phases, although water usage will be limited in accordance with best practice construction methods. As the existing development has a potentially high usage at present, there would likely be a neutral impact on the water usage on the site. Due to the relatively short duration of demolition and construction works, the overall likely effect of demolition and construction on foul drainage and is neutral (not significant).
- 6.329 A pre-app enquiry has been submitted by the applicant to Anglian Water who have confirmed there is sufficient capacity at present for the development in relation to foul and surface water drainage. A response has been received from Essex and Suffolk Water and there is capacity to supply the site with mains water. Therefore, the overall likely effect of the proposed development on Water Mains and Foul Drainage is neutral (not significant).

**Refuse and Recycling**

- 6.330 Measures to ensure the appropriate management of waste generated by the development once operational have also been considered through design development. Waste storage areas within each building have been designed based on the guidelines set out within SSBC's '*Waste Storage, Collection and Management Guide for New Developments*' (2019) document. This ensures appropriate storage capacity for separate waste streams and suitable collection arrangements.
- 6.331 The Outline Waste and Recycling Management Strategy which accompanies the planning application sets out the design, management and mitigation measures to ensure that the likely waste effects arising from the development will be insignificant.
- 6.332 Waste and recycling storage across the development has been planned so as to comply with these requirements. All buildings will provide dedicated waste / recycling stores internally with the exception of Building A4 (10 houses) which will have access to wheeled bins provided in three purpose-built enclosures on-street opposite the houses and Building D (3 houses) which will have access to wheeled bins provided in a purpose-built enclosure behind the parking area adjacent to the houses. Residential tenants will not be expected to transport waste more than 30m horizontal distance.
- 6.333 Collection arrangements will not obstruct pedestrian footways, passing vehicle traffic or adjacent parking arrangements.
- 6.334 Prior to work commencing on site, it is anticipated that a full Recycling and Waste Management Plan will be produced to supersede the outline, its submission and approval to be secured by planning condition. This document will identify

measures associated with the management of waste generation, storage and collection. These will focus on encouraging increased re-use and recycling, reduced waste generation, increased awareness over the issues surrounding waste generation and reduced littering. Subject to adoption of an approved full management scheme, the development is considered acceptable in this respect.

#### **Microclimate and Wind**

- 6.335 The Microclimate & Wind Analysis chapter presents an assessment of the likely effects of the proposed development at Roots Hall Stadium on the wind velocities across the year on pedestrian level comfort around the proposed development and adjacent to the application site.
- 6.336 The Southend-on-Sea Development Plan states that “*Tall Buildings should not: ... (vii) Adversely affect their surroundings in terms of character, microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference...*” SSBC has no specific requirement for a Microclimate analysis and therefore, has not defined assessment criteria on which to base the study. As such, the study has modelled only the application site to determine the actual effects of the completed development and address the Lawsons Comfort Criteria and Lawsons Distress Criteria.
- 6.337 With 95% of the site being shown to have insignificant effect from the proposed development and 5% to have a minor adverse effect, the proposed development is well within the Lawson Comfort Criteria, and this is considered acceptable.

### **13) Delivery Strategy**

- 6.338 Following legal advice SSBC has sought additional information pertaining to the funding and delivery of the Roots Hall and Fossetts Farm interlinked schemes, together with the related Training Ground application – Land north of Smithers Close submitted to Rochford District Council (17/00436/FUL). The Delivery Strategy, dated 30th September 2021 is appended to this report (Appendix 6), with main points summarised below:
- 6.339 Thames Plaza Plc is the developing entity for the outline residential units at Fossetts Farm which are subject to an Agreement for Lease (AFL) with SSBC, i.e. Blocks A1, A2, A3, A4, A5, A6, A7 and A7, comprising c.850 residential units. Both the Land Payment and the development costs will be funded by an institutional investor (Fund) while the development has been suitably de-risked through the SSBC AFL.
- 6.340 Roots Hall Limited (RHL), is the developing entity for the new Stadium, which is anticipated to initially be funded by Homes England. Repayment of Homes England funding will be secured through the sale of residential parcels. RHL has entered into an AFL with SUFC over the first phase of the new Stadium, which obligates RHL to develop the Stadium Phase 1, which includes the south, east and west stands and car park , and is subject to RHL securing funding for the construction. RHL will grant a 20 year lease to SUFC over the stadium and grant

rights to use the match day car park in RDC once practically complete. RHL has also entered into an AFL with SUFC over the new training ground which obligates RHL to develop the four new pitches and the players car park, and is subject to RHL securing funding for the construction. RHL will grant a 20 year lease to SUFC over the over the new pitches and players car park once practically complete. It should be noted that the commitment of SUFC to take on the leases is not enforceable by the Council as Local Planning Authority.

