

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Monday, 25th October, 2021

Place: Council Chamber - Civic Suite

Present: Councillor N Ward (Chair)
Councillors J Beck, K Buck, D Cowan, T Cowdrey*, M Dent, F Evans,
N Folkard*, D Garne, D Garston, S Habermel, D McGlone*,
K Mitchell, A Thompson, S Wakefield, C Walker and P Wexham*
(*Substitute in accordance with Council Procedure Rule 31.)

In Attendance: Councillors C Mulroney and R Woodley
J Williams, G Gilbert, T Saunders, K Waters, C Galforg, M Warren,
N Hoskins and T Row

Start/End Time: 6.00 pm - 9.40 pm

409 Apologies for Absence

Apologies for absence were received from Councillors Dear (substitute: Councillor McGlone), Jarvis (substitute: Councillor Folkard), Jones (substitute: Councillor Cowdrey) and Mulroney (substitute: Councillor Wexham).

410 Declarations of Interest

The following interests were declared at the meeting:

- (i) Councillor D Garston – Application Ref. No. 17/00733/FULM – Non-pecuniary interest: Is a retailer and a Retail Impact Assessment is mentioned in the report;
- (ii) Councillor Mitchell – Application Ref. No. 19/01985/FULM – Non-pecuniary interest: Lives in the vicinity of Roots Hall Stadium;
- (iii) Councillor Ward – Application Ref. Nos. 17/00733/FULM and 19/01985/FULM – Non-pecuniary interest: Family members are share-holders of SUFC; and
- (iv) Councillor Wexham – Application Ref. No. 17/00733/FULM - Non-pecuniary interest: Son is a firefighter and Southend Fire Station is mentioned in the report.

411 Supplementary Report

The Committee received and noted a supplementary report by the Deputy Chief Executive and Executive Director (Growth and Housing) that provided additional information on the items referred to elsewhere on the Agenda. An amended summary of conditions for each application was also circulated and noted.

412 **17/00733/FULM - Part of Fossetts Farm, Playing Fields, Jones Memorial Recreation Ground and SUFC Training Ground, Eastern Avenue, Southend-on-Sea, Essex (St. Lukes Ward)**

Proposal: Hybrid planning application for part full and part outline consent for phased development for relocation of Southend United Football Club comprising:

Full Application for erection of 21,000 seat football stadium; comprising east, west, south and north stands basement excavation changing rooms; ticket office; club shop; food drink concessions; cafe/restaurant: temporary stadium works including: erect end stand cladding, press seats and workroom, directors' seating and box, scoreboard and floodlights: stadium parking, new vehicular access from Fossetts Way, pedestrian access from Sutton Road and related ancillary works: stadium north stand, to include 107 bed hotel, conference floorspace and two residential corners to stadium of 4-6 additional storeys, 182 units: erect fan plaza residential building of 72 units with ground floor sporting and community floorspace of 890sqms (sui generis), 5-7 storey's, ground floor, parking, landscaping, access and related ancillary works; erect two residential buildings Fossetts Way north 42 units and south 51 units of 6-7 storeys and 4-7 storeys, car parking, access, landscaping and ancillary works; erect two soccer domes, changing facilities, classrooms, players hostel accommodation, parking and landscaping; and

Outline Application (with all matters reserved except means of access) for demolition of existing training centre and club house; erect buildings ranging in height from 1-9 storeys to provide a total of up to 118,000 sqms (GIA) of residential floorspace (up to 1,114 units), other commercial floorspace of up to 1,609 sqms (Use Class E) and up to 280 sqms community use (Use Classes F1/ F2); car parking; servicing; landscaping; new public realm; access from Eastern Avenue, related ancillary works.

**Applicant: Southend United Football Club
Agent: Ms Mary Power, PowerHaus Consultancy**

Mr Walker, a local resident, spoke as an objector to the application. Mr Martin, responded on behalf of the applicants.

Resolved:- That the Director of Planning and Head of Planning and Building Control be DELEGATED to GRANT PLANNING PERMISSION subject to:

(i.) The application being one of strategic importance and including development in the Green Belt (as required by Circular 02/09) it must be referred to the Secretary of State for Ministry of Levelling Up, Housing and Communities and the grant of permission in accordance with the Committee's resolution will be subject to no call-in Direction being made by the Secretary of State;

(ii.) the completion of an agreement under section 106 of the Town & Country Planning Act 1990 (as amended) as having a requisite interest in the site before the planning permission is issued, so as to effectively incorporate and transpose the following Heads of Terms to the satisfaction of the Interim Director of Planning or Group Manager Planning and Building Control:

Affordable Housing

- A minimum of 30% Affordable Housing to be provided on-site in each phase, until Affordable Housing equivalent to 30% of the Development as a whole has been provided
- Tenure Split 59% affordable rent and 41% shared ownership (unless otherwise agreed)
- Affordable housing dwelling mix for full part of applications 40% 1-bed units, 42% 2-bed and 19% 3-bed units (unless otherwise agreed)
- Affordable housing dwelling mix (for outline element of the application) of 38% 1-bed units, 46% 2-bed, 15% 3-bed and 1% 4-bed unit (unless otherwise agreed)
- Not to occupy more than 35% of market housing units in each phase until 100% of affordable housing in that phase has been practically completed and transferred
- Nominations of Affordable Housing Units (as applicable)
- Restriction on use of affordable housing units for affordable housing
- Council's standard provision for charges of affordable housing
- All housing, including Affordable Housing to meet Nationally Described Space Standards

Secondary Education

- Phased contributions towards Secondary Education provision calculated on a formula basis to be used towards upgrading/refurbishment/extension at Cecil Jones Academy, Southchurch High School or Chase High School
- Payable prior to Commencement of each phase
- In respect of each 2 bed Market Residential Unit:
The multiplier of 0.03 multiplied by the cost per new pupil place of £18,469 multiplied by the number of 2 bed Market Residential Units to be provided in the relevant phase multiplied by the regional multiplier of 1.02 (Indexed)
- In respect of each 3 bed Market Residential Unit
The multiplier of 0.25 multiplied by the cost per new pupil place of £18,469 multiplied by the number of 3 bed Market Residential Units to be provided in the relevant phase multiplied by the regional multiplier of 1.02 (Indexed)
- In respect of each 4 bed Market Residential Unit
The multiplier of 0.25 multiplied by the cost per new pupil place of £18,469 multiplied by the number of 4 bed Market Residential Units to be provided in the relevant phase multiplied by the regional multiplier of 1.02 (Indexed)

RAMS

- Tariff based contribution in accordance with Essex Coast RAMS SPD adopted by LPA on 30 October 2020, currently £127.30 per dwelling (Indexed)
- Payable prior to Commencement of each phase

Highways

- In the highways section, "match-day" refers to any First Team League, Cup or friendly match. Events are to be treated the same as a First Team match.
- Contribution of £10,000 for Cuckoo Corner roundabout towards monitoring and changing the signal times of the Cuckoo Corner junction to cater for traffic associated with the Development payable prior to first occupation.
- A contribution of £100,000 for VMS and car park guidance signage which is to be integrated into the Council's traffic and parking management system. The VMS is for the construction phase as well as for the long term. Payable prior to commencement of development.
- A contribution of £15,000 towards the provision of webcams / cameras to link the Council's Traffic control centre to Cuckoo Corner, Bell, Eastern Avenue / Sutton

Road roundabout and Eastern Avenue / Royal Artillery Way / Hamstel Road roundabout. Payable prior to commencement of development.

- A contribution of £500,000 towards the consultation and implementation of a flexible Controlled Parking Zone/series of Controlled Parking Zones and the enforcement thereof in the vicinity of the site excluding costs associated with unlocking the parking signs for match-days and events, which are to be met by the owner. TRO costs to be met by the owner and to be in place prior to commencement of development. Any additional associated costs to be covered by the owner including but not limited to any required as a result of adjustments to the TRO and CPZ areas, and additional consultation. Payable prior to commencement of the Stadium, Phase 1A.

- Site Wide TRO Contribution of £30,000 towards traffic regulation orders required on the site or in the vicinity of the site as part of the development. Payable on the first anniversary of commencement.

- Contribution of £10,000 towards the establishment of a traffic regulation order to enable coach parking at Temple Farm for match-days and events £10,000. Cost does not include unlocking the parking signs for match-days and events, which is to be met by the owner. TROs to be in place before occupation of the Stadium. Payable prior to commencement of the Stadium, Phase 1A.

- Contribution of £20,000 towards pedestrian signage signposting people to and from the Stadium, payable before commencement of the Stadium, Phase 1A.

- Contribution of £100,000 towards cycle network improvements and feasibility study in the vicinity of the Site to ensure cycle ways proposed as part of the Development link to the current and planned cycle network. Payable prior to commencement.

- Contribution of £70,000 towards four real time bus passenger information boards to be displayed at the bus stops and in the vicinity of the site to contribute to the overall pedestrian and vehicle management measures, which are required as a direct consequence of the development (permission to carry out the installation not to be withheld by the landowner). First instalment of £40,000 to be paid on the first anniversary of commencement of Zone A, second instalment of £30,000 to be paid on the first anniversary of commencement of the Stadium, Phase 1A.

- Contribution of £60,000 to provide two bus shelters and associated works at the Fossetts Way bus stops plus a coach shelter and associated works in the vicinity of the Stadium to contribute to the overall pedestrian and vehicle management measures, which are required as a direct consequence of the development (permission to carry out the installation not to be withheld by the landowner), the first instalment of £40,000 payable on the first anniversary of commencement of Zone A and the second instalment of £20,000 payable on the first anniversary of commencement of the Stadium, Phase 1A.

- Highway works to take place on the highway (as identified in condition 46) to be secured by appropriate trigger points and pursuant to a S278 Agreement to be entered before commencement, to include supervision fee up to a maximum of 10%, including:

Before occupation:

- Eastern Avenue Access Works;
- Fossetts Way Roundabout Works;
- Sutton Road Access Works;
- Eastern Avenue Pedestrian Works;
- Eastern Avenue Crossing Works;
- North South Pedestrian Works;
- Fossetts Way Pedestrian Access Works;
- Fossetts Way Toucan Crossing Works;

- Sutton Road Western Footway Works;
- Eastern Avenue Footway/Cycle Works; and
- Bus Stops to be provided on Fossetts Way.

Before occupation of the Stadium, Phase 1A:

- Stadium Rising Bollards Works;
- Supporters Way Works;
- PERS Works; and
- Coach Stops to be provided.

Before occupation of the earlier of the Stadium, Phase 1A, or more than 350 residential units:

- Eastern Avenue/Sutton Road junction improvements, signalisation and crossing works; and
- Royal Artillery Way/Hamstel Road junction improvements, signalisation and crossing works.

- Sustainable Transport Contribution of £200,000 payable before first occupation for the monitoring of trip rates, use of sustainable transport measures and further highway improvements if deemed necessary to mitigate the transport impact of the Development.
- Travel Strategy Group to be established to monitor sustainable transport/modal split targets for match-days and non- match days until the later of the 10th anniversary of first occupation or until practical completion of the development as a whole with the ability to recommend the drawdown of the Sustainable Transport Contribution, Council to have final approval of recommendations made and draw down of the Sustainable Transport Contribution. Travel Strategy Group to liaise with the Travel Plan Co-ordinator and with the Stadium Transport Liaison Group. Stadium Transport Liaison Group to be formed of the following stakeholders:
 - Southend United Football Club;
 - Southend-on-Sea Borough Council;
 - Bus and Rail Operators;
 - Essex Police, Fire and Ambulance Services;
 - British Transport Police; and
 - Local businesses, such as Waitrose.
- Prior to occupation to procure additional bus services to be provided for a minimum period of 10 years between Southend Travel Centre and the new Stadium, the costs of which shall be met by the Applicant. Provisions to include details for approval of the arrangements by the Council, together with regular monitoring obligations. Bus obligations include but are not limited to:
 - Prior to first occupation the applicant will need to procure for a minimum period of 10 years commencing upon and including the first operating day the following bus provisions:
 - As a minimum the bus service must serve the proposed Fossetts development site and travel to and from Southend Town Centre.
 - To provide a half hourly bus service to the site from 7am to 11:00pm Monday to Friday and from 7:30am to 10:30pm on Saturdays. On Sundays and bank holidays to provide an hourly service from 8:00am to 10:00pm. The use of the bus services to be monitored and dependent on usage to increase the headway if required.
 - For match-days and event days the bus service will need to be enhanced with buses every 20 minutes during the 2 hours before a match/event and to every 20

minutes until 2 hours after a match/event. During the match/event the bus service can go back to the 30 minutes headway.

- The applicant must liaise with the bus operating companies to procure registered bus services and these bus routes and services must be agreed in writing by SBC before implementation.

- Bus service operation must be reviewed by the applicant and discussed with SBC within the first year of the site opening to confirm the level of provision.

- The applicant must attend meetings with SBC regarding bus provision, routes and patronage at the same frequency as meetings of the Travel Strategy Group.

- To provide shuttle buses on match-days and event days to transport people from and to the key train stations. As a minimum serving Southend Central Station, the Travel Centre and the Stadium running every 15 minutes for 2 hours before a match/major event and every 15 minutes for 2 hours after a match/event.

- The following works that have been identified in the PERS (Pedestrian Environment Review System) Audit shall be carried out and completed in accordance with a S278 Agreement prior to first occupation of the Stadium, Phase 1A:

- Short Street (west footway) – Install dropped kerbs and tactile paving at all crossovers, resurface footway with high quality paving slabs and address tree roots, create more obvious crossing point from west to east footway where the west footway ceases.

- Short Street (east footway) – Install lighting and CCTV cameras

- East Street between Prittlewell and Sutton Road (north footway) – Widen north footway. Relocate street furniture to sides once footway widened, install dropped kerbs and tactile paving, and provide pedestrian signage.

- East Street between Prittlewell and Sutton Road (south footway) – Install dropped kerbs, tactile paving, provide pedestrian signage.

- Eastern Avenue between Sutton Road and Fossetts site (north footway) – Provide pedestrian signage to use south side or alternative route signage.

Continuity of Provision

Continuity of training pitches, associated car parking and Clubhouse

(a) New training pitches to be provided to an equivalent or better standard than the existing training pitches and to be available for use, including a lease for their use having been granted, before any works are undertaken to the existing training pitches. The new facilities shall be those set out in planning application reference 17/00436/FUL Land North of Smither's Chase submitted to Rochford District Council as originally submitted and be in accordance with the dimensions shown on drawing number 1819-1011 Rev 2 submitted as part of that application.

(b) New car parking facilities to be provided conveniently located to the replacement playing pitches and clubhouse to an equivalent or better standard than the existing car parking facilities and to be available for use, including a lease for their use having been granted, before any works are undertaken to the existing car parking facilities. The new facilities shall be those set out in planning application reference 17/00436/FUL Land North of Smither's Chase submitted to Rochford District Council.

(c) New Clubhouse to be provided to an equivalent or better standard than the existing Clubhouse and to be available for use conveniently located to the replacement playing pitches and player parking, including a lease for their use having been granted, before any works are undertaken to the existing Clubhouse.

The new facilities shall be those set out in planning application reference 17/00436/FUL Land North of Smither's Chase submitted to Rochford District Council.

(d) In the event temporary training facilities are to be made available, they shall continue to be made available until the new Clubhouse is provided and made available.

(e) Not to carry out any works connected to the Development until the Council have confirmed in writing that they are satisfied that planning application reference 17/00436/FUL Land North of Smither's Chase submitted to Rochford District Council has been granted and demonstrated to be free from legal challenge

Not to carry out any works connected to the Development until the Council have confirmed in writing that they are satisfied that parts (a), (b), (c), (e) and if relevant (d) have been satisfied.

- Not to carry out works connected to any part of the residential development until funding of all parts of the Delivery Strategy, from Homes England or some other suitable source, to secure the delivery of the Stadium providing not less than 13,893 seats, pedestrian access via Supporters Way, car parking for teams and supporters, and public transport and other works has been secured in binding contracts and has been demonstrated to the written satisfaction of, and approved in writing by, the Council.

- Not to carry out any works in connection with Residential Units until written confirmation that an unconditional Construction Contract or Contracts for the delivery of the Stadium providing not less than 13,893 seats, pedestrian access via Supporters Way, car parking for teams and supporters, and public transport have been entered into with a commencement date within a specified period and this has been demonstrated to the written satisfaction of the Council.

- Not to carry out any works in connection with more than 850 Residential Units until the Stadium Phase 1 and all the new training facilities or temporary training facilities are practically complete and operational for the hosting of professional football matches.

Amenity Space and Management Plan

- Landscaping Scheme required before commencement of each phase to identify details, ensure legibility, public access and maintenance and how future maintenance will be funded, to secure the benefits of the amenity space identified in the planning application for the lifetime of the development to be submitted to and approved in writing by the Council.