6.341 RHL has entered into an AFL with SSBC over the whole of Roots Hall, comprising c.502 residential units. The Council will be obligated to lease the residential units at Roots Hall following practical completion of the scheme.

6.342 The project will be enabled through discrete funding agreements as follows:

- A loan form Homes England – to fund “Infrastructure and Stadium Works”
- The sale of Fossetts Farm residential Phase 1 (the residential land at Fossetts Farm that is subject to the Council AFL) under a forward funding agreement.
- The sale of Roots Hall under a forward funding agreement.

6.343 It is anticipated that Homes England will, initially, advance RHL a loan facility of c.£30m. The Homes England loan will be used to fund the “enabling works” that accelerate and unlock the delivery of the residential at both Fossetts Farm and Roots Hall, including the new training ground at Fossetts Farm and the development cost of Stadium Phase 1.

6.344 The Homes England loan will enable the building of the new training facilities, the SUFC relocation to them and the vacating of the Roots Hall site training facilities. This will be followed by the signing of the build contract for the new Stadium Phase 1 and immediately after the build contract for the Fossetts Farm outline residential which is subject to the AFL. This will in turn release the Land Payment towards the residential land by the Fund. The Homes England loan provides for the ability to recycle the proceeds from residential land sales to be reinvested into the development cost of Stadium Phase 1. Once the Stadium Phase 1 is completed, the AFL will go unconditional, obligating SUFC to relocate from Roots Hall to the first phase of the new stadium at Fossetts and vacant possession of Roots Hall will be achieved. Any proceeds that are recycled are swept into a Recycling Account over which Homes England have security. The remaining outstanding loan to HE will be repaid through the sale of residential land at Roots Hall.

6.345 There will be a limit specifying that development shall not commence on any more than 850 residential dwellings until Stadium Phase 1 is practically complete and operational for the hosting of professional football matches. This means that over 55% of the residential units across both sites cannot be delivered until the Stadium Phase 1 is complete, meaning that there is a strong commercial incentive to deliver the Stadium Phase 1 as soon as possible.

6.346 It is considered that the Delivery Strategy presents greater clarity in understanding the funding and phasing of the scheme. The offer of funding support from Homes England is considered to increase the likelihood of delivery of both phase 2 of the stadium and the replacement training pitches as well as

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housing which can then be afforded significant weight in the determination of the scheme. This is because the proposed delivery strategy will enable the scheme in its entirety and ensure the delivery of a significant amount of housing within the Borough at Fossetts Farm and through the redevelopment of the Roots Hall site.

## 7.0 Community Infrastructure Levy Charging Schedule (CIL) (2015)

- 7.1 This application is CIL liable and there will be a CIL charge payable. With the proposals providing a net increase in floorspace over 100sqm, it is liable for the Community Infrastructure Levy. The amount charged for the development will be calculated in accordance with Regulation 40 of the CIL Regulations 2010, with all charges based on the gross internal floorspace area created (with potential deductions that meet the criteria for existing floorspace to be either retained or demolished).
- 7.2 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.
- 7.3 Where a planning permission is phased, each phase of the development is treated as if it were a separate chargeable development for CIL purposes and CIL will be calculated when detailed reserved matters are submitted for each phase. In addition, each phase may benefit from any instalment policy that may be in force i.e. CIL will be payable in instalments.
- 7.4 The Council's current CIL charges taking into account indexation, will attract a rate of £25.62/sqm for residential uses in this location (Zone 1). Based on information provided to date and 2021 CIL rates, the proposed development includes a total gross internal area of 56,403.37sqm and, if 8,391.01sqm is deducted from the chargeable area for demolished floorspace, this equates to an initial CIL charge estimate of £1,229,855.07 before any relief/exemption. If Social Housing Relief is applied for and granted in relation to 13,189.94sqm of Affordable Housing, it is estimated that CIL payable would reduce to £942,253.20. These estimates are subject to confirmation.

## 8.0 Planning Obligations and Conditions

### Planning Obligations

8.1 Paragraph 1.1 Regulation 122 of the Community Infrastructure Regulations 2010 (as amended) requires that a planning obligation may only constitute a reason for granting planning permission for development if the obligation is:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably regulated in scale and kind to the development.