- Manager to be established and appropriately funded for the residential open space, and the Stadium open space to be maintained by the Stadium operator, both with a costs budget to be submitted to the Council for approval in writing.

- Residential public open space to be provided at not less than 1.48ha, including a 0.75ha linear park within the Site as shown on the Land Use Parameter Plan (Plan FOF-LDA-XX-XX-XX-DR-N-ST-00005) and a minimum of 0.73 hectares of public realm including town squares, pocket parks and structural landscape, including play space provision which must include an equipped play space (Local Equipped Area for Play) of 400m², informal provision (Local Area for Play) for an additional 100m² and a 30m landscape buffer adjacent to the Scheduled Ancient Monument the siting and details of which are to be approved as part of each Reserved

Matters Application

- Stadium public open space provided at not less than 2.9h including Supporters Way and Fan Plaza

- Open space to be practically complete, inspected and opened to the public in accordance with specified triggers.

Car Club

- Owner to enter into an agreement with a car club operator for a period of 10 years before occupation of any residential units
- Provision of 10 car club vehicles, and a minimum of one year free memberships and a specified number of free driving hours for future occupiers at the cost of the Developer for a ten year period (10 car club spaces secured by condition)
- Provision of car club vehicles to be linked to phasing, with at least three car club vehicles available and on site at first occupation of any residential units, and not more than 350 residential units occupied until a further 7 car club vehicles are available and on site.

Employment and Skills

- At points to be agreed, to:
 - enter into a Training Agreement with the Council and/or a training provider for the provision of on-site construction training during that Phase for people living in the Council's area; and
 - comply with the provisions of the relevant Training Agreement during each Phase.
- 15% local labour for construction phase (reasonable endeavours)
- 20% local labour for end user phase (reasonable endeavours)
- 15% local supply chain (reasonable endeavours)
- Apprenticeships and Traineeships numbers to be determined on a phase by phase approach, based on capital value and number of units. Statement in S106 to commitment to apprenticeships and traineeships.
- Cash contribution to support 150 individuals gaining the SECTA training at the rate of £300 per person, over the duration of the first and second phases, aligning with the traineeship and apprenticeship opportunities, with training to take place before the commencement of each phase.
- If targets are not achieved, £1000 for every percentage point missed to be invested in associated skills, employment or business activity.
- Monitoring provisions.
- Consideration of provisions for training/permanent employment in the completed development

Travel Plan and Travel Plan Monitoring Fee

- Secure implementation of the Travel Plan (including Match Day Travel Plan) and monitoring.
- Travel Plan Monitoring Fee of £5,000 per annum for 10 years from first occupation of a residential unit (Provision of Travel Plan secured by condition)
- Travel Plan Co-Ordinator to be appointed before first occupation of a residential unit for a ten-year period

Travel Packs

- Travel Packs to be approved by the Council and provided to each residential unit prior to occupation
- Travel Packs must contain, among other things:
 - 4 x travel cards for use on local buses valid for 2 weeks
 - 4 x season tickets for use on c2c or Greater Anglia train lines valid for 1 week.
 - Details of free car club membership valid for 1 year
 - Details of 10 car club driving hours for those eligible

- Details of personalised Journey Planning to be provided to the first occupier of each residential Unit prior to occupation

CCTV

- CCTV to be provided, applicant to demonstrate reasonable endeavours to link their CCTV system to the Council's system before occupation of each phase, applicant to be responsible for the costs of connecting

Scheduled Monument

- Contribution to be paid over a ten-year period, with the first payment on Commencement of the first phase of the Development, towards the implementation of a management plan for the Prittlewell Camp Scheduled Monument,
- Contributions:
 - Year one: £110,200
 - Year 2 - costs £6,950 plus revenue maintenance costs £11,700
 - Years 3 -10 annual maintenance costs of £11,700 per annum
- Scheduled Monument Management Plan to be submitted, approved and implemented, including but not limited to dealing with the provision of access and rights to carry out works and maintenance

Community Use

- Community Soccer Dome Community Use Agreement, Stadium Community Use Agreement and Community Use of Artificial Grass Pitches to be implemented in accordance with details approved pursuant to planning conditions 55 and 56

Major Event Day Plan

- Secure implementation of the Major Event Day management plan the details of which are secured by condition 77.

Public Art

- Public Art to be provided at Fan Plaza, Supporters Way and Linear Park, unless otherwise agreed in writing with the Council to a minimum total value of £150,000
- Strategy to be submitted to and agreed in writing with the Council before the commencement of each phase in which public art is to be located.
- Art to be provided in accordance with specified triggers

Community Fund

- Payment of a contribution towards a fund to provide community benefit of £25,000 prior to first occupation of the residential units

Cecil Jones Memorial Ground Improvement Contribution

- Payment of a contribution of £40,000 for the supply and installation of a multi-play unit and associated safer surfacing at Jones Memorial Ground Play Area, payable prior to first occupation of residential units

SUCET

Obligation to implement the SUCET increased activities in accordance with the initiatives and targets set out in the Sporting and Community Benefits statement including but not limited to:

- Steering group established, of which the Council, Southend United Football Club, Citizen Housing LLP and the Registered Provider are members, to oversee the proposed activities/initiatives, programme/timetable and implementation of activities, to include measures to be introduced where falling short on 5-year plan

- Monitoring reports to monitor progress against the 5-year plan and benchmarked against the value of the proposed initiatives in the 5-year plan, with alternative proposals to be implemented to achieve an equivalent value (if required)
- Obligation on applicant to make required facilities available to SUCET to implement the activities
- Prior to first occupation of the Stadium, applicant to submit a schedule of when SUCET activities will be operating from the Fossetts Farm site, to be agreed with the Council in writing and implemented by the applicant

Other Provisions

- Contributions and caps to be subject to Indexation
- Agreement to include appropriate provisions regarding the return of unspent, uncommitted contributions
- Legal fees
- S106 Monitoring fees
- Monitoring provisions
- Enforcement of details secured by condition for offsite works, including but not limited to:
 - (i) Construction Logistics/Traffic Management Plan
 - (ii) SMP
 - (iii) Local Area Management Plan
 - (iv) Car Park Management Plans
 - (v) Major Event Day Travel Plan
 - (vi) Travel Plan
- Phases currently comprise Phase 1A, Phase 1B, Phase 1C, Phase 1D, Phase 2A, Phase 2B and Phase 3. Provision for dealing with any changes to the time for compliance with Section 106 Agreement obligations in the event of changes to the phasing plan agreed in writing with the Council
- Provisions for binding Council and Loxford Land
- Joint and several liability by the owners
- Release from restrictions contained within previous Section 106 Agreement.

(iii.) That, subject to the Secretary of State's respective decisions not to direct refusal of permission and/or to call in the application, upon completion of the Section 106 agreement, the Director of Planning and Head of Planning and Building Control be instructed to APPROVE the application reference 17/00733/FULM under delegated powers and grant planning permission subject to the following conditions (with such detailed amendments as the Director of Planning and Head of Planning and Building Control may consider to be reasonable and necessary in the course of negotiating the detailed Section 106 Agreement):

GENERAL CONDITIONS

1. Full Application – Commencement:

The development for which detailed approval is hereby permitted as shown on drawing SEU-POP-00-ZZ-SI-A0004 Rev 00, shall be begun no later than 3 (three) years beginning with the date of this permission.

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

2. Outline Application - Reserved Matters:

No development of any phase (as outlined on the Detailed Development Phasing Programme approved under Condition 12), shall commence unless and until details of Layout; Scale; Appearance; Landscaping; remaining elements of access not applied for in detail for that phase (hereinafter called the "Reserved Matters") have been submitted to and approved by the Local Planning Authority. The development of the phase shall be carried out only in accordance with such details once approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended) and because the application is for outline planning permission only and the particulars submitted are insufficient for consideration of details mentioned.

3. Outline Application - Submission for approval and commencement of the Outline elements:

Application for approval of the first Reserved Matters shall be made to the Local Planning Authority not later than 3 (three) years from the date of this permission. The Application for approval for the final set of Reserved Matters pursuant to the outline permission shall be made before the expiration of 5 (five) years from the date of this permission.

Implementation of a Reserved Matters approval shall commence no later than 5 (five) years from the date of this permission or 2 (two) years from the date of approval of the last of the reserved matters to be approved, whichever is the latter.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended).

4. Full Application - Approved Plans and documents:

The development for which detailed approval is hereby permitted, shall be carried solely out in accordance with the approved plans and documents below:

Documents

- Planning Application Form and CIL Form
- New Environmental Statement Rev A Volume 1 – Main Text
- New Environmental Statement Rev A Volume 2 – Figures and Appendices
- New Environmental Statement. Rev A; Non-Technical Summary
- BREEAM Pre-Assessment Strategy – Full Planning
- BREEAM Pre-Assessment Strategy – Phase 1c Development
- Energy Statement – Detailed Planning Application (Residential)
- Energy Statement – Outline Planning Application (Residential)
- Energy Statement – Detailed Planning Application (Non-Residential)
- Site Waste Management Plan
- Operational Waste Management Plan
- Sustainability Statement
- Utilities Report
- Flood Risk Assessment
- Addendum to Flood Risk Assessment and Dwg 348762-MMD-XX-00-DR-D-0006
- Design and Access Statement Volume 1 Rev 02
- Design and Access Statement Volume 2: Drawings Rev 02
- Ecology Report – Extended Phase 1 Survey – see ES Vol 2
- Habitats Regulations Assessment

- Ecology Report – Reptile Survey Report
- Transport Assessment
- Car Parking Management Plan Appendix F of the Transport Assessment
- Travel Plan: Residential Appendix L of the Transport Assessment
- Framework Travel Plan Appendix M of the Transport Assessment
- SATURN Modelling Report
- Planning Statement
- Development Framework Specification
- Sporting and Community Benefits Statement
- HUDU Health Impact Assessment – See ES Vol 2 Appendix 5.1
- Affordable Housing Statement
- Arboricultural Report

Plans

Site Plans

- Red Line Application Boundary - SEU-POP-00-ZZ-SI-A0004 Rev 00
- Masterplan Phase 01 - SEU-POP-00-ZZ-SI-A0000 Rev 03
- Masterplan Phase 02 - SEU-POP-00-ZZ-SI-A0001 Rev 03
- Land Ownership - SEU-POP-00-ZZ-SI-A0003 Rev 03
- Phasing Plan - 21174-0302 Rev P-03

Stadium Plans

- L1 Lower Concourse/BOH Level, Phase 01, GA Plan - SUS-POP-00-01-GA-A-0101
- L2 Main Concourse Level, Phase 01, GA Plan - SUS-POP-00-02-GA-A-0103
- L3 Level, Phase 01, GA Plan - SUS-POP-00-03-GA-A-0104
- Roof Level, Phase 01, Ga Plan - SUS-POP-00-RF-GA-A-0106
- L0 Parking & Pitch Level, Phase 02, GA Plan - SUS-POP-00-00-GA-A-0110
- L1 Lower Concourse/BOH Level, Phase 02, GA Plan - SUS-POP-00-01-GA-A-0111
- L1m Mezzanine Concourse Level, Phase 02, GA Plan - SUS-POP-00-M1-GA-A-0112
- L2 Main Concourse Level, Phase 02, GA Plan - SUS-POP-00-02GA-A-0113
- L3 Hospitality Level, Phase 02, GA Plan - SUS-POP-00-03-GA-A-0114
- L4 Meeting/Box Level, Phase 02, GA Plan - SUS-POP-00-04-GA-A-0115
- L5 Hotel/Box Level, Phase 02, GA Plan - SUS-POP-00-05-GA-A-0116
- L6 Hotel Level, Phase 02, GA Plan - SUS-POP-00-06-GA-A-0117
- Stadium Roof Level, Phase 02, GA Plan - SUS-POP-00-RF-GA-A-0118
- North/South, East/West Sections Phase 01 - SUS-POP-ZX-ZZ-SE-A-0200
- North/South, East/West Sections Phase 02 - SUS-POP-ZX-ZZ-SE-A-0201
- East & West Stand Sections - SUS-POP-ZX-ZZ-SE-A-0202
- South & North Stand Sections - SUS-POP-ZX-ZZ-SE-A-0203
- East & West Elevations, Phase 01 - SUS-POP-ZX-ZZ-EE-A-0300
- North & South Elevations, Phase 01 - SUS-POP-ZX-ZZ-EE-A-0301
- East & West Elevations, Phase 02 - SUS-POP-ZX-ZZ-EE-A-0302
- North & South Elevations, Phase 02 - SUS-POP-ZX-ZZ-EE-A-0303
- Bowl Plan Phase 1 - SUS-POP-00-04-GA-A-6000
- Bowl Plan Phase 2 - SUS-POP-00-ZZ-GA-A-6001
- Axonometrics Phase 1 - SUS-POP-00-ZZ-DR-A-0900
- Axonometrics Phase 2 - SUS-POP-ZX-ZZ-DR-A-0901
- Community Dome Pitch Layout Plan - SUA-POP-00-L01-GA-A-0303

Academy Buildings

- Ground Floor Plan, Academy and Community Building - SUA-POP-00-L01-GA-A0100
- Ground Floor and Roof Plan Community Building - SUA-POP-00-XX-GA-A-0101
- L00 & L01 Plan, Academy Building - SUA-POP-00-XX-GA-A-0102
- L02 & L03 Plan, Academy Building - SUA-POP-00-XX-GA-A-0103
- Roof Plan, Academy Building - SUA-POP-00-XX-GA-A-0104
- Sections, Academy and Community Building - SUA-POP-00-XX-SE-A-0200
- Detailed Sections, Academy Building - SUA-POP-00-XX-SE-A-0201
- Detailed Sections, Community Building - SUA-POP-00-XX-SE-A-0202
- Elevations, Academy and Community Building - SUA-POP-00-XX-EE-A-0300
- Detailed Elevations, Community Building - SUA-POP-00-XX-EE-A-0301
- Detailed Elevations, Academy Building - SUA-POP-00-XX-EE-A-0302
- Perspective Views, Academy and Community Building - SUA-POP-00-XX-DR-A-0900 Rev 01

Training Building

- Site Plan Training Centre - STC-POP-00-ZZ-SI-A-0000
- L00 Plan, Training Centre - STC-POP-00-L00-GA-A-0100
- L01 Plan, Training Centre - STC-POP-00-L001GA-A-0101
- Roof Plan, Training Centre - STC-POP-00-RF-GA-A-0102
- Sections A & F, Training Centre - STC-POP-00-XX-SE-A-0200
- Sections J & K, Training Centre - STC-POP-00-XX-SE-A-0201
- Sections 2, 4 & 7, Training Centre - STC-POP-00-XX-SE-A-0202
- Elevations North and South, Training Centre - STC-POP-00-XX-EE-A-0300
- Elevations East and West, Training Centre - STC-POP-00-XX-EE-A-0301
- Detailed Elevations, Training Centre - STC-POP-00-XX-EE-A-0302
- Perspective Views, Training Centre - STC-POP-00-XX-DR-A-0900
- Perspective Views, Training Centre - STC-POP-00-XX-DR-A-0901

Gateway Building Plans and Elevations

- Ground Floor Plan - 2125-00-DR-0001 Rev P03
- First Floor Level - 2125-00-DR-0002 Rev P03
- Second Floor Level - 2125-00-DR-0003 Rev P02
- Third Floor Level - 2125-00-DR-0004 Rev P02
- Fourth Floor Level - 2125-00-DR-0005 Rev P02
- Fifth Floor Level - 2125-00-DR-0006 Rev P02
- Sixth Floor Level - 2125-00-DR-0007 Rev P02
- Roof Level - 2125-00-DR-0008 Rev P02
- East and West Elevations - 2125-00-DR-0605 Rev P02
- South Gateway Building – North and South Elevations - 2125-00-DR-0606 Rev P02
- North Gateway Building – North and South Elevations - 2125-20-DR-0606 Rev P02

Residential Fan Plaza Plans and Elevations

- Floor Plan Lower Carpark - 2095-00-DR-0108 Rev P02
- Floor Plan Upper Carpark - 2095-00-DR-0109 Rev P03
- Floor Plan Floor 00 - 2095-00-DR-0110 Rev P05
- Floor Plan Floor 01 - 2095-00-DR-0111 Rev P02
- Floor Plan Floor 02 - 2095-00-DR-0112 Rev P02
- Floor Plan Floor 03 - 2095-00-DR-0113 Rev P02
- Floor Plan Floor 04 - 2095-00-DR-0114 Rev P04

- Floor Plan Floor 05 - 2095-00-DR-0115 Rev P02
- Floor Plan Floor 06 - 2095-00-DR-0116 Rev P04
- Floor Plan Roof - 2096-00-DR-0117 Rev P02
- Elevation East and West - 2095-00-DR-0601 Rev P02
- Elevation North and South - 2095-00-DR-0602 Rev P02