8.2 Paragraph 57 of the NPPF reflects the CIL Regulation 122 provisions.

8.3 Core strategy policy KP3 requires that:

*"In order to help the delivery of the Plans provisions the Borough will: ....*

*2. Enter into planning obligations with developers to ensure the provision of infrastructure and transportation measures required as a consequence of the development proposed. This includes provisions such as:*

- (a) roads, sewers, servicing facilities and car parking;*
- (b) improvements to cycling, walking and passenger transport facilities and services;*
- (c) off-site flood protection or mitigation measures including sustainable drainage systems (SUDS);*
- (d) affordable housing;*
- (e) education facilities;*
- (f) open space, "green grid", recreational, sport or other community development and environmental enhancements, including the provision of public art where appropriate;*
- (g) any other works, measures or actions required as a consequence of the proposed development; and*
- (h) appropriate on-going maintenance requirements."*

8.4 The heads of terms for the proposed section 106 agreement as detailed in **Appendix 3** are considered to meet the requirements of CIL Regulation 122 and are in accordance with Core Strategy Policy KP3. Accordingly, the Council is satisfied that the planning obligations sought constitute a reason for granting planning permission for the development.

### Heads of Terms of Required Section 106 Agreement

8.5 The draft Heads of Terms are detailed at **Appendix 3**. The key features of the draft Section 106 relate to highway, affordable housing and open space considerations. In summary these are as follows:

#### Affordable Housing

8.6 Provision of 30% affordable rented units, 152 units in total. Affordable Housing to meet Nationally Described Space Standards.



8.7 Secondary Education  
Amount payable to be calculated in accordance with the Formula. Payable prior to Commencement per phase.

8.8 RAMS  
Tariff based contribution in accordance with Essex Coast RAMS SPD adopted by LPA on 30 October 2020, currently £127.30 per dwelling. Payable prior to Commencement per phase.

8.9 Highways Obligations

- CPZ contribution of £10,000 towards consultation on the introduction of a CPZ and the cost of provision if required, payable before first occupation;
- Works to the Fairfax Dr/Victoria Avenue junction, Prittlewell Chase/Fairfax Drive junction as follows;
  - Widening the Fairfax Drive approach to the Victoria Avenue signal junction to provide 2 x 3 metre traffic lanes;
  - Providing markings for the right turn movements from Victoria Avenue to Fairfax Drive and Priory Crescent in accordance with approved detailed designs;
  - Providing two left turn lanes from Prittlewell Chase onto Fairfax Drive;
  - TRO and appropriate signage to prevent U turns on Fairfax Drive;
  - Or in the event of changes to the baseline situation alternative works with detailed final design and triggers to be agreed, taking into account junction improvement works to be undertaken by the Local Highways Authority pursuant to DfT Levelling up fund submission;
- TRO and signage for entrance of Shakespeare Drive;
- The detailed designs (including relevant road safety audits) of all accesses and egresses into the development and designs of surrounding junctions should be agreed with the Council in line with the final road safety audit approved by the Council;
- Highways Agreement to include a supervision fee of maximum of 10%.

8.10 Other Obligations

- Continuity of Stadium Provision
- Amenity Space and Management Plan
- Car Club
- Employment and Skills
- Residential Travel Plan Monitoring Fee
- Travel Packs
- CCTV
- Legal fees
- S106 Monitoring fees
- Monitoring provisions
- Other provisions

**Planning Conditions**

8.11 A full schedule of suggested conditions is provided at **Appendix 4** of this Report.

8.12 In addition to the condition referred to above in respect of the Section 106 Agreement, additional conditions are proposed in respect of a range of matters including retention of Roots Hall stadium until the stadium at Fossetts Farm is in use for Football Matches and the club has relocated, demolition and construction,

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phasing, floorspace, noise, landscaping, contamination, external materials, ventilation, lighting, waste management, flood risk and drainage, design, car parking, cycle parking, energy and sustainability, ecology and biodiversity , archaeology, land contamination and highways.

## 9.0 Conclusions and Recommendation

### Application Proposal

- 9.1 The application, submitted by PowerHaus Consultancy on behalf of Southend United Football Club, seeks planning permission for the demolition of all existing structures and buildings and the erection of 9 buildings of 2 to 8 storeys, providing 502 residential units, including 152 affordable, provision of car and cycle parking, access and landscaping works.
- 9.2 The Application has been assessed in accordance with the requirements of the Town and Country Planning (Environmental Impact Assessment Regulations) 2017 (as detailed in this report), the requirements of Regulation 3 have therefore been met.