Residential Stadium Accommodation Plans and Elevations

- Wheelchair Accessible Units - 2059-00-DR-0403 Rev 01
- Floor 00 East Stand - 2059-10-DR-0111 Rev P02
- Floor 04 East Stand - 2059-10-DR-0114 Rev P02
- Floor 05 East Stand - 2059-10-DR-0115 Rev P02
- Floor 06 East Stand - 2059-10-DR-0116 Rev P02
- Floor 07 East Stand - 2059-10-DR-0117 Rev P02
- Floor 08 East Stand - 2059-10-DR-0118 Rev P02
- Floor 09 East Stand - 2059-10-DR-0119 Rev P02
- Floor 10 East Stand - 2059-10-DR-0120 Rev P02
- Floor 00 West Stand - 2059-10-DR-0211 Rev P02
- Floor 04 West Stand - 2059-10-DR-0214 Rev P02
- Floor 05 West Stand - 2059-10-DR-0215 Rev P02
- Floor 06 West Stand - 2059-10-DR-0216 Rev P02
- Floor 07 West Stand - 2059-10-DR-0217 Rev P02
- Floor 08 West Stand - 2059-10-DR-0218 Rev P02
- Floor 09 West Stand - 2059-10-DR-0219 Rev P02
- Floor 10 West Stand - 2059-10-DR-0220 Rev P02
- West Wing North and West Elevation - 2059-10-DR-0400 Rev P02

Landscape Plans

- Illustrative Landscape Masterplan - 1230-1-R001 Rev P3
- Landscape GA 1 of 14 - 1230-1-001 Rev P3
- Landscape GA 2 of 14 - 1230-1-002 Rev P3
- Landscape GA 3 of 14 - 1230-1-003 Rev P3
- Landscape GA 4 of 14 - 1230-1-004 Rev P3
- Landscape GA 5 of 14 - 1230-1-005 Rev P3
- Landscape GA 6 of 14 - 1230-1-006 Rev P3
- Landscape GA 7 of 14 - 1230-1-007 Rev P3
- Landscape GA 8 of 14 - 1230-1-008 Rev P3
- Landscape GA 9 of 14 - 1230-1-009 Rev P3
- Landscape GA 10 of 14 - 1230-1-0010 Rev P3
- Landscape GA 11 of 14 - 1230-1-0011 Rev P3
- Landscape GA 12 of 14 - 1230-1-0012 Rev P3
- Landscape GA 13 of 14 - 1230-1-0013 Rev P3
- Landscape GA 14 of 14 - 1230-1-0014 Rev P3

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

5. Outline Application - Approved Parameter Plans and documents:

Details approved under Condition 12 for each phase of the development hereby approved shall accord with the approved documents and drawings, notably the Development Framework Specification (DFS), Parameter Plans and accompanying notes and Design Code to be prepared in accordance with Condition 15, which set out the maximum parameters for the development as outlined on the following:

Documents

- Planning Application Form and CIL Form
- Development Framework Specification
- New Environmental Statement Rev A Volume 1 – Main Text
- New Environmental Statement Rev A Volume 2 – Figures and Appendices
- New Environmental Statement. Rev A; Non-Technical Summary
- BREEAM Pre-Assessment Strategy – Full Planning
- BREEAM Pre-Assessment Strategy – Phase 1c Development
- Energy Statement – Detailed Planning Application (Residential)
- Energy Statement – Outline Planning Application (Residential)
- Energy Statement – Detailed Planning Application (Non-Residential)
- Site Waste Management Plan
- Operational Waste Management Plan
- Sustainability Statement
- Utilities Report
- Flood Risk Assessment
- Addendum to Flood Risk Assessment and Dwg 348762-MMD-XX-00-DR-D-0006
- Design and Access Statement Volume 1 Rev 02
- Design and Access Statement Volume 2: Drawings Rev 02
- Ecology Report – Extended Phase 1 Survey – see ES Vol 2
- Habitats Regulations Assessment
- Ecology Report – Reptile Survey Report
- Transport Assessment
- Car Parking Management Plan Appendix F of the Transport Assessment
- Travel Plan: Residential Appendix L of the Transport Assessment
- Framework Travel Plan Appendix M of the Transport Assessment
- SATURN Modelling Report
- Planning Statement
- Sporting and Community Benefits Statement
- HUDU Health Impact Assessment – See ES Vol 2 Appendix 5.1
- Affordable Housing Statement
- Arboricultural Report

Plans

Site Plans

- Red Line Application Boundary - SEU-POP-00-ZZ-SI-A0004 Rev 00
- Masterplan Phase 01 - SEU-POP-00-ZZ-SI-A0000 Rev 03
- Masterplan Phase 02 - SEU-POP-00-ZZ-SI-A0001 Rev 03
- Land Ownership - SEU-POP-00-ZZ-SI-A0003 Rev 03
- Phasing Plan - 21174-0302 Rev P-03

Parameter Plans

- Outline Area Boundary of Hybrid Planning Application Location Plan - FOF-LDA-XX-XX-XX-DR-N-ST-0001 Rev 03
- Land Use Parameter Plan - FOF-LDA-XX-XX-XX-DR-N-ST-0002 Rev 04
- Vehicle Access Parameter Plan - FOF-LDA-XX-XX-XX-DR-N-ST-0003 Rev 04
- Pedestrian and Cycle Access Parameter Plan - FOF-LDA-XX-XX-XX-DR-N-ST-0004 Rev 03
- Landscape Parameter Plan - FOF-LDA-XX-XX-XX-DR-N-ST-0005 Rev 03
- Maximum Building Height Parameter Plan - FOF-LDA-XX-XX-XX-DR-N-ST-0006 Rev 03

- Development Envelope Dimensions Parameter Plan - FOF-LDA-XX-XX-XX-DR-N-ST-0007 Rev 04
- Maximum Residential Density – Illustrative Plan - FOF-LDA-XX-XX-XX-DR-N-ST-0102 Rev 03

All Reserved Matters applications will need to confirm compliance with the above documents and plans or in accordance with any minor modification agreed in writing beforehand by the local planning authority.

Reason: To ensure the development is carried out in accordance with the development plan and to ensure compliance with the Environmental Statement.

6. Outline Application - Land Use Table

In line with the submitted Development Framework Specification (PowerHaus Consultancy, May 2021), the maximum floorspaces for the development hereby approved in outline within each of the Use Classes and uses specified in the table below shall not exceed:

Resident Floorspace (Outline Area of Hybrid Application) Phase 1c			
Phase 1c Residential	Up to 1,114 units	GIA	Up to 118,000 sqms
Phase 1c Flexible Floorspace		Class E GIA	Up to 1,609 sqms
		Community Use (Class F1/F2) GIA	Up to 280 sqms

Reason: To define the scope of the permission and to ensure that the proposed development has been adequately tested and mitigation identified within defined limits.

7. Full and Outline Application - Withdrawal of permitted development rights

The uses hereby approved, as identified under Condition 6 and in the locations of plan number FOF-LDA-XX-XX-XX-DR-N-ST-0002 Rev 04 shall only be used for purposes falling within the use classes as defined under the Town and Country Planning (Use Classes) Order 1987 (as amended) on the date this application was submitted and shall not be used for any other purpose, including any purpose permitted under amendments to the Town and Country Planning (Use Classes) Order 1987 since the application was submitted nor any change of use permitted under the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or in any provisions equivalent to those in any statutory instrument revoking and re-enacting these Orders, with or without modification, unless or until express planning permission from the Local Planning Authority is provided.

Reason: To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floorspace within the Use Class specified so that occupation of the premises does not prejudice amenity and wider objectives of the planning system, in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007) and Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015).

8. Outline Application - Community use

The development shall include a minimum of 280sqm of Community uses (Use class F1/ F2) and is to be retained in perpetuity. This is to be made available ahead of the occupation of the Phase 1c, as defined on the approved phasing plan (document reference 21174-0302 Rev P-03) unless otherwise agreed as part of the Detailed Development Phasing Programme approved under Condition 12.

Reason: To ensure the development is implemented in accordance with the permission sought and to ensure the community is served adequately by local facilities in accordance with Policies CP6 of the Core Strategy

9. Outline Application - Housing mix

The mix of housing delivered for the residential outline element of the scheme will conform with the housing mix stated within the approved DFS (PowerHaus Consultancy, May 2021) unless a scheme with a revised mix of housing has been previously submitted to the Local Planning Authority and approved in writing under the terms of this condition. In such circumstances the mix of housing delivered shall be in accordance with the approved revised scheme.

Reason: To ensure the development is implemented in accordance with the permission sought and is in accordance with Policy CP8 of the Core Strategy (2007) and Policy DM7 of the Development Management Document (2015).

10 Full and Outline Application -Retail Impact Assessment

If a change of use application or separate application for Class E is proposed within the site which would result in an exceedance of 2,500m² of Class E floorspace being provided, a proportional retail impact assessment shall be completed and submitted to the Local Planning Authority for its written approval, such class E floorspace shall not exceed the floorspace approved pursuant to the retail impact assessment.

Reason: To ensure the development is implemented in accordance with the permission sought, to ensure the community is served adequately by local facilities and to ensure the scheme does not unduly impact Southend Town Centre in accordance with Policy CP2 of the Core Strategy (2006).

11 Full and Outline Application - Stadium funding and building contract(s)

No part of any residential development hereby permitted whether in full or outline, may commence unless and until the Director of Planning and Head of Planning and Building Control has been satisfied:

- (i) that funding for the delivery of the Stadium providing not less than 13,893 seats, pedestrian access via Supporters Way, car parking for teams and supporters, and public transport has been secured; and
- (ii) that a binding commercial contract or contracts have been entered into to secure the construction and practical completion of the Stadium hereby permitted within a stipulated time period, providing not less than 13,893 seats, a football pitch, pedestrian access via Supporters Way, car parking and public transport.

To secure the discharge of this condition a report or reports shall be submitted to the Director of Planning and Head of Planning and Building Control in writing describing and evidencing the relevant matters specified above. Copies of the said contract (s) shall be provided. No development may commence until written notice

of the discharge of all elements this condition has been given by or on behalf of the Director of Planning and Head of Planning and Building Control.

Reason: To secure the construction, fit out and completion of the Stadium hereby permitted.

PHASING CONDITIONS

12 Full and Outline Application - Detailed Development Phasing Programme

Prior to the commencement of development of any phase, a Detailed Development Phasing Programme (building on the phasing within the approved phasing plan reference (21174-0302 Rev P-03) must be submitted to and approved in writing by the local planning authority. The Detailed Development Phasing Programme shall set out the extent of each proposed phase, how the phase in combination with previous phases complies with the limitations in the Development Framework Specification and Parameter Plans, the delivery of key supporting infrastructure (including community facilities) and procedures for amending the phasing plan if subsequently deemed necessary. Following the approval of the Detailed Development Phasing Programme, each phase shall be completed in accordance with the approved details before the next phase commences.

Reason: To ensure a coordinated development that complies with the National Planning Policy Framework (NPPF) and the requirements of the local development plan alongside ensuring compliance with the Environmental Statement.

13. Full and Outline Application - SUFC Training Ground Replacement Training Centre and Car Parking Delivery

(a) No development whatsoever can commence on land comprising existing playing pitches until replacement facilities of equivalent or better provision have secured planning permission and been delivered to a standard which enables them to be used and are made available for use to the written satisfaction of the Director of Planning and Head of Planning and Building Control. To secure the discharge of this condition a report shall be submitted in writing describing both the old and new facilities together with confirmation that a lease for their use has been entered into with evidence of the same. The new facilities shall be those set out in planning application reference 17/00436/FUL Land North of Smither's Chase submitted to Rochford District Council as originally submitted and shall be in accordance with the dimensions shown on drawing number 1819-1011 Rev 2 submitted as part of that application. No development may commence until written notice of the discharge of all elements this condition (a), (b) and (c) have been given by or on behalf of the Director of Planning and Head of Planning and Building Control.

(b) No development whatsoever can commence on land comprising existing car parking facilities for players and staff until replacement facilities of equivalent or better provision conveniently located to the replacement playing pitches and clubhouse have secured planning permission and been delivered to a standard which enables them to be used and are made available for use to the written satisfaction of the Director of Planning and Head of Planning and Building Control. To secure the discharge of this part of this condition a report shall be submitted in writing describing the old and new facilities together with confirmation that a lease

for their use has been entered into with evidence of the same. The new facilities shall be those set out in planning application reference 17/00436/FUL Land North of Smither's Chase submitted to Rochford District Council or such other temporary provision as the Director of Planning and Head of Planning and Building Control may admit provided such facilities have planning permission. This temporary provision shall continue to be made available until the new facilities set out in planning application reference 17/00436/FUL are provided and made available for use to the written satisfaction of the Director of Planning and Head of Planning and Building Control. No development may commence until written notice of the discharge of all elements this condition (a), (b) and (c) have been given by or on behalf of the Director of Planning and Head of Planning and Building Control.

(c) No development whatsoever can commence on land comprising existing clubhouse until replacement clubhouse facilities of equivalent or better provision conveniently located to the replacement playing pitches and player car parking have secured planning permission and been delivered to a standard which enables them to be used and are made available for use to the written satisfaction of the Director of Planning and Head of Planning and Building Control. To secure the discharge of this condition a report shall be submitted in writing describing the old and new facilities together with confirmation that a lease for their use has been entered into with evidence of the same. The new facilities ultimately shall be those set out in planning application reference 17/00436/FUL Land North of Smither's Chase submitted to Rochford District Council. If prior to the provision of that clubhouse facility a temporary facility is to be provided it shall be that in a planning application to Southend on Sea Borough Council. This temporary facility or such other temporary provision as the Director of Planning and Head of Planning and Building Control may admit provided such facilities have planning permission shall continue to be made available until the new facilities set out in planning application reference 17/00436/FUL are provided and made available for use to the written satisfaction of the Director of Planning and Head of Planning and Building Control. No development may commence until written notice of the discharge of all elements this condition (a), (b) and (c) have been given by or on behalf of the Director of Planning and Head of Planning and Building Control.

(d) No Stadium related or other development including residential development hereby permitted may commence unless and until the Director of Planning and Head of Planning and Building Control has been satisfied that planning application reference 17/00436/FUL Land North of Smither's Chase submitted to Rochford District Council has been granted and demonstrated to be free from legal challenge to the written satisfaction of the Director of Planning and Head of Planning and Building Control. No development may commence until written notice of the discharge of all elements this condition has been given by or on behalf of the Director of Planning and Head of Planning and Building Control.

Reason: In order to provide continuity of the training centre facility, car parking facilities and clubhouse facilities provision for SUFC.

14 Full Application - Community Dome

The Community Dome shall be delivered and ready for use no later than 12 months of the Stadium becoming operational for football events.

Reason: To protect the sporting social and cultural function of Southend United Football Club and the amenity of future residents.

DESIGN AND HERITAGE RELATED CONDITIONS

15. Outline Application - Design Code Approval

No applications for approval of the Reserved Matters (other than for enabling works) shall be submitted until a Design Code, has been submitted to and approved in writing by the Local Planning Authority.

The Design Code must accord with the approved Parameter Plans and DFS and must accord with but not be limited to design principles set out within the Design and Access Statement providing a greater articulation of design details. The Design Code must be written in accordance with latest National Design Guidance including the National Model Design code, or any guidance which replaces this.

For the avoidance of doubt, and notwithstanding requirements of other planning conditions herein, the following shall apply to the outline scheme as a whole:

- (i) all homes must meet or exceed the Nationally Described Space Standards (March 2015);
- (ii) all homes must be provided with private amenity space of not less than 5sq.m and not less than 1.5m deep. At ground floor/podium level to include a landscape buffer where appropriate.
- (iii) communal podium landscaped spaces (at a minimum of 1.7ha) must be accessible to all residents within the block they serve;
- (iv) play space provision must include an equipped play space of 400m² and informal provision for an additional 100m²
- (v) 10% of the homes must be delivered to M4 (3) easily wheelchair adaptable standard. The remaining 90% of the homes must be delivered to M4 (2) adaptable standard or any revision or amendment which subsequently replaces these accessibility standards in the future.
- (vi) Public open space provided at not less than 1.48ha, including a 0.75ha linear park
- (vii) Minimum street widths and specifications:
 - (a) Where the ground floor has residential units, a defensible space of no less than 1 metre either side of the street must be provided.
 - (b) Primary Streets: No less than 3 metres pavement both sides of the street which is shared pedestrian and cycle route; No less than 2.5 metre zone on both sides of the street for on-street parking, loading bays, and street trees (excluding the defensible space referenced above)
 - (c) Secondary streets: No less than 2 metres pavement on both sides of the street which is shared pedestrian and cycle route; No less than 2.5 metre zone on one side of the street for on-street parking, loading bays, and street trees (excluding the defensible space referenced above)
- (viii) Residential blocks located adjacent to the Scheduled Monument must not include roof-based plant.
- (ix) Integrated design of Emergency and servicing routes where these routes are within areas of public open space.