### Policy

- 9.3 A full schedule of development plan policies relevant to the application proposals is provided at **Appendix 2**. This includes an appraisal of the proposals against each policy objective. Policy PA8 of the SCAAP (2018) provides a specific policy in respect of the application site (*PA8 Victoria Gateway Neighbourhood*).
- 9.4 The overarching aim within the policy area is to deliver high quality developments which can demonstrate that they will contribute to the transformation of this area into an attractive and vibrant gateway to the town centre. New developments are expected to be of high quality with urban greening techniques. Victoria Avenue is envisaged to become an attractive area in which to live, where residents will benefit from the sustainability of the location, particularly with fast and convenient access to London and the City, and an enhanced pedestrian and cycling environment. The heritage of Prittlewell Conservation Area should be celebrated and enhanced.

### Consultation

- 9.5 As noted in Section 3 of this Report, the proposed development has been subject to extensive and proactive pre-application engagement by the applicant. This has shaped the evolved design and landscaping proposal. Through a collaborative, iterative and careful design process which was initiated in 2017 with pre-application advice from the Council, it has since evolved through a series of meetings between the applicant and key stakeholders, a public exhibition, and an interview with the proposal's architect.
- 9.6 The applicant's pre-submission public exhibition was attended by 41 people across the two events. 22 attendants chose to complete a feedback form, with the vast majority supporting the scheme in principle, whilst expressing some concerns on car parking and the impact on social infrastructure. The design and landscaping of the scheme were praised by the respondents.
- 9.7 In response to the Council's post submission formal consultation exercises undertaken in respect of the application, a total of 31 responses were received. Of these, twenty-three comprise objections, seven support the application and one outlines their concern regarding the planning notice visibility. The most common concerns expressed related to: resulting traffic concerns, resulting

parking concerns, resulting social infrastructure pressure concerns, design concerns, sunlight/overshadowing concerns and pollution. Given the scale of the proposals, the relatively few objections received indicate a high level of community endorsement of both the proposed development and the positive consultation process undertaken by the applicant.

9.8 Subject to the imposition of appropriate and required planning conditions, no statutory consultee objects to the application proposals, including Historic England, Natural England, Sport England and the Environment Agency.

9.9 Council Officer and specialist consultant input was received in respect of design, heritage, highways, housing, noise, air quality, land contamination, flood and drainage, parks, waste, archaeology, education and economic development. Subject to the imposition of conditions, all officers' feedback was accepting of the development proposals, with no in-principle objections raised.

#### **Planning Balance and Overall Conclusion**

9.10 As detailed in Section 4 of this Report, Section 38(6) of the Planning and Compulsory Purchase Act requires that development proposals be determined in accordance with the development plan unless material considerations indicate otherwise. The relevant development plans for Southend comprise the Core Strategy (2007), the Development Management Document (2015) and the Southend Central Area Action Plan (SCAAP, 2018). Central to the consideration of this application is Policy PA8 of the SCAAP, which provides site specific policy requirements.

9.11 At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 11 states that in terms of the decision-taking process this means approving development proposals that accord with an up-to-date development plan without delay; or where the policies most important for determining the application are out-of-date, granting planning permission unless:

*“i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

9.12 Overall, the development proposals are considered to comply with the majority of areas of the development plan, with some departures regarding scale, visual and heritage impact and off-site sport contributions, as follows:

- Two views of the Grade I Listed Church will be negatively affected by the development;
- Minor adverse impact on the townscape value of the Conservation Area; 299 Victoria Avenue is recognised in the Prittlewell Conservation Area Appraisal as having the potential to make a positive contribution to the Conservation Area and its demolition is proposed;

- The harm caused to these heritage assets has been given considerable weight in this assessment and is a departure from policy. The NPPF par. 202 and 203 allow for the less than substantial harm to be weighed against the public benefits of the development. Therefore it is considered that the above harm is outweighed by the public benefits of the proposal. It is recognised that the scheme may provide a catalyst for the wider regeneration of this area, including the Conservation Area, and this should also be weighed in the balance.
- The scale and grain of the development will generally, be a departure from the prevailing character in the surrounding residential area;
- Policy CP7 Sport, Recreation and Green Space requires that new housing development should contribute to the provision of additional sport, recreation and green space facilities to a level at least commensurate with the additional population generated by that development. The application makes no specific provision towards off-site indoor or outdoor sports facilities contributions, though redevelopment of the site is directly associated with the delivery of a new football stadium and community facilities as part of the Fossetts Farm stadium relocation scheme.