Reason: In order to ensure the highest quality redevelopment of the site based on specific design guidelines and to ensure the development meet the needs of future residents, occupiers and uses in accordance with the National Planning

Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM8 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009), the National Housing Standards (2015) and the Technical Housing Standards Policy Transition Statement (2015).

16. Outline Application - Design Code conformity

Applications for approval of the Reserved Matters shall comply with the approved Design Code under Condition 15, unless an alternative solution involving outstanding innovative design is proposed. Each application shall be accompanied by a compliance statement describing how the Reserved Matters designs comply with the approved Design Code or (where relevant) explaining why an alternative solution is proposed. Development thereafter shall be carried out in accordance with the approved details only.

Reason: In order to ensure the highest quality redevelopment of the site based on specific design guidelines and to ensure the development meet the needs of future residents, occupiers and uses in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM8 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009), the National Housing Standards (2015) and the Technical Housing Standards Policy Transition Statement (2015)

17. Outline and Full Application - Designing out Crime

With the exception of demolition, site clearance and preliminary works, no development of any Phase (as outlined on the Detailed Development Phasing Programme approved under Condition 12) of the development hereby approved shall commence above ground level until and unless a scheme showing the principles to be implemented to reduce the risk of crime and fear of crime for that Phase has been submitted to and approved in writing by the Local Planning Authority in consultation with the Police. All residential units shall achieve the Secure by Design Silver accreditation (or updated national equivalent) and should target the PCPI 'Secured Environments' accreditation. That part of the development shall not be occupied until and unless the approved scheme for that part of the development has been fully implemented. The approved measures shall be maintained for the lifetime of the development and include consideration of:

- (a) Footpath design and layout of housing in line with Stadium Way;
- (b) Use and design of the Balconies;
- (c) Planting and Landscape design throughout the development;
- (d) Public realm areas especially the Stadium Way;
- (e) Cycle parking provision;
- (f) measures have been proposed to mitigate any potential risk towards women and children;
- (g) Physical Security Measures (i.e. door hardware) and
- (h) Management and Maintenance policies.

Reason: To ensure the creation of a safe and secure environment in accordance with the National Planning Policy Framework, Core strategy Policies KP2 CP4 and CP6 and guidance in the Southend Design and Townscape Guide (2007)

18. Full and Outline Application - Materials submission and approval

Notwithstanding the details shown on the plans submitted and otherwise hereby approved, a phase of the development (as outlined on the Detailed Development Phasing Programme approved under Condition 12) hereby permitted shall not commence, other than for groundworks and site preparation works, unless and until full details and appropriately sized samples of the materials to be used in that phase for all the external surfaces of the proposed buildings at the site including facing materials, roof detail, windows (including sections, profiles and reveals), doors, balustrading, fascia and balconies, stadium temporary cladding, hoarding, floodlights and video screens have been submitted to and approved in writing by the local planning authority. The works must then be carried out in full accordance with the approved details before the dwellings or non-residential parts of that phase of the development are first occupied or brought into use.

Reason: To safeguard character and appearance of the area and the visual amenities of neighbouring occupiers in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

19 Full and Outline Application - Obscure Glazing

Notwithstanding the details shown in the plans submitted and otherwise hereby approved, prior to commencement of each phase the development hereby granted consent shall not be first occupied or brought into use unless and until plans are submitted to the Local Planning Authority and approved in writing which clearly specify all the windows and other openings in the development that are to be permanently glazed with obscured glass and fixed shut or provided with only a fanlight (or other similar) opening and the manner and design in which these windows and openings are to be implemented.

The development hereby permitted shall be implemented in full accordance with the details approved under this condition before it is first occupied or brought into use and shall be permanently retained as such thereafter. The windows included within such agreed scheme shall be glazed in obscure glass which is at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority. Top hung lights agreed within such scheme shall be a minimum of 1.7 metres above internal floor level. In the case of multiple or double-glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4. The windows shall be retained in accordance with the agreed details for the lifetime of the development.

Reason: To avoid overlooking and the resultant loss of privacy of the adjoining residential properties, in accordance with the National Planning Policy Framework, Core Strategy 2007 policies KP2 and CP4, and Development Management Document 2015 policy DM1 and advice contained within the Design and Townscape Guide.

20. Full and Outline Application - Privacy screens

Prior to the commencement of each phase of development details on privacy screens and the manner and design in which these are to be implemented for each phase will be submitted and approved by the Local Planning Authority.

The development hereby permitted shall be implemented in full accordance with the details approved under this condition before each phase is first occupied or

brought into use and shall be permanently retained in accordance with the agreed details for the lifetime of the development.

Reason: To avoid overlooking and the resultant loss of privacy of the adjoining residential properties, in accordance with the National Planning Policy Framework, Core Strategy 2007 policies KP2 and CP4, and Development Management Document 2015 policy DM1 and advice contained within the Design and Townscape Guide.

21. Outline Application - Daylight and Sunlight

Each Reserved Matters Application for a Phase of the Development (as outlined on the Detailed Development Phasing Programme approved under Condition 12) must be accompanied by an assessment of the impact of the development upon:

- (a) the levels of daylight and sunlight at existing and proposed residential properties affected by that Phase of the development; and
- (b) overshadowing of existing and proposed open spaces affected by that Phase of the development.

The assessments must be approved in writing by the Local Planning Authority prior to commencement of each Phase and the development shall be implemented in accordance with the details set out in the approved assessment before it is occupied.

Reason: To protect residents in the development and neighbouring the site from adverse impacts on daylight and sunlight to protect their amenities in accordance with Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Design and Townscape Guide (2009).

22. Full and Outline Application - Site Levels Details

No development other than demolition and site clearance works shall be undertaken for any phase of the development unless and until details of existing and proposed site levels at and surrounding the site have been submitted to and approved in writing by the local planning authority. The details supplied shall include information on the levels of all buildings, hard and soft surfaced areas. The development shall be undertaken and completed at the levels shown on the approved drawing before the phase is brought into use.

Reason: In the interests of the residential amenity of adjoining residents and the character and appearance of the area and to ensure that the development complies with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Design and Townscape Guide (2009).

23. Full and Outline Application - Roof Apparatus and London Southend Airport Height restriction

The development hereby approved shall not exceed height of 56.46m AOD at any time. This AOD height includes aerials, antenna, apparatus and roof mounted plant appliances of any sort.

Reason: In the interests of aviation safety in accordance with Development Management Document (2015) Policy DM4.

24. Full and Outline Application - Southend Airport Instrument Flight Procedures Compliance

Prior to above ground works within any Phase (as outlined on the Detailed Development Phasing Programme approved under Condition 12) of the development hereby approved confirmation that the Phase complies with the relevant Instrument Flight Procedures of the Airport Authority shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Airport Authority. The development shall only be implemented in accordance with the details approved under this condition.

Reason: In the interests of aviation safety in accordance with Development Management Document (2015) Policy DM4.

25. Full and Outline Application - Crane Height

Prior to the commencement of development within any Phase (as outlined on the Detailed Development Phasing Programme approved under Condition 12) of the development hereby approved and as shown on the approved Phasing Plan 21174-0302 Rev P-03 details of the cranes to be used in the construction of that Phase shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Airport Authority. The details shall include the location of cranes and maximum heights in order to allow the Airport Authority to undertake further assessment prior to commencement of development. Thereafter cranes shall only be erected and operated in accordance with the approved details.

If additional cranes are required following commencement of development, or revised crane heights or locations are subsequently sought, the revised details shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Airport Authority prior to the erection or the first operation of the relevant cranes and the cranes shall only be erected or operated in accordance with the revised details.

Reason: In the interests of aviation safety in accordance with Development Management Document (2015) Policy DM4.

26. Full and Outline Application - High pressure sewer easement

For the avoidance of doubt, all areas of built or otherwise inappropriate development shall not be located within the high-pressure sewer easement which crosses the site (as identified on plan SEU-POP-00-ZZ-SI-A0003 Rev 03).

Reason: To ensure development does not adversely impact on the strategic sewer network.

27. Full and Outline Application - Scheduled Monument Management Plan

No development other than demolition and site clearance works shall take place unless and until a Scheduled Monument Management Plan and timetable for implementation has first been submitted and approved in writing by the Local Planning Authority. The Scheduled Monument Management Plan shall be implemented in accordance with the approved details. No built development shall occur within 30m of the Scheduled Monument, within which a landscape buffer shall be implemented.

Reason: To ensure development does not adversely impact on the Schedule Monument in accordance with the National Planning Policy Framework (2021) and Policy DM5 of the Development Management Document (2015).

28. Full and Outline Application - Archaeological Watching brief

No development shall take place, within each phase (as outlined on the Detailed Development Phasing Programme approved under Condition 12) of the development) unless and until an Archaeological Written Scheme of Investigation for a programme of archaeological work including a programme of archaeological recording and analysis, a watching brief for any works involving vertical or lateral invasion into the existing top or sub soil, details of the measures and mitigation strategy to be taken should any archaeological finds be discovered (including halting development in these areas) has first been submitted to and approved in writing by the Local Planning Authority. The approved Archaeological Written Scheme of investigation/watching brief and measures are to be undertaken throughout the course of the works affecting below ground deposits and are to be carried out by an appropriately qualified archaeologist. The subsequent recording and analysis reports shall be submitted to the local planning authority before that phase of the development is brought into first use.

Reason: To allow the preservation by record of archaeological deposits and to provide an opportunity for the watching archaeologist to notify all interested parties before the destruction of any archaeological finds in accordance with the National Planning Policy Framework (2021) and Policy DM5 of the Development Management Document (2015).

29. Full Application – Wind

Prior to the commencement of any Phase (as outlined on the Detailed Development Phasing Programme approved under Condition 12) of the development hereby approved above ground floor slab level, a detailed design of the wind mitigation identified in the Environmental Statement (including but not limited to purposeful locating outdoor seating areas and providing balustrades on balconies and roof terraces of up to 1.5m in height) must be submitted to and approved by the Local Planning Authority. Prior to occupation of that phase, the wind mitigation scheme approved must be implemented in full in accordance with the approved details. Design measures proposed shall be accompanied by further modelling studies to develop and verify the effectiveness of mitigation measures proposed.

Reason: To protect residents in the development and neighbouring the site from adverse impacts caused by wind to protect their amenities in accordance with Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Design and Townscape Guide (2009).

30. Outline application – Wind

Each Reserved Matters Application for a Phase (as outlined on the Detailed Development Phasing Programme approved under Condition 12) must be accompanied by an assessment of the wind/micro-climate affecting that Phase of the development and any adjacent properties that do not form part of the development. The assessments shall identify any necessary mitigation measures (including only locating entrances in areas with suitable conditions) and include a

timetable for implementation. The assessments must be approved in writing by the Local Planning Authority prior to commencement of each Phase and any necessary mitigation must be implemented in accordance with the approved timetable within that document.

Reason: To protect residents in the development and neighbouring the site from adverse impacts caused by wind to protect their amenities in accordance with Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Design and Townscape Guide (2009).

31. Full Application – Advertisement

Notwithstanding the provisions of Schedule 3 The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, no advertisements or other signage shall be displayed on any external elevation of the stadium development (including inside windows), the stadium roof, or on any of the site boundary enclosures or within the external areas which does not conform to the Signage Strategy approved as a condition of this permission.

Reason: To safeguard character and appearance of the area and the visual amenities of neighbouring occupiers in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

32. Full and Outline Application - Signage Strategy

No signage shall be displayed on the site until and unless a signage strategy is submitted and approved by the Local Planning Authority. All subsequent applications for signage on the site must conform with the approved strategy.

Reason: To safeguard character and appearance of the area and the visual amenities of neighbouring occupiers in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

33. Full Application - Accessible dwelling – Full

As outlined on the approved drawings in Condition 4, 10% of the dwellings will be built in compliance with the building regulation M4(3) 'Adaptable for wheelchair user dwellings' standard with all of the remaining dwellings complying with the building regulation part M4(2) 'accessible and adaptable dwellings' standard. Each approved dwelling shall be constructed to comply with either building regulation M4(2) or M4(3) in accordance with the approved details prior to its first occupation.

Reason: To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework, Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM8 and Design and Townscape Guide (2009).

CONSTRUCTION RELATED CONDITIONS

34. Full and Outline Application - Construction and Demolition Method Statement

(i) No development shall take place, including any works of demolition, unless and until a Demolition and Construction Management Plan and Strategy to include

Noise and Dust Mitigation Strategies and a Material Management Plan (including measures for managing materials and minimising waste) has been submitted to, and approved in writing by the local planning authority. The approved Demolition and Construction Management Plan and Strategy shall be adhered to in full throughout the construction period. The Statement shall consider the following requirements:

- The applicant shall ensure the control of nuisances during construction works to preserve the amenity of the area and avoid nuisances to neighbours and to this effect;
- No waste materials shall be burnt on the site, instead being removed by licensed waste contractors;
- Prior to the commencement of works a Dust Management Plan shall be submitted to and approved by Regulatory Services. Work shall be undertaken in accordance with the approved plan which should make reference to current guidance on the Assessment of Dust from Demolition and Construction - Institute of Air Quality Management or an acceptable equivalent;
- Consideration should be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site (this is notwithstanding any Prior Consent that exists for the site under section 61 of the Control of Pollution Act 1974);
- Hours of works: works should only be undertaken between 0730 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays (this is notwithstanding any Prior Consent that exists for the site under section 61 of the Control of Pollution Act 1974);
- If it is known or there is the likelihood that there will be the requirement to work outside of these hours or there will be periods where there will be excessive noise that will significantly impact on sensitive receptors Regulatory Services at Southend-on-Sea Borough Council must be notified prior to the works as soon as is reasonably practicable. The developer is advised to consult nearby sensitive noise premises and may be advised to apply for a Prior Consent under Section 61 of the Control of Pollution Act 1974;
- All site lighting shall be located, shielded or angled in a manner that does not cause disturbance, alarm or distress to occupants of any nearby dwellings; and
- Construction and Demolition shall also be done in accordance with "London Good Practice Guide: Noise & Vibration Control for Demolition and Construction" by The London Authorities Noise Action Forum, CIEH, Arup and AECOM.

Reason: This is required in the interests of the amenities of nearby and surrounding occupiers pursuant to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

35. Full and Outline Application - Detailed Construction Logistics Plan

No development of a phase (as outlined on the Detailed Development Phasing Programme approved under Condition 12) shall take place, including any works of demolition, until a Construction Logistics Plan (in line with submitted Construction Logistics Plan) for that phase has been submitted to, and approved in writing by the local planning authority. The Construction Logistics Plan shall include details of vehicular routing, parking arrangements and be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. Construction of the relevant Phase shall be

carried out only in accordance with the approved details for the duration of the construction period.

Reason: Reason: In the interest of the residential amenity of nearby occupiers, highway safety and free flow of the traffic network in accordance with the National Planning Policy Framework (2021), Policies KP2, CP3 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015).

LANDSCAPING, ARBORICULTURAL AND ECOLOGY CONDITIONS

36. Full Application - Public Realm – landscaping, materials and lighting details

With the exception of demolition and site clearance works within the area for which detailed approval is hereby permitted, as defined on drawing SEU-POP-00-ZZ-SI-A0004 Rev 00, no development shall take place within a phase (as outlined on the Detailed Development Phasing Programme approved under Condition 12) unless and until full details of both hard and soft landscape works for any Phase of the detailed development as shown on drawings approved in Condition 4 or any revision to this, of this consent for the area for which detailed approval is granted (as defined on Drawing SEU-POP-00-ZZ-SI-A0004 Rev 00), have been submitted to and approved in writing by the Local Planning Authority. These works for each phase shall be carried out as approved. These details must include the following as a minimum for each Phase:

- (i) Details of hard landscaping materials including but not limited to plaza, parking areas, steps, pedestrian routes;
- (ii) Proposed Finished Levels or Contours;
- (iii) Minor artefacts and structures including but not limited to benches, bollards, cycle racks, kiosks, bins, planters and play equipment;
- (iv) Details of Hostile Vehicle Management (HVM) mitigation measures to be designed in dialogue with Essex Police Counter Terrorist Security Advisors (CTSA);
- (v) Details of Trees to be planted (considering the policy position for 2 for 1 replacement planting) and those to be retained; The specification shall include the quantity, size, species, and positions or density of all trees to be planted, how they will be planted and protected and the proposed time of planting;
- (vi) Timetable for the Completion of the Soft and Hard Landscaping and Planting;
- (vii) Measures to enhance biodiversity;
- (viii) detailed maintenance and management programmes;
- (ix) Evidence of Compatibility of Landscaping Scheme with the Proposed Drainage and Other Site Services;
- (x) Timetable for the Completion of the Hard and Soft Landscaping and Planting.
- (xi) Evidence of Compatibility of Landscaping Scheme with the Proposed Drainage and Other Site Services;
- (xii) Details of external lighting;
- (xiii) Details of green walls, green roofs and brown roofs, car park screening;
- (xiv) Details of any boundary treatment including that within the site and removal of boundaries to Jones Memorial Ground;
- (xv) Details of an appropriately specified acoustic fence between the Domes and the gardens; and
- (xvi) Details of wayfinding signage.

All of the hard landscaped areas and open space for a phase (as outlined on the Detailed Development Phasing Programme approved under Condition 12) shall be provided prior to the first occupation or use of any part of the phase of the development they fall within and shall be retained and maintained in perpetuity for the occupants of the development and the wider community. All areas of soft landscaping must be approved prior to occupation and in place within the following (first) planting season as appropriate.

Reason: In the interest of visual amenity in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the advice contained within the National Design Guide (2019) and the Design and Townscape Guide (2009).

37 Outline Application - Landscaping Scheme, Phasing Plan and maintenance arrangements

Notwithstanding the details shown on the plans hereby approved no development shall take place, other than ground and site preparation works, unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping for the site.

This shall include full details for each phase of the number, size and location of the trees and shrubs to be planted together with a planting specification, details of measures to enhance biodiversity within the site; details of the treatment of all hard and soft surfaces, including any earthworks to be carried, all means of enclosing the site and full details of the play equipment, benches and associated facilities proposed. All of the hard landscaped areas and open space for a phase (as outlined on the Detailed Development Phasing Programme approved under Condition 12) shall be provided prior to the first occupation or use of any part of the phase of the development they fall within and shall be retained and maintained in perpetuity for the occupants of the development and the wider community. All areas of soft landscaping must be approved prior to occupation and in place within the following (first) planting season as appropriate.

All landscaping in the approved landscaping scheme shall be carried out in accordance with the timescales specified in the approved landscaping phasing plan. Any shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.

The Landscaping scheme proposed for approval under this condition must be supported by detailed Amenity Space and Management Plan programmes to ensure that the landscape fulfils the original design.

Reason: In the interests of visual amenity, biodiversity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

38. Full and Outline Application - Confirmation of ecology baseline

No development, including ground and site preparation works, shall take place unless and until there has been submitted to and approved in writing by the Local

Planning Authority fully up to date ecological survey work which shall be no more than 18 months in age.

The survey work shall provide a full ecological audit for the baseline conditions of the site and be undertaken in accordance with relevant best practice guidelines and within the optimum periods for survey.

Surveys shall include 'Extended' Phase 1 Habitat Survey; emergence re-entry surveys for bats upon the tree identified as having bat roosting suitability (together with any other trees or buildings identified as having bat roosting potential as a result of the 'Extended' Phase 1 Habitat Survey); bat activity surveys; breeding bird surveys, badger survey, arable weed survey, hedgerow survey, invasive species survey, reptile surveys - including of any identified reptile receptor sites, as well as any other surveys deemed necessary as a result of the 'Extended' Phase 1 Habitat Survey.

The findings of the surveys shall be used to inform the proposed ecological mitigation and enhancement measures to be detailed within a Biodiversity Mitigation and Enhancement Strategy.

Reason: In the interest of biodiversity in accordance with National Planning Policy Framework (2021) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

39. Full and Outline Application - Biodiversity Mitigation and Enhancement

No development in a given phase (as outlined on the Detailed Development Phasing Programme approved under Condition 12), including ground and site preparation works, shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a full Biodiversity Mitigation and Enhancement Strategy. The strategy shall:

- (i) Be produced based on the findings of fully up to date survey work which shall be no more than 18 months in age (unless otherwise agreed with the Local Planning Authority);
- (ii) Be written in accordance with BS42020:2013 Biodiversity. Code of Practice for planning and development and Biodiversity Net Gain Good Practice Principals for Development;
- (iii) Provide full details of protection measures to be implemented for retained trees, habitats and faunal species including the timings of works;
- (iv) Provide full details of proposed habitat creation measures to enhance the site for biodiversity, including biodiverse roofs;
- (v) Detail full mitigation measures for faunal species including, but not limited to, bats, birds and reptiles. This shall include details and timings of any Natural England licences; translocation strategies including identification and details of a suitable reptile receptor site; Methods Statements; and the requirement for Ecological Clerks of works;
- (vi) Detail full enhancement measures to be provided for faunal species including bats, birds and reptiles. This shall include details for the provision of enhanced green infrastructure; numbers, specifications and locations of bird, bat and invertebrate boxes; and proposed enhancement works to the identified reptile receptor site;
- (vii) A review of the lighting strategy including an assessment of lux levels and how the proposed lighting scheme will not impact upon any retained or newly

created habitats and green infrastructure of value to biodiversity including nocturnal species; and

(viii) Prior to the commencement of the given phase of the development a timescale for the implementation of these measures shall be submitted to the Local Planning Authority and approved in writing.

The measures shall be implemented in accordance with the approved details only.

Reason: In the interest of biodiversity in accordance with National Planning Policy Framework (2021) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

40. Full and Outline Application - Habitats Regulation Assessment

The development hereby approved shall be implemented and operated thereafter in strict accordance with the findings, recommendations and mitigation measures of the Habitats Regulation Assessment (WIE18031-100-R-3-1-2-HRA, April 2021) before the relevant phase (as outlined on the Detailed Development Phasing Programme approved under Condition 12) is occupied.

Reason: In the interest of biodiversity in accordance with National Planning Policy Framework (2021), The Conservation of Habitats and Species Regulations 2017 (as amended) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

41. Full and Outline Application - Biodiversity Net Gain

No development shall take place, including ground and site preparation works, unless and until there has been submitted to and approved in writing by the Local Planning Authority a Biodiversity Net Gain assessment for the site. The assessment shall detail how the provision of at least a 10% net gain in biodiversity, in terms of both habitats and linear habitats, has been achieved. The assessment shall be undertaken using the most recent DEFRA biodiversity metric available at the time. If there is a shortfall in biodiversity net gain on the site itself, equivalent off-site compensation shall be provided in accordance with details previously submitted to and agreed in writing with the Local Planning Authority.

Reason: In the interest of biodiversity in accordance with National Planning Policy Framework (2021) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

42. Full and Outline Application - Landscape and Ecological Management Plan

Prior to the commencement of any part of the development, a landscape and ecological management plan (LEMP) shall be submitted to approved in writing by, the local planning authority. The content of the LEMP shall be written in accordance with BS42020:2013 Biodiversity. Code of Practice for planning and development and include the following:

- (i) Description and evaluation of features to be managed.
- (ii) Ecological trends and constraints on site that might influence management.
- (iii) Aims and objectives of management.
- (iv) Appropriate management options for achieving aims and objectives.
- (v) Prescriptions for management actions.
- (vi) Preparation of a work schedule and implementation timetable (including an annual work plan capable of being rolled forward over a five-year period).

- (vii) Details of the body or organization responsible for implementation of the plan.
- (viii) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: In the interest of biodiversity in accordance with National Planning Policy Framework (2021) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

43 Full and Outline Application - Tree Protection

No site clearance, preparatory work or development shall take place in each phase until a scheme for the protection of the retained and provided trees (shown on 10616 Tree Constraints Plan and 10616 Tree Data Schedule) (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction – Recommendations and BS 3998: Tree work: Recommendations (or in equivalent British Standards if replaced), for each phase shall have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be in place and carried out as approved from the commencement of the development for each phase. In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars.

Reason: In the interests of the character and appearance of the area and to ensure that the development complies with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Design and Townscape Guide (2009).

44. Full and Outline Application - Trees – replacement of retained and provided trees

If within a period of 10 (ten) years from the date of planting, any retained and provided tree is cut down, uprooted or destroyed or dies another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted, in accordance with Condition 36, within the first planting season or at such time as may be specified in writing by the local planning authority. In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars.

Reason: In the interests of the character and appearance of the area and to ensure that the development complies with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development

Management Document (2015) Policies DM1 and DM3 and the Design and Townscape Guide (2009).

PARKING AND HIGHWAYS CONDITIONS

45. Full and Outline Application - Site Access

Each phase of the development shall not be first occupied or brought into first use unless and until the relevant parts of the access road needed to support each phase as approved on plans under Conditions 4 and 5 are in place.

Reason: In the interests of highways safety and highways efficiency in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP3 and Development Management Document (2015) Policy DM15 .

46. Full and Outline Application - Detailed Highway works

Prior to the occupation of the full and outline elements of the scheme hereby approved, detailed drawings for the outstanding highways works shall be submitted and approved by the Local Planning Authority. This shall include consideration of the key linkages into the detailed elements already approved and any changes to the scheme as a result of detailed Highways designs and stage 2, 3 and 4 Road safety audits. This shall include:

- (i) Junction upgrades including signalling the roundabouts of Eastern Avenue / Sutton Road and Eastern Avenue / Royal Artillery Way / Hamstel Road similar to Cuckoo Corner roundabout.
- (ii) Provision of a 5m wide shared pedestrian/cycle way on the north side of Eastern Avenue.
- (iii) Widen western footway of Sutton Road between Eastern Avenue and Supporters Way.
- (iv) New mini roundabout located on Fossetts Way.
- (v) New toucan crossing on Fossetts Way.
- (vi) New entrance located off Sutton Road.
- (vii) signalised access junction with pedestrian facilities on Eastern Avenue leading to the site.
- (viii) To provide cycle routes located adjacent to the site and appropriate links to the cycle network.
- (ix) PERS audit works identified to be carried out.
- (x) The operation and design and signal timings at the new access junction, Eastern Avenue / Sutton Road, Eastern Avenue / Royal Artillery Way / Hamstel Road and at Cuckoo Corner roundabout shall need to be agreed at the detailed design stage.
- (xi) A detailed plan of the proposed junction of the car park access with Eastern Avenue is required.
- (xii) To include but not limited to the implementation of any traffic regulation order in line with the Road Traffic Act 1984:
 - (a) Any Permanent, Temporary or Experimental Traffic Regulation Orders
 - (b) Waiting restrictions / parking controls
 - (c) 20mph zones
 - (d) Coach parking / pick up / drop off
 - (e) Bus Stop clearways
 - (f) Loading bays

Prior to the occupation of the full and outline elements of the scheme hereby approved, bus stops on Fossetts Way shall be provided. Prior to the occupation of the Stadium Phase 1 coach stops shall be provided.

The development shall be carried out in accordance with the approved details.

Reason: In the interests of highways safety and highways efficiency in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP3 and Development Management Document (2015) Policy DM15

47a. Outline Application - Vehicle and cycle parking details

The development shall not be first occupied or brought into first use in each phase unless and until full details of the car parking (including accessible and Electric Vehicle charging point provision with 20% of all spaces to be provided with active charging points and the remainder of all spaces served by passive provision, subject to an update in local policy standards which may exceed these requirements ahead of Reserved Matters approval), motor cycle, delivery and drop off space, and covered and secured cycle parking (based on drawing reference FOF-LDA-XX-XX-XX-DR-N-ST-0002 Rev 04, FOF-LDA-XX-XX-XX-DR-N-ST-0003 Rev 04 and FOF-LDA-XX-XX-XX-DR-N-ST-0004 Rev 03) to serve the phased development hereby approved have been submitted to and approved in writing by the local planning authority.

The respective development buildings (as identified in the same plan) shall not be first occupied or brought into first use in each phase unless and until the on-site car parking spaces for the respective buildings, have been provided and made available for use in full accordance with the drawings, together with properly constructed vehicular access to the adjoining highway, all in accordance with the approved plans.

The approved parking spaces shall be provided and made available for use and the accessible parking bays shall be clearly marked with a British Standard disabled symbol prior to the occupation of that part of the development and shall be maintained thereafter solely for the parking of occupiers of, visitors to and users of the development.

All car park facilities (including residential) will need to be accredited to the 'British Parking Association – Park Mark Scheme' to ensure that measures are in place to safeguard the public and their vehicles.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policy DM15 of the Council's Development Management Document (2015) and Policy CP3 of the Core Strategy (2007). To ensure that adequate cycle parking is provided and retained to serve the commercial development in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policies DM1 and DM15 of the Development Management Plan (2015).

47b. Full Application - Vehicle and cycle parking details

The development shall not be first occupied or brought into first use in each phase unless and until full details of the car parking (including accessible and Electric Vehicle charging point provision with 20% of all spaces to be provided with active

charging points and the remainder of all spaces served by passive provision, subject to an update in local policy standards which may exceed these requirements ahead of Reserved Matters approval), motor cycle, delivery and drop off space, and covered and secured cycle parking to serve the phased development hereby approved have been submitted to and approved in writing by the local planning authority.

The respective development buildings shall not be first occupied or brought into first use in each phase unless and until the on-site car parking spaces for the respective buildings, have been provided and made available for use, together with properly constructed vehicular access to the adjoining highway, all in accordance with the approved plans.

The approved parking spaces shall be provided and made available for use and the accessible parking bays shall be clearly marked with a British Standard disabled symbol prior to the occupation of that part of the development and shall be maintained thereafter solely for the parking of occupiers of, visitors to and users of the development.

All car park facilities (including residential) will need to be accredited to the 'British Parking Association – Park Mark Scheme' to ensure that measures are in place to safeguard the public and their vehicles.

Full and Outline: A total of 10 car club parking spaces must be provided, these spaces must be provided with electric charging points.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policy DM15 of the Council's Development Management Document (2015) and Policy CP3 of the Core Strategy (2007). To ensure that adequate cycle parking is provided and retained to serve the commercial development in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policies DM1 and DM15 of the Development Management Plan (2015).

48. Full Application - Car Park Management Plan

Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby permitted shall not be first occupied or brought into first use unless and until a car park management plan has been submitted to and approved in writing by the local planning authority.

This must consider:

- (i) Arrangements for the management of parking on non-major event days
- (ii) The accommodation of Emergency service parking provision within the Stadium for 5 vehicles (minimum of three long wheel-based transit vehicles and 2 additional police cars for high-risk fixtures).
- (iii) Linking car parks with the Council's car park management system to ensure overall car parking capacity for the town centre, seafront and Fossetts can be adequately managed.

The car park management plan must be implemented in full accordance with the details approved under this condition before the development is first occupied or

brought into first use and shall be maintained and operated in accordance with the approved plan in perpetuity.

Reason: To ensure that adequate car parking arrangements are provided to serve the development and in the interests of highways efficiency and safety in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP3 and Development Management Document (2015) Policy DM15 in accordance with Policy DM15 of the Council's Development Management Document (2015) and Policy CP3 of the Core Strategy (2007).

49. Outline Application - Car Park Management Plan

Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby permitted shall not be first occupied or brought into first use unless and until a car park management plan for the residential units has been submitted to and approved in writing by the local planning authority.

The car park management plan must be implemented in full accordance with the details approved under this condition before the development is first occupied or brought into first use and shall be maintained and operated in accordance with the approved plan in perpetuity.

Reason: To ensure that adequate car parking arrangements are provided to serve the development in accordance with Policy DM15 of the Council's Development Management Document (2015) and Policy CP3 of the Core Strategy (2007).

50. Outline Application - Cecil Jones Memorial Ground Replacement Car Parking Phasing and Delivery

Prior to development commencing on the existing Cecil Jones Memorial Ground car park as shown on Drawing FOF-LDA-XX-XX-XX-DR-N-ST-0003 Rev 04, details of the phasing and delivery of the replacement car parking hereby approved including details of any interim car parking provision (including the location, vehicular access, supporting facilities available and implementation proposals) shall be submitted to and approved in writing by the Local Planning Authority in consultation with Sport England. The development shall be carried out in accordance with the approved details.

Reason: To secure continuity of use of playing field ancillary car parking provision for existing users during construction.

51. Full and Outline Application - Travel Plan

Prior to the occupation of any phase (as outlined on the Detailed Development Phasing Programme approved under Condition 12) of development a Travel Plan will be submitted to and approved by the Local Planning Authority.

The approved Travel Plan (based on the submitted Framework Travel Plan (Steer, March 2021) shall be implemented as approved, monitoring and maintenance requirements outlined within that document and the Section 106.

A Travel Strategy Group will be set up to help undertake the monitoring of the site for matchdays and non-matchdays.

At six months of the development opening, travel monitoring surveys shall be carried out by the applicant in order to collect the actual flows of the users of the

site. This shall then be used to provide up to date Travel Plans including updated targets and actions.

The Travel Plan shall be monitored every year during the first 5 years, followed by year 7 and year 10, or after the completion of the final phase, whichever is the latter or as deemed necessary by the Travel Strategy Group. The Travel Plan, including the targets, shall be updated during these reviews with SSBC agreement to include the latest travel survey results for all visitors and staff who access the site.