9.13 This relatively modest non-compliance should be assessed and carefully weighed in the context of the Local Plan and the NPPF, taken as a whole, in accordance with the presumption in favour of sustainable development.

9.14 The Housing Delivery Test (HDT) showed that for Southend the delivery rate as of March 2018 was 49% of the assessed needs. Because this result was below the 95% threshold, SSBC prepared an Action Plan to help improve its performance in this respect. The Action Plan (2019) prioritises housing delivery corporately by promoting Southend as a location for sustainable growth and attracting developers and large-scale housebuilders, who could boost delivery. The HDT 2020 showed that the housing delivery rate for Southend continues to reduce. The updated Housing Delivery Test (2020) confirmed that Southend had a delivery rate of 36% against assessed housing need (including national adjustments for the impact of Covid-19) and is therefore subject to **the presumption in favour of sustainable development**. This is outlined in paragraph 11 of the NPPF, which states that in terms of the decision-taking process, this means approving development proposals that accord with an up-to-date development plan without delay; or where the policies most important for determining the application are out-of-date, granting planning permission unless:

*“i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

9.15 The proposal would provide 502 new dwelling with 152 dwellings affordable, all of which would be affordable rented units. The proposal would make a significant contribution to meeting the housing needs of the Borough and will provide a net uplift of affordable housing provision on site. This means that planning permission should be granted unless the adverse impacts of doing so would significantly and

demonstrably outweigh the benefits, when assessed against the NPPF as a whole.

9.16 Importantly, the development – alongside the proposal for Fossetts Farm – will facilitate the relocation of SUFC from the functionally limited and tired stadium that currently occupies the Roots Hall site to the Fossetts Farm site facilitating a significant new community sporting facility with a significant upgrade in the quality of stadia and facilities for SUFC, important provision of new housing, including affordable housing, for the Borough, together with significant community sporting benefits and economic uplift to the local area. The Roots Hall site will be transformed with the provision of high quality homes in well-designed buildings, and publicly accessible open space that is more commensurate with the communities that neighbour the site.

9.17 As assessed in Section 6 of this Report, the identified less than substantial harm to heritage assets and local character and lack of sport facilities mitigation, does not constitute a clear reason for refusing permission for the proposed development under the NPPF (Para 11d.i). In line with Paragraph 202 of the NPPF, the resulting limited harm would be outweighed by the many significant public benefits of the proposal. These include:

- Housing provision: substantial provision of 502 new dwellings, providing a significant contribution to the Council's housing requirement, including a policy compliant number of affordable homes providing 152 new dwellings (30% of the scheme total).
- Housing mix and quality: providing for a wider range of housing, including 3- and 4-bedroom flats and duplexes/houses and adaptable dwellings in compliance with Nationally Described Space Standards and with private amenity space.
- Placemaking: reconnecting this part of Southend Central Area to overcome severance and provide new pedestrian and cycle links across the site. Provision of new publicly accessible open spaces and creation of a new gateway for the town centre in close proximity to good transport links.
- Public realm, open space and urban greening: substantial public realm improvements throughout the site, creation of 6,700sqm of public open space with amenity and play area, and significant tree planting.
- Town centre: supporting the town centre and local economy, through the creation of additional resident spending expected to be captured locally.
- Health and social: increasing the health and wellbeing of existing and future residents by creating a safer and more welcoming environment through design; provision of improved play and amenity space; and providing new and improved safer walking and cycling routes to encourage active travel.

- Ecology: transformation of a hard-standing dominated site to a residential site with substantial green infrastructure and native species planting and landscape and amenity planting, providing a significant increase in biodiversity value.
- Carbon reduction: energy efficiency measures are to be incorporated throughout the proposed development to reduce the overall energy demand, and subsequent CO2 emissions.

9.18 6,700 sqm of new public open space is proposed. The proposed network of open spaces provides a landscaping approach which concentrates public open space within the heart of the masterplan and provides new green routes throughout the site. Coupled with public realm improvements across the site, this approach will support placemaking through a well-conceived landscape strategy.