The document must set out the monitoring of the effectiveness of the Travel Plan and setting out any proposed changes to the Plan to overcome any identified issues and timescales for doing so must be submitted to and approved in writing by the local planning authority. The agreed adjustments shall be implemented in accordance with the agreed conclusions and recommendations.

The Travel Plan shall include details of the following:

- (i) Travel Packs to be provided, which should be passed down from one occupier to the next.
- (ii) The Travel packs should include free and discounted travel tickets, car club driving hours and a general push towards the use of sustainable modes.
- (iii) Personalised Journey Planning must 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

Reason: To support the targeted mode share in the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policy DM15, and Design and Townscape Guide (2009).

52. Full and Outline Application - Train service negotiation strategy

Prior to the active operation of the Stadium a strategy to secure the provision of suitable train services for Prittlewell Station on Sundays for match days and major events as detailed in the Transport Assessment shall be submitted to and approved in writing by the Council. The Strategy shall be implemented in accordance with terms of the condition before the stadium is first brought into use.

The applicant is to monitor the number of carriages that each train operator provides and to negotiate with the train operators to increase the number of carriages if required to avoid overcrowding. The TA suggests that the Train Operating Companies have been consulted and are willing to provide additional carriages, evidence of this agreement needs to be provided.

Reason: To support the targeted mode share in the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policy DM15, and Design and Townscape Guide (2009).

53. Full Application - Overflow Coach Parking

A scheme for offsite coach parking, in a location to be agreed with the Local Planning Authority, must be submitted, approved and come into operation ahead of the occupation of the Stadium Phase 1 (as outlined on the Detailed Development Phasing Programme approved under Condition 12).

Reason: To support the targeted mode share in the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policy DM15, and Design and Townscape Guide (2009).

54. Outline Application - Creation of Footpath link to Waitrose

Details of a footpath link from the approved outline application area to Waitrose shall be submitted and approved by the Local Planning Authority with the reserved matters application relevant to the phase adjacent to Waitrose. The details shall be implemented as approved.

Reason: To support the targeted mode share in the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policy DM15, and Design and Townscape Guide (2009).

COMMUNITY RELATED CONDITIONS

55. Full Application - Community Soccer Dome Community Use Agreement

No occupation shall commence of the community soccer dome hereby permitted until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The Community Dome agreement shall apply to the artificial grass pitch, changing, toilet and kitchen facilities and car park and include details of pricing policy, hours of community use (covering as a minimum Mondays to Fridays – 08.00 to 22.00 hours; Saturdays – 08.00 to 22.00 hours ; Sundays – 09.00 to 18.00 hours) access by community users, a community use programme, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy.

56. Full Application - Stadium Community Use Agreement

No occupation shall commence of the Stadium hereby permitted until a community use agreement prepared in consultation with the Local Planning Authority has been submitted to and approved in writing by the Local Planning Authority. The Community Use Agreement shall apply to facilities to be made available for

community use within the Stadium including proposed areas for creative production and the Sensory Room for visual and hearing impairment participants, unless otherwise agreed with the Council, and include details of pricing policy, hours of community use, access by community users, a community use programme, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority considers necessary in order to secure the effective community use of the facilities which may generate an income for Southend United Football Club. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy.

57. Full Application - SUCET Centre (Fan Plaza Residential ground floor)

The SUCET Centre of 890sqm shall be completed and be made available for use no later than the completion of the Fan Plaza Residential Building and in accordance with the submitted Sporting and Community Benefits Statement, a SUCET centre use agreement (or agreements) shall be submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement shall be provided to the Local Planning Authority and the facility operated in accordance with the approved strategy.

Reason: To secure well managed safe community access to the sports facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy.

58. Full Application - Community and SUFC Academy Soccer Dome Artificial Grass Pitch Design Specifications

No development of the artificial grass pitches in the soccer domes hereby approved shall commence until details of the design and layout of the artificial grass pitches including the surface specification, lighting specification and line markings have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England and reflecting the Football Association's design guidance and approved drawing SUA[1]POP-00-L01-GA-A-0303 PM1 unless otherwise agreed. The artificial grass pitches shall not be constructed other than in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy.

59. Full Application - Community Soccer Dome Artificial Grass Pitch Certification

Use of the artificial grass pitch in the community soccer dome shall not commence until:

(a) certification that the Artificial Grass Pitch hereby permitted has met the FIFA Quality accreditation or equivalent International Artificial Turf Standard (IATS); and

(b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches; and have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is fit for purpose and sustainable, provides sporting benefits and to accord with Development Plan Policy.

CONTAMINATION AND ASSOCIATED CONDITIONS

60. Full and Outline Application - Land Contamination

A. Site Characterisation

Notwithstanding the details submitted with this application, no development shall commence other than that required to carry out additional necessary investigation which in this case includes demolition, site clearance, removal of underground tanks and old structures until an investigation and risk assessment has been submitted to and approved in writing by the local planning authority. The risk assessment shall assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:

(i) a survey of extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- Human health,
- Properly (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- Adjoining land,
- Groundwaters and surface waters,
- Ecological systems
- Archaeological sites and ancient monuments.

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

A Tier 1 Risk Assessment (Preliminary Risk Assessment) should be submitted and approved in writing by the local planning authority that develops the initial conceptual site model to establish whether there are any potentially unacceptable risks. The Preliminary Risk Assessment should be prepared in accordance with the EA's LCRM guidance.

The findings of the Preliminary Risk Assessment should be used to inform a Tier 2 Generic Quantitative Risk Assessment. A Tier 3 Detailed quantitative risk assessment should be submitted and approved in writing by the local planning authority if the Tier 2 assessment identifies one or more potential contaminant linkages that need a detailed assessment.

B. Site Remediation Scheme

The development hereby permitted shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Remediation Implementation and Verification

The development hereby permitted shall not commence other than that required to carry out the agreed remediation until the remediation measures set out in the

approved Remediation scheme have been implemented in full for the respective phase. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced.

The Verification Report shall be prepared in accordance with Land Contamination Risk Management (LCRM) guidance from the Environment Agency and should demonstrate that the risk has been reduced and the remediation objectives and criteria have been met, show that remediation has been successful and create a final record of the land quality (including any requirement for long-term monitoring).

The verification report shall be submitted to the local planning authority and approved in writing before the dwellings within that phase are first occupied.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared submitted for the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution to Controlled Waters in accordance with Core Strategy (2007) policy KP2 and Policies DM1 and DM14 of the Development Management Document (2015).

NOISE AND ODOUR RELATED CONDITIONS

61. Full and Outline application - Dwellings and hotel: Noise mitigation

Prior to construction above ground floor slab level of any proposed dwelling or hotel, a noise Impact assessment must be conducted by a competent person to assess the potential impact of existing commercial, industrial, leisure and licensed premise and transport infrastructure on the proposed dwellings. A report on the impact assessment that will include any necessary mitigation measures required for the proposal must be submitted to the local planning authority for approval. Any agreed mitigation must be installed and maintained thereafter.

For steady state noise internal ambient noise levels shall not exceed:

07:00 to 23:00

- Resting - Living room 35 dB LAeq,16hour
- Dining - Dining room/area 40 dB LAeq,16hour
- Sleeping/Daytime Resting - Bedroom 35 dB LAeq,16hour 30 dB LAeq,8hour

23:00 to 07:00

- Sleeping / Night-time - Bedroom 35 dB LAeq,16hour

External areas shall be designed and located to ensure that amenity areas are protected on all boundaries as to not exceed 55 dB(A).

No dwelling or hotel room shall be occupied until a post completion noise survey has been undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. A method statement should be submitted to and approved by the Local Planning Authority prior to the survey being undertaken, unless otherwise agreed in writing by the Local Planning Authority. The requirement for Additional noise mitigation measures, (where necessary to ensure the appropriate noise levels can be met), shall be submitted to and approved in writing by the Local Authority and implemented in full prior to the first occupation of the relevant phase.

Where it is necessary a scheme for approval for alternative means of ventilation and air cooling and heating is required in writing to demonstrate that:

- The alternative means of ventilation will enable optimum living conditions for heating and cooling in all weather and with reference to climate change prediction; and
- Noise from the system will not present an adverse impact on occupants

The approved alternative means of internal thermal regulation shall be maintained thereafter.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, and Policies DM1 and DM3 of the Development Management Document (2015).

62. Full and Outline Application - Noise from plant and equipment including building services

A Noise impact assessment shall be conducted by a competent person to assess the impact of noise from plant and equipment including extract ventilation and building services from the stadium and its ancillary uses on noise sensitive premises.

Noise from plant and equipment including building services shall be limited to 10 dB(A) below the background noise level as far as is reasonably practicable measured and expressed as a LA90,15minutes at the boundary of the nearest residential property. This shall include penalties for noise characteristics such as tone, intermittency, etc.

Background noise levels shall be established for the following periods:

- Daytime 0700 to 1900
- Evening 1900 to 2300
- Night 2300 to 0700

In order to establish background noise level a representative survey shall be undertaken in accordance with BS 4142:2014+A1:2019 at the boundary of the

nearest residential properties. This shall be undertaken by a suitably competent person.

Use of the plant and equipment including building services hereby permitted shall not commence unless and until noise has been suitably mitigated and/or buildings insulated to prevent the breakout of noise in accordance with a scheme which shall have been submitted to and approved in writing by the local planning authority.

Prior to the plant and equipment including building services commencing, post completion noise surveys must be undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority.

Method statements should be submitted to and approved by the Local Planning Authority prior to the survey being undertaken, unless otherwise agreed in writing by the Local Planning Authority. If the noise levels set out in the Report are exceeded, additional noise mitigation measures, (where necessary to ensure the appropriate noise levels can be met), shall be submitted to and approved in writing by the Local Authority and implemented in full prior to operation.

All noise mitigation schemes as approved shall be implemented ahead of occupation of the related use and be retained as such thereafter.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, and Policies DM1 and DM3 of the Development Management Document (2015).

63. Full Application - Noise from Leisure Uses

A noise impact assessment shall be conducted by a competent person to assess the impact of noise from amplified music and public address systems at the stadium and ancillary uses on noise sensitive premises. Suitable methodology and standards shall be used in the noise impact assessment.

Background noise levels shall be established for the following periods:

- Daytime 0700 to 1900
- Evening 1900 to 2300
- Night 2300 to 0700

In order to establish background noise level a representative survey shall be undertaken in accordance with BS 4142:2014+A1:2019 at the boundary of the nearest residential properties. This shall be undertaken by a suitably competent person.

Suitable metrics and/or standards shall be used and approved by the local planning authority when assessing noise impact predicted from amplified music and speech at the nearest noise sensitive receptors.

The stadium uses hereby permitted shall not commence unless and until the systems have been designed to prevent the breakout of noise and/or building has been modified to provide sound insulation against internally generated noise in

accordance with a scheme which shall have been submitted to and approved in writing by the local planning authority.

Prior to the use of the Stadium and its ancillary uses for amplified music and speech post-completion noise surveys must be undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. Method statements should be submitted to and approved by the Local Planning Authority prior to the survey being undertaken, unless otherwise agreed in writing by the Local Planning Authority. If the noise levels set out in the Report are exceeded, additional noise mitigation measures, (where necessary to ensure the appropriate noise levels can be met), shall be submitted to an approved in writing by the Local Authority and implemented in full prior to operation.

All noise mitigation schemes as approved shall be implemented ahead of occupation of the Stadium and retained as such thereafter.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, and Policies DM1 and DM3 of the Development Management Document (2015).

64. Full Application - Noise Management Plans

Prior to the commencement of the Stadium and its ancillary uses detailed noise management plans that will aim to protect existing residential premises and the Garden of Remembrance/Crematorium shall be submitted. The noise management plans shall include:

- How customer noise and behaviour is managed on and off the premises as far as is reasonably practicable
- Management of staff noise and behaviour including at the opening and closing of the premises
- Details as to how deliveries are taken
- Details as to how waste is disposed of and stored
- Customer complaints are responded to and logged
- Essential maintenance is carried out

Once approved, the development shall be conducted in accordance with the approved details only.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, and Policies DM1 and DM3 of the Development Management Document (2015).

65. Full and Outline Application - Noise Artificial Pitches and Multi-Use Games Areas

A scheme shall be submitted for approval in writing to demonstrate how noise resulting from the use of the Community and Academy dome shall be mitigated to protect nearby residential properties and the Garden of Remembrance/Crematorium, including details on the acoustic barrier along the boundary with the Gardens of Remembrance. This shall be prepared by an acoustically competent person and include mitigation of noise impacts from:

- Voices from users
- Whistles used by referees
- Rebound of balls against hard surfaces
- Crowd noise

There shall be no amplified speech or music used in the areas.

The assessment should reference guidance provided in Sports England's 'Artificial Grass Pitches Acoustics Planning Implications Guide'.

Prior to the use of the Artificial pitches and MUGAs (as identified on plans approved under Conditions 4 and 5) post-completion noise surveys must be undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. Method statements should be submitted to and approved by the Local Planning Authority prior to the survey being undertaken, unless otherwise agreed in writing by the Local Planning Authority, and implemented in accordance with approved details before being brought into use. If the noise levels set out in the Report are exceeded, additional noise mitigation measures, (where necessary to ensure the appropriate noise levels can be met), shall be submitted to and approved in writing by the Local Authority and implemented in accordance with the approved details in full prior to operation and maintained in perpetuity thereafter.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, and Policies DM1 and DM3 of the Development Management Document (2015).

66. Full and Outline Application - Noise from Gyms

Prior to commencement above ground floor slab level for any building containing a gym a noise impact assessment including representative background noise monitoring must be carried out and a mitigation scheme evaluated and designed by a competent person for the following:

- Plant Noise - must be designed to be 10 dB below the representative background noise levels (LA90) over the time periods that the applicant wishes to operate
- Music –amplified sound systems should be able to limit the 31.5 Hz and 63 Hz octave band and or have appropriate sound insulation to (such as "box-in-box" Studio construction) to prevent the breakout of these frequencies.

- Weights - Noise and vibration impact from the dropping of free weights, kettleweights, cable station weights and weight machines etc

Prior to the use of any gym post-completion noise surveys must be undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. Method statements should be submitted to and approved by the Local Planning Authority prior to the survey being undertaken, unless otherwise agreed in writing by the Local Planning Authority, and implemented in accordance with the approved details before the gymnasium is brought into use. If the noise levels set out in the Report are exceeded, additional noise mitigation measures, (where necessary to ensure the appropriate

noise levels can be met), shall be submitted to an approved in writing by the Local Authority, implemented in accordance with the approved details in full prior to operation and maintained thereafter in perpetuity.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, and Policies DM1 and DM3 of the Development Management Document (2015).

67. Full and Outline Application - Ventilation and Extraction

Prior to the first use/occupation of the development hereby approved, full details of all equipment to be installed for heating and ventilation of the building the extraction and control of fumes and odours, including details of how noise and vibration will be attenuated together with a maintenance schedule for the future operation of that equipment have been submitted to and approved in writing by the local planning authority and implemented in accordance with the approved details. The scheme shall also be in accordance with current guidance from DEFRA and the Heating and Ventilating Contractors' Association (HVCA) For Kitchen Ventilation Systems. The use hereby permitted shall not take place other than in accordance with these approved details.

Noise from ventilation and extraction shall be limited to 10 dB(A) below the background noise level measured and expressed as a LA90,15minutes at the boundary of the nearest residential property. This shall include penalties for noise characteristics such as tone, intermittency, etc.

Background noise levels shall be established for the following periods:

- Daytime 0700 to 1900
- Evening 1900 to 2300
- Night 2300 to 0700

In order to establish background noise level a representative survey shall be undertaken in accordance with BS 4142:2014+A1:2019 at the boundary of the nearest residential properties. This shall be undertaken by a suitably competent person.

Prior to operation post completion noise surveys must be undertaken by a suitably qualified acoustic person, and a report submitted to and approved in writing by the Local Planning Authority. Method statements should be submitted to and approved by the Local Planning Authority prior to the survey being undertaken, unless otherwise agreed in writing by the Local Planning Authority. If the noise levels set out in the Report are exceeded, additional noise mitigation measures, (where necessary to ensure the appropriate noise levels can be met), shall be submitted to an approved in writing by the Local Authority and implemented in accordance with the approved details in full prior to operation.

All noise mitigation schemes as approved shall be retained as such thereafter.

Reason: To protect the amenities of the occupiers from undue noise and disturbance in order to protect their amenities in accordance with Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Design and Townscape Guide (2009).

LIGHTING CONDITIONS

68. Full Application - Stadium Illumination

Prior to the first use of the Stadium details of all external illumination of the stadium including flood lighting, and other lighting ancillary to the stadium including the luminance and spread of light and the design and specification of the light fittings shall be submitted by a suitably competent person to and approved in writing by the local planning authority, having due regard to the informatives attached to the permission.

All illumination shall be designed and implemented in accordance with the Institute of Lighting Professionals "Guidance Note 01/20: Guidance notes for the reduction of obtrusive light" and/or any current authoritative guidance or standards. All illumination within the site shall be provided and retained in accordance with the approved details only. There shall be no other lighting of the external areas of the site.

Reason: In the interest of the safety and amenities of the area, in the interests of biodiversity and to protect the amenities of surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

69. Full and Outline Application - External Illumination

Prior to the first use/occupation of a phase (as outlined on the Detailed Development Phasing Programme approved under Condition 12) of the development, hereby approved, details of all external illumination of the site including the luminance and spread of light and the design and specification of the light fittings shall be submitted by a suitably competent person to and approved in writing by the local planning authority, having due regard to the informatives attached to the permission.

All illumination shall be designed and implemented in accordance with the Institute of Lighting Professionals "Guidance Note 01/20: Guidance notes for the reduction of obtrusive light" and/or any current authoritative guidance or standards. All illumination within the site shall be provided and retained only in accordance with the approved details. There shall be no other lighting of the external areas of the site.

Reason: In the interest of the safety and amenities of the area, in the interests of biodiversity and to protect the amenities of surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

SUSTAINABILITY CONDITIONS

70. Full Application - Renewable Energy Scheme

Prior to construction above ground floor slab level of a phase (as outlined on the Detailed Development Phasing Programme approved under Condition 12) of the development hereby approved a scheme, in line with the submitted energy strategy (Energy Statement – Detailed Planning Application (Residential), Energy Statement – Outline Planning Application (Residential) and Energy Statement – Detailed Planning Application (Non-Residential), Mott Macdonald, November 2020) detailing how at least 10% of the total energy needs of the development will

be supplied using on site renewable sources (supplemented by an additional 5% increase in PV area) must be submitted to and agreed in writing by the Local Planning Authority. A building in the scheme shall not be occupied until it has been implemented in accordance with the details approved under this condition.

This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development and ensuring a high quality of design in accordance with Policy KP2 of the Core Strategy (2007) and the Design and Townscape Guide (2009).

71. Full and Outline Application - Overheating Assessment

To ensure thermal comfort, an analysis of the overheating risk shall be undertaken for the residential elements of any phase (as outlined on the Detailed Development Phasing Programme approved under Condition 12) of the proposed development, using dynamic thermal modelling in line with the guidance and data sets in CIBSE TM59", for all residential developments ahead of construction of the respective building. Any required mitigation will need to be implemented in accordance with the approved details ahead of occupation of that phase.

Reason: In the interests of providing sustainable development and ensuring a high quality of design in accordance with Policy KP2 of the Core Strategy (2007) and the Design and Townscape Guide (2009).

72. Outline Application - Outline energy strategy Scheme

Any application for Reserved Matters for any Phase (as outlined on the Detailed Development Phasing Programme approved under Condition 12) must be accompanied by a specific Energy Strategy, for approval under the Reserved Matters Applications for that Phase that accords with the terms and objectives of the Energy Strategy (add ref post resubmission) demonstrating how at least 10% of the total energy needs of that Phase is to be supplied using on site renewable sources(supplemented by an additional 5% increase in PV area).

Where relevant, the specific Energy Strategy shall include details of all technologies which may impact the assessed air quality impact and confirm adequate testing has been conducted. Should additional air quality impacts be identified then appropriate mitigation measures should be identified, approved and implemented in accordance with the approved details ahead of occupation of that phase of the development.

The specific Energy Strategy approved under that Reserved Matters submission shall be implemented in full prior to the first occupation of the building(s) to which it relates. The associated infrastructure shall be maintained and made available for use for the lifetime of the development.

Reason: In the interests of providing sustainable development and ensuring a high quality of design in accordance with Policy KP2 of the Core Strategy (2007) and the Design and Townscape Guide (2009).

73. Full and Outline Application - Water efficiency design measures

All residential buildings must comply to the limit of internal water consumption of 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water

recycling systems such as grey water and rainwater harvesting. A building in the scheme shall not be occupied until it has been implemented in accordance with the details approved under this condition and shall be retained as such in perpetuity.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and the Councils Design and Townscape Guide (2009).

74. Outline Application - BREEAM registration

No part of the non-residential development hereby approved shall take place above ground floor slab level until evidence that the development is registered with a BREEAM certification body and a pre-assessment report (or design stage certificate with interim rating if available) has been submitted indicating that the development can achieve Very Good BREEAM level.

Reason: In the interests of providing a sustainable development, in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015).

75. Full and Outline Application - Non-residential BREEAM certification

No part of any non-residential building hereby approved shall be first occupied unless and until a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating "Very Good" has been achieved for that building.

Reason: In the interests of providing a sustainable development, in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015).

OPERATIONAL CONDITIONS

76. Full Application - Stadium Management Plan

No part of the Development shall be occupied (save for the purposes of constructing the Development in accordance with this permission) unless and until the Stadium Management Plan has been submitted to the Local Planning Authority and approved in writing. The stadium management plan shall comprise the following items:

- (i) Stadium Operations Plan (approved by Stadium safety Advisory Group including Essex Police); and
- (ii) Details of the Stadium Transport Liaison Group to be established.

The Stadium Management Plan (in combination with the Major Event Day Management Plan under condition 80) should also detail the management and access arrangements for the areas of public realm on non-match/event days.

Thereafter the Development shall be operated and managed in accordance with the approved Stadium Management Plan that shall be reviewed after the first and second years of operation, and any subsequent revision of it as approved.

Reason: In the interests of crowd safety, highway safety, the free flow of the local highway network and the amenities of nearby and surrounding occupiers pursuant to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015).

77. Full Application - Major Event Day Management Plan

No part of the Development shall be occupied (save for the purposes of constructing the Development in accordance with this permission) unless and until the Major Event Day Management Plan (applicable for all football matches and all events of over 1,000 spectators) has been submitted to the Local Planning Authority and approved in writing, as well as approved by blue light services. The major event day management plan shall comprise the following items:

(i) Major Event Day Travel Strategy, including:

(a) The use of the Match-day Mobile application

(b) A Gating Strategy (including all temporary and permanent barrier measures for Stadium crowd control, implementation of restrictions to vehicle access to stadium parking to manage traffic flow, emergency vehicles and parking, counter terrorism, taxis, visiting buses, pedestrian access, including phase 1 of the Stadium interim measures)

(c) Jones Memorial Recreation Grounds crowd management and litter picking

(d) The provision of shuttle buses to transport people from and to the key train stations (as a minimum serving Southend Central Station, the Travel Centre and the Stadium running every 15 minutes for 2 hours before a major event and every 15 mins for 2 hours after a major event).

(e) Bus service enhancements with buses every 20 minutes during the 2 hours before a match/event and to every 20 minutes until 2 hours after a match/event. During the match/event the bus service can go back to the 30 minutes headway.

(ii) Framework Major Event Management Plan (As a proforma for each event held) This should include, as a minimum, an approach to agreeing suitable dates, an overview of pedestrian movement; hours of operation; details of notice to working group; and other relevant matters raised by blue light services;

(iii) Local area Management Plan (and associated monitoring/ supported in the Section 106) to deal with public safety, crime preventions, management of the residential environment within the development and local transport management issues. This will sit behind the Major Event Day Management Plan.

(iv) Details of Major Event Day Travel Plans

(v) Major Event Day Car Park Management Plan, should include the following:

(a) Arrangements for the management of parking on major event days, including a pre-booking system for parking spaces at the stadium which will only be accessible for spectators who have booked their parking spaces;

(b) Arrangements for Controlled Parking Zone (CPZ)

(c) Arrangements for off-street parking;

(d) Arrangements with the adjoining retail park businesses to agree, fund and maintain a system to prevent overflow parking for major event days;

(e) Arrangements for off-site match day and event parking for a minimum of 661 parking spaces to be provided at the applicant's own cost within a 2 mile radius of the site. Evidence that agreements have been entered into to secure this parking to be provided to the Council for approval in writing prior to first occupation of the Stadium, Phase 1A.

(f) Provision of major events Marshalls to monitor and control parking, to ensure crowd control, to manage the gating strategy and to deal with coach parking in the vicinity of the Fossetts Way south bus stop;

The Major Event Day Management Plan should also detail the management and access arrangements for the areas of public realm on match/event days.

Thereafter the Development shall be operated and managed in accordance with the approved Major Event Day Management Plan that shall be reviewed after the first and second year of operation and any subsequent revision of it as approved thereafter.

Reason: In the interests of crowd safety, highway safety, the free flow of the local highway network and the amenities of nearby and surrounding occupiers pursuant to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015).

78. Full Application - Delivery and Servicing Hours

Deliveries to and collections from commercial premises on the site shall only be undertaken between 0700 hours and 1900 hours on weekdays and between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays.

Reason: In the interests of highway safety, the free flow of the local highway network and the amenities of nearby and surrounding occupiers pursuant to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015).

79. Full Application - Limits on football matches and non-football major events

No more than forty (40 no.) professional or semi-professional Football matches may be conducted per annum. In addition, no more than three (3) no. non-football related major events (defined as those exceeding 1,000 spectators) may be conducted per annum unless otherwise agreed by the Council.

The occurrence of major events will not be permitted during Crematorium and Chapel hours (weekdays 9:40 to 4:00 pm), unless otherwise agreed with the Council

Reason: in the interests of amenity in accordance with the National Planning Policy Framework (2021).

80. Full Application - Spectator limit

The maximum capacity of the stadium shall not exceed 21,000 spectators for the completed stadium including 13,893 spectators for the approved phase 1 (as outlined on the Detailed Development Phasing Programme approved under Condition 12). For the avoidance of any doubt, this shall also apply to non-football related events.

Reason: The application has been assessed based on this capacity as this was the figure submitted in the planning application and the Local Planning Authority would need to consider the acceptability of any increase should safe standing be permitted in future.

81. Outline Application - Commercial use hours of operation, delivery and servicing

Each Reserved Matters application, pursuant to the outline planning application hereby approved, which includes Use Class E floorspace shall be accompanied by details of the proposed hours of operation of the said use(s) including hours of delivery. The details shall be submitted to and approved in writing by the Local Planning Authority before the operation is brought into use. The use(s) shall be operated only in accordance with the approved details.

Reason: In the interests of highway safety, the free flow of the local highway network and the amenities of nearby and surrounding occupiers pursuant to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015).

WASTE MANAGEMENT CONDITIONS

82. Full and Outline Application - Refuse and Recycling

Prior to the first use of any building for the purposes hereby approved a scheme for the means of refuse and recycling storage including details of any bin stores shall have been submitted to and approved in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation or use of the development and retained for such purposes at all times thereafter. This shall also be in accordance with the Essex County Council and Southend-on-Sea Borough Council Waste Management Plan.

Reason: To ensure that the development provides adequate refuse and recycling facilities in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015) and Design and Townscape Guide (2009).

83. Full and Outline Application - Waste Management

Prior to first use of any building a site waste management strategy in accordance with the Essex County Council and Southend-on-Sea Borough Council Waste Management Plan including mitigation methods to control noise and odour from the waste storage and collection arrangements and pest control measures, shall be submitted to and approved by the Local Planning Authority. The agreed scheme shall be implemented prior to the first occupation or use of the development and retained for such purposes at all times thereafter.

Reason: To ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015) and Design and Townscape Guide (2009).

CCTV CONDITIONS

84. Full and Outline Application - CCTV details

No phase of the development shall be occupied until details of the CCTV installed in the development hereby approved for that phase have previously been submitted to and approved in writing by the local planning authority in liaison with

Essex Police. CCTV shall be installed and retained in accordance with the approved details. No events shall be held within the stadium unless and until the approved CCTV is installed and operational.

Reason: To safeguard character and appearance of the area and amenities of neighbouring occupiers in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

AIR QUALITY CONDITION

85. Full and Outline Application - Car Park Ventilation

Prior to the commencement of the development, other than for demolition and site preparation works, details of the car park ventilation strategy including details of the locations of the ventilation outlets, shall be submitted to the Local Planning Authority and approved in writing. The measures shall be implemented in accordance with the approved details ahead of the occupation of the phase of development (as outlined in the Detailed Development Phasing Programme approved under Condition 12) they serve.

Reason: To protect the amenities of the occupiers in accordance with Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Design and Townscape Guide (2009).

86. Outline Application - Phase specific Foul/ potable water connections

Within each Reserved Matters Applications, a foul drainage strategy to serve that Phase (as outlined on the Detailed Development Phasing Programme approved under Condition 12) of the development shall be submitted to and agreed in writing by the Local Planning Authority. The strategy shall include:

- (a) A programme for implementation;
- (b) Details of future maintenance and management of the proposed foul drainage system; and
- (c) Evidence of agreement with the Statutory Provider

No Phase shall be commenced until details of the foul water drainage to serve that Phase has been submitted to and approved in writing by the Local Planning Authority. The details shall comply with the approved foul drainage strategy. The approved details shall be implemented before the first occupation of the Phase concerned and be retained and maintained for the lifetime of the development thereafter.

Reason: To ensure that the development is satisfactorily serviced.

FLOOD AND DRAINAGE CONDITIONS

87. Full and Outline Application - Drainage strategy

Prior to commencement of development within any Phase (as outlined on the Detailed Development Phasing Programme approved under Condition 12), detailed design of a surface water drainage scheme incorporating the following measures for that Phase shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved

scheme for that Phase shall be carried out in full before that Phase is brought into use.

The Scheme shall address the following matters:

- (a) Provide evidence of infiltration tests in accordance with BRE365 and if infiltration is found to be viable provide information in relation to the potential for ground instability or deterioration in groundwater quality because of infiltration.
- (b) Include graphical information such as plans to show the blockage, conveyance and exceedance routes.
- (c) Confirm the proposed water quality and water treatment details in line with the requirements set out in the CIRIA guide.
- (d) Produce detailed hydraulic calculations/models to determine the peak runoff rates and demonstrate compliance with DEFRA 2015 requirements.
- (e) Provide updated drainage layout plan for each Phase indicating the dimensions, storage volumes, pipe sizes and gradients, manhole cover and invert levels, proposed discharged rates, flow controls and final discharge connection in accordance with the submitted calculations. Updated engineering plans shall be provided for each of the Sustainable Urban Drainage Systems (SuDS) and critical drainage elements, including the flow control features.
- (f) Provide calculations for the entire SuDS system, including the pipe network, for the 1 in 1 year, the 1 in 30-year event, the 1 in 100-year event and the 1 in 100 year plus 40% climate change event.
- (g) Provide information on the management of health and safety risks in relation to feature design.
- (h) Provide a system valuation (including capital costs, operation and maintenance costs, cost contributions) and a demonstration of long-term economic viability.
- (i) Provide confirmation of the party or parties responsible for maintenance of the SuDS system.
- (j) Provide a method statement for the management of surface water runoff arising during the construction.
- (k) Provide evidence of consent from Anglian Water to discharge at the proposed discharge rate and location(s).
- (l) Provide evidence of approval to discharge into the unnamed watercourse to the north of the site from Essex County Council (Section 23 of Land Drainage Act 1991).
- (m) Present a process for information delivery and community engagement to relevant stakeholders.
- (n) Provide information with regards to the proposed surface areas of the specified systems (i.e. blue roofs, green roofs etc) to allow for comparison with the details specified in the FRA Addendum 2020.
- (o) Provide further details and drawings to demonstrate how the proposed storage systems achieve the attenuation volume specified in the 'Drainage Strategy'. This should be in the form of calculations, drawings and cross-sections.
- (p) Provide further details on the unnamed watercourse in which the surface water will be discharged. Ownership of the watercourse should be confirmed along with relevant drawings and details to give a better understanding of how the water will be discharged.
- (q) Provide details of any impacts on groundwater arising from the scheme.

Reason: To ensure the approved development does not increase flood risk elsewhere in accordance with National Planning Policy Framework (2021), Core Strategy (2007) Policies KP1, KP2 and KP3.

BINDING SECTION 106 AGREEMENT

88. Full and Outline Application - Binding S106 Agreement

No development shall commence on any part of the site as shown on drawings as approved under Conditions 4 and 5 or any subsequent/amended version approved in writing by the Local Planning Authority until all interests within the site are bound by either: (1) a Section 106 Agreement containing the same planning obligations to those secured in the Section 106 Agreement which accompanies this permission; or (2) a confirmatory deed confirming that the land is bound by the Section 106 Agreement which accompanies this permission] to the written satisfaction of the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVES

Construction and Demolition Method Statement

Care must be taken to prevent the pollution of ground and surface waters. This will include during works and the location of any hazardous materials including fuel from vehicles and equipment.