9.19 The proposed height of the tallest blocks has been reduced during the course of design development but remains higher and larger than the surrounding development. Taking into account the site surroundings and responding as positively as possible to the character, context, form and scale of neighbouring buildings and heritage assets, the elements at the edges have been lowered to provide a positive transition to the more suburban, domestic scale of the surrounding development. Given the sustainable location of the site combined with policy requirements to provide a comprehensive residential development, change to existing views is inevitable. Whilst the proposals do not avoid certain adverse impacts on views, this impact is balanced out by the significant townscape improvements the development will bring through its design, layout and landscaping and the removal of the obsolete stadium and intrusive floodlights.

9.20 The proposals will transform the site, from a hard-standing, stadium infrastructure and parking dominant site with limited green space, to a people-focused site where pedestrians and cyclists are prioritised and residents feel welcome. This design approach allows for a better utilisation of space through the creation of centrally located much needed housing with hidden parking below the podium level and public and private amenity space and the provision of a network of high-quality public realm.

9.21 The proposals will secure regeneration and revitalisation of an important part of Central Southend as defined within the SCAAP. It will overcome current issues of severance, provide a substantial uplift in new dwellings, and stitch the site with its surroundings through a network of new public open spaces and improvements to public realm.

9.22 In conclusion, the many and significant planning benefits of the development are considered sufficient to outweigh the identified and limited adverse impacts of the proposal such that the application proposals benefit from the presumption in favour of sustainable development (NPPF Para 11d.ii). Taking account of all the relevant material considerations and notwithstanding the minor non-compliances, the proposed development should be supported.

## Recommendation

Members are recommended to:

- a. DELEGATE to the Director of Planning or Head of Planning and Building Control to GRANT PLANNING PERMISSION subject to conditions and following the completion of agreement (pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) by the Council which secures a PLANNING AGREEMENT UNDER SECTION 106 of the Town and Country Planning Act 1990 (as amended) to be entered into to secure the provision of:
  - 30% units of affordable housing on site (152 units)
  - A per phase contribution to secondary educational provision
  - Essex RAMS payment of £127.30 per dwelling to mitigate the potential disturbance to European designated sites.
  - CPZ contribution of £10,000 towards consultation on the introduction of a CPZ and the cost of provision if required, payable before first occupation
  - Works to the Fairfax Dr/Victoria Avenue junction, Prittlewell Chase/Fairfax Drive junction as follows:
    - Widening the Fairfax Drive approach to the Victoria Avenue signal junction to provide 2 x 3 metre traffic lanes;
    - Providing markings for the right turn movements from Victoria Avenue to Fairfax Drive and Priory Crescent in accordance with approved detailed designs;
    - Providing two left turn lanes from Prittlewell Chase onto Fairfax Drive;
    - TRO and appropriate signage to prevent U turns on Fairfax Drive;
    - Or in the event of changes to the baseline situation alternative works with detailed final design and triggers to be agreed, taking into account junction improvement works to be undertaken by the Local Highways Authority pursuant to DfT Levelling up fund submission;
  - TRO and signage for entrance of Shakespeare Drive
  - The detailed designs (including relevant road safety audits) of all accesses and egresses into the development and designs of surrounding junctions should be agreed with the Council in line with the final road safety audit approved by the Council
  - Highways Agreement to include a supervision fee of maximum of 10%.
  - Continuity of Stadium Provision
  - Amenity Space and Management Plan
  - Car Club
  - Employment and skills
  - Travel Plan Monitoring Fee
  - Travel Packs
  - CCTV
  - as further detailed in **Appendix 3**.
- b. That the Director of Planning or Head of Planning and Building Control be DELEGATED to APPROVE the application reference 19/01985/FULM subject to the completion of the agreement securing the SECTION 106 planning agreement referred to above and to conditions substantially in the form contained in **Appendix 4**, with such detailed minor amendments to the conditions as the Director of Planning or Head of Planning and Building Control may consider to be reasonable and necessary, so long as these changes do not alter the objectives and purposes of the conditions detailed in **Appendix 4** of this Report.



- c. In the event that the agreement referred to in part (a) above has not been completed before 31 January 2022 or an extension of this time as may be agreed by the Director of Planning or Head of Planning and Building Control to refuse planning permission for the application on grounds that the development will not secure the necessary contributions as in part (a) above and further detailed in **Appendix 3**. As such, the proposal would be unacceptable and contrary to National Planning Policy Framework (2019) and policies KP1, KP2, KP3, CP3, CP6, CP7 and CP8 of the Core Strategy (2007) DM7, DM8 and DM15 of the Development Management Document (2015) and policies DS5 and PA8 of the Southend Central Area Action Plan (2018).