Where any soils that are known to be contaminated are being excavated or exposed a site waste plan must be prepared in order to store treat and dispose of the materials in accordance with the waste duty of care. It is recommended that advice is sought from the Environment Agency on this matter.

Stockpiling and Reuse of Materials:

- Soils for storage must be classified before the waste is moved, stockpiled, reused and disposed (hereafter referred to as 'stockpiling') of in accordance with the Guidance on the classification and assessment of waste (1st Edition v1.1) Technical Guidance WM3 (EA, RM, SEPA, NIEA, 2018) (or 'WM3').
- Representative samples of soils must be undertaken in accordance with Appendix D of WM3 and presented to the local authority and other responsible authorities for approval prior to stockpiling.
- Prior to stockpiling the quality and condition of soils used for stockpiling must be approved by and in accordance with the Environment Agency.

Where there is requirement for dewatering the site, the relevant consent must be sought from the Environment Agency

Where there is a requirement to obstruct or alter watercourses a consent under section 23 of the Land Drainage Act must be obtained from Southend-on-Sea Borough Council.

Land Contamination This shall be conducted by a competent person and in accordance with the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers' and DEFRA and the Land Contamination Risk Management (LCRM) guidance from the Environment Agency.

Used Water Network/ Anglian Water

(1) Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(2) Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(3) Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

(4) Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

(5) The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Environmental Health

(1) Construction outside of normal hours - If construction works are to be considered outside of normal hours especially overnight it is recommended that the applicant applies for a prior consent application under section 61 of the Control of Pollution Act 1974. A consent enables the applicant to conduct the works without the worry of enforcement provided they comply with it. The applicant will have to submit details of any noisy works including type of plant and machinery to be used, proposed daily start and finish times, consultation with nearby residents and businesses and duration and time scales of the works. The applicant should contact the Regulatory Services Team at Southend-on-Sea Borough Council for details.

(2) Change of Use Class E - Should the use hereby permitted change fully, or part, to Class E paragraphs: (b) sale of food and drink for consumption (mostly) on the premises or (d) indoor sport, recreation or fitness, not involving motorised vehicles

or firearms, principally to visiting members of the public, there is a risk of harm to human receptors within existing residential and commercial premises. This is particularly due to the likely required operation outside of normal working hours and over seven days. These risks include:

- Noise from shopfitting and alterations to the premises
- Noise and vibration from the dropping of free or machine weights and medicine balls
- Noise from amplified music played in the premises
- Noise from extract ventilation systems and air conditioning condenser units
- Noise from customer voices internally and leaving and entering the premises
- Odour from extract ventilations systems
- Artificial light from signage

Whilst planning permission is not required for a change of use to or within Class E Southend-on-Sea Borough Council has a duty to investigate and enforce statutory nuisances under section 80 of the Environmental Protection Act 1990 if the council has established that a nuisance exists or is likely to occur.

Therefore, where an activity that falls under these paragraphs is proposed it is strongly recommended that an impact assessment of the proposed use is conducted by competent persons. Where likely impacts are established mitigation measures must be evaluated and installed to prevent a statutory nuisance from occurring using the best practicable means to do so.

Please note that extensions to the building and installation of extract ventilation systems and other building services are likely to require planning permission. Please contact the local planning authority for advice.

Sport Facilities / Sport England

(1) Community and SUFC Academy Soccer Dome Artificial Grass Pitch Design Specifications - The applicant is advised that the design and layout of the artificial grass pitches should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to the Football Association's Guide to 3G Football Turf Pitches Design Principles and Layouts <http://www.thefa.com/get-involved/player/facility-development-and-technical-guidance>.

(2) Community Soccer Dome Artificial Grass Pitch Certification - The applicant is advised that the pitch should be tested every three years by an accredited testing laboratory in order to achieve and maintain FIFA Quality accreditation.

London Southend Airport

(1) Please note that if you require a crane or piling rig 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.

CIL liability

Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). Further information about CIL can be found on the Planning Portal (www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy) or the Council's website (www.southend.gov.uk/cil).

Essex Police

Regular dialogue with Essex Police is expected through the discharge of the above conditions and ongoing design and operation of the scheme in accordance with the letter received from the Strategic Designing Out Crime Manager dated 16th June 2021

(iv.) In the event that the agreement referred to in part (ii) above has not been completed before 31st January 2022 or an extension of this time as may be agreed by the Director of Planning and 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 (ii) above and further detailed in Appendix 3 of the Committee Report. As such, the proposal would be unacceptable and contrary to National Planning Policy Framework (2021) 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).

413 19/01985/FULM - Roots Hall Stadium, Victoria Avenue, Southend-on-Sea, Essex, SS2 6EL (Prittlewell Ward)

Proposal: Demolish existing stadium and buildings, phased erection of 9 buildings between 2 and 8 storeys comprising of 502 residential units (Use Class C3), lay out associated car and cycle parking, amenity space, landscaping and highways works to form vehicular access from Fairfax Drive, Roots Hall Avenue and Shakespeare Drive and pedestrian/cycle access only from Victoria Avenue

Applicant: Southend United Football Club and Roots Hall Limited

Agent: Ms Mary Power, PowerHaus Consultancy

Resolved:-

(a) That the Director of Planning or Head of Planning and Building Control be DELEGATED to GRANT PLANNING PERMISSION subject to conditions and following the completion of an 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:

- Affordable Housing

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 3/ 4 bed	0	10	10
Total	350	152	502

- All Affordable housing units to be provided as affordable rented units, 152 units in total
- A minimum of 30% Affordable Housing to be provided on-site in each phase, until Affordable Housing equivalent to 30% of the Development as a whole has been provided
- Nominations of Affordable Housing Units (as applicable)

- Restriction on use of affordable housing units for affordable housing
- Council's standard provision for charges of affordable housing
- All Housing, including Affordable Housing to meet Nationally Described Space Standards

Secondary Education

- Phased contributions towards Secondary Education provision calculated on a formula basis to be used towards upgrading/refurbishment/extension at Cecil Jones Academy, Southchurch High School or Chase High School
- Payable prior to Commencement of each phase
- In respect of each 2 bed Market Residential Unit:
The multiplier of 0.03 multiplied by the cost per new pupil place of £18,469 multiplied by the number of 2 bed Market Residential Units to be provided in the relevant phase multiplied by the regional multiplier of 1.02 (Indexed)
- In respect of each 3 bed Market Residential Unit
The multiplier of 0.25 multiplied by the cost per new pupil place of £18,469 multiplied by the number of 3 bed Market Residential Units to be provided in the relevant phase multiplied by the regional multiplier of 1.02 (Indexed)
- In respect of each 4 bed Market Residential Unit
The multiplier of 0.25 multiplied by the cost per new pupil place of £18,469 multiplied by the number of 4 bed Market Residential Units to be provided in the relevant phase multiplied by the regional multiplier of 1.02 (Indexed)

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

Highways

- 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 to be secured by a Highways Agreement under Section 278 of the Highways Act 1980 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 and one right turn lane from Prittlewell Chase on to 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.
- Scheme to be submitted to and approved in writing by the Council prior to commencement, works in accordance with the Highways Agreement to be practically complete before first occupation.
- 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

No development whatsoever, including but not limited to any demolition or stripping out of the existing stadium, shall commence unless and until:

- (a) the new Stadium application comprising all of elements of Stadium phase 1 including the provision of the new Football Pitch, the erection of the east, west and southern stands with seating to accommodate no less than 13893 spectators, identified on Phasing Plan 22274- CW-ZZ-AA-M3-A-Site-SO.RVT Revision P-O3 at Fossetts Farm and set out in approved plans and in the Development Framework Specification at paragraph 2.5 under reference 17/00733/FULM is granted full planning permission by Southend on Sea Council;
- (b) Phase I including the provision of the new Football Pitch, the erection of the east, west and southern stands with seating to accommodate no less than 13893 spectators and Supporters Way is built out fully in accordance with the permission(s) granted and subsequently made available for use whether by Southend Football Club or any other Club to the satisfaction of the Director of Planning or Head of Planning and Building Control; and
- (c) Adequate supporters, players and staff car parking and public transport provision on match days is laid out and made available in accordance with planning permission 17/00733/FULM and planning permission granted by Rochford District Council under reference 17/00436/FUL Land North of Smither's Chase

The Owner shall submit to the Council for approval in writing a report including evidence of the satisfactory practical completion of all elements set out above, completed and executed agreements for lease for all the above facilities for a minimum of 20 years in a form annexed to the Agreement, and a safety certificate authorising the use of the Stadium by the public. No development whatsoever shall commence unless and until all matters set out above are evidenced to the written satisfaction of the Director of Planning.

Amenity Space and Management Plan

- Landscaping Scheme required before commencement of each phase to identify details, ensure legibility, public access and maintenance and how future maintenance will be funded, to secure the benefits of the amenity space identified in the planning application for the lifetime of the development to be submitted to and approved in writing by the Council.
- Management and funding arrangements to be specified.
- Public Space areas to meet specified minimum area requirements
- Open space to be practically complete, inspected and opened to the public in accordance with specified triggers.

Car Club

- Owner to enter into an agreement with a car club operator for a period of 10 years before occupation of any residential units
- Provision of 2 car club vehicles, and a minimum of one year free memberships for the first occupants of each residential unit of the development and five free driving hours for future occupiers at the cost of the Developer for a ten year period (2 car club spaces secured by condition)
- 2 car club vehicles to be available and on site at first occupation of any residential units

Employment and Skills

- 15% local labour for construction phase (reasonable endeavours)
- 20% local labour for end user phase (reasonable endeavours)
- 15% local supply chain (reasonable endeavours)
- Apprenticeships and Traineeships numbers to be determined on a phase by phase approach, based on capital value and number of units. Statement in S106 to commitment to apprenticeships and traineeships.
- Cash contribution to support individuals gaining the SECTA training at the rate of £300 per person, aligning with the traineeship and apprenticeship.
- If targets are not achieved, £1000 for every percentage point missed to be invested in associated skills, employment or business activity.
- Monitoring provisions.

Travel Plan Monitoring Fee

- Travel Plan Monitoring Fee of £3,000 per annum for 5 years from first occupation of a residential unit (Provision of Travel Plan secured by condition)
- Travel Plan Co-Ordinator to be appointed before first occupation of a residential unit for a five-year period.

Travel Packs

- Travel Packs to be approved by the Council and provided to each residential unit prior to first occupation
- Travel Packs must contain, among other things:
 - 4 x travel cards for use on local buses valid for 2 weeks
 - 4 x season tickets for use on c2c or Greater Anglia train lines valid for 1 week.
 - Details of free car club membership valid for 1 year
 - Details of a minimum of 5 car club driving hours for those eligible
 - Details of personalised Journey Planning to be provided to the first occupier of each residential unit prior to occupation

CCTV

- CCTV to be provided, applicant to demonstrate reasonable endeavours to link their CCTV system to the Council's system before occupation of each phase, applicant to be responsible for the costs of connecting

Other Provisions

- Contributions to be subject to Indexation
- Agreement to include appropriate provisions regarding the return of unspent, uncommitted contributions
- Legal fees
- S106 Monitoring fees
- Monitoring provisions
- Phasing
- Provisions for binding Council Land
- Enforcement of details secured by condition for offsite works, including but not limited to:
 - S106: Continuity of Stadium Provision – Condition: Retention of operational stadium until Fossetts Farm is operational
 - S106: Car Club – Condition: Car Parking Provision
 - S106: Travel Plan Monitoring Fee – Condition: Residential Travel Plan
 - S106: Travel Packs – Condition: Residential Travel Plan
 - S106: Enforcement of details secured by condition for offsite works – Condition: Detailed Highways design

(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 the conditions set out below 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 the committee report;

GENERAL CONDITIONS

1. Commencement

The development hereby permitted shall be begun no later than 5 (five) years beginning with the date of this permission.

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

2. Phasing Plan

No development shall take place on site until a phasing plan has been submitted to and approved in writing by the local planning authority. This plan will demonstrate how the amenity of existing neighbours and occupants of early phases of the scheme will be protected in accordance with the Demolition and Construction Management Plan required under Condition 5 and the Construction Logistics Plan required under Condition 6. The development shall be undertaken only in accordance with the phasing plan approved under this condition.

Reason: To ensure a coordinated development that complies with the National Planning Policy Framework (NPPF) and the requirements of the local development plan and to protect residential amenity of existing neighbours and future residents.

3. Retention of operational stadium until Fossetts Farm is operational

No development whatsoever, including but not limited to any demolition or stripping out of the existing stadium, shall commence unless and until:

(a) the new Stadium application comprising all of elements of Stadium phase 1 including the provision of the new Football Pitch, the erection of the east, west and southern stands with seating to accommodate no less than 13,893 spectators, identified on Phasing Plan 22274-CW-ZZ-AA-M3-A-Site-SO.RVT Revision P-O3 at Fossetts Farm and set out in approved plans L1 Lower Concourse/BOH Level, Phase 01, GA Plan - SUS-POP-00-01-GA-A-0101 to Roof Level, Phase 01, Ga Plan - SUS-POP-00-RF-GA-A-0106, North/South, East/West Sections Phase 01 - SUS-POP-ZX-ZZ-SE-A-0200, Bowl Plan Phase 1 - SUS-POP-00-04-GA-A-6000 and in the Development Framework Specification at paragraph 2.5 under reference 17/00733/FULM is granted full planning permission by Southend on Sea Council;

(b) Phase I including the provision of the new Football Pitch, the erection of the east, west and southern stands with seating to accommodate no less than 13893 spectators and Supporters Way is built out fully in accordance with the permission(s) granted and subsequently made available for use whether by Southend Football Club or any other Club to the satisfaction of the Director of Planning or Head of Planning and Building Control; and

(c) Adequate Supporters, players and staff car parking and public transport provision on match days is laid out and made available in accordance with planning permission 17/00733/FULM and with planning permission granted by Rochford District Council under reference 17/00436/FUL Land North of Smither's Chase.

To secure the discharge of this condition the applicant shall submit to the Director of Planning or Head of Planning and Building Control a report including evidence of the satisfactory practical completion of all elements set out above, completed and executed agreements for lease for all the above facilities for a minimum of 20 years in a form annexed to the Agreement, and a safety certificate authorising the use of the Stadium by the public. No development whatsoever shall commence unless and until all matters set out above are evidenced to the written satisfaction of the Director of Planning or Head of Planning and Building Control.

Reason: To protect the sporting social and cultural function of Southend United Football Club.

4. Approved Plans and documents

The development for which detailed approval is hereby permitted, shall only be carried out in accordance with the approved plans and documents below:

Documents

- Affordable Housing Statement
- Air Quality Assessment
- Archaeological Desk-Based Assessment
- Consultation Statement
- Daylight, Sunlight and Overshadowing Report
- Design And Access Statement
- Ecology And Biodiversity Assessment/Conservation of Habitats
- Environmental Statement Volume 1
- Environmental Statement Volume 2
- Environmental Statement Volume 3 Appendices
- Environmental Statement: Non-Technical Summary
- Flood Risk and Suds Assessment
- Geotechnical & Hydrogeological Assessment
- Health Impact Assessment
- Historical Analysis, Assessment and Heritage Statement
- Internal Daylight Analysis
- Microclimate Assessment
- Noise Assessment
- Outline Residential Travel Plan
- Outline Car Park Management Plan
- Outline Recycling And Waste Management Strategy
- Outline Construction Logistics Plan
- Shadow HRA
- Sustainability And Energy Strategy
- Townscape Visual Impact Assessment
- Transport Assessment
- Phase 1 Preliminary Risk Assessment
- Planning Statement
- Utilities Statement (See FRA and Appendices)

Plans

SITEWIDE

- Existing Site Plan (1:500) - 2188-00-DR-0001 rev P02
- Existing Site Plan (1:1250) - 2188-00-DR-0002 rev P02
- Demolition Plan (1:1250)- 2188-00-DR-0003-rev P01
- Existing Stadium Elevation - 2188-00-DR-0611 rev P01
- Site Wide - Level 0 - 2188-00-DR-0100 rev P04
- Site Wide - Level 1 - 2188-00-DR-0101 rev P04
- Site Wide - Level 2 - 2188-00-DR-0102 rev P04
- Site Wide - Level 3 - 2188-00-DR-0103 rev P04
- Site Wide - Level 4 - 2188-00-DR-0104 rev P04
- Site Wide - Level 5 - 2188-00-DR-0105 rev P04
- Site Wide - Level 6 - 2188-00-DR-0106 rev P04
- Site Wide - Level 7 - 2188-00-DR-0107 rev P04
- Site Wide - Roof Plan - 2188-00-DR-0120 rev P04
- Site Wide - GA Elevations Sheet 1 - 2188-00-DR-0600 rev P03
- Site Wide - GA Elevations Sheet 2 - 2188-00-DR-0601 rev P02
- Site Wide - GA Elevations Sheet 3 - 2188-00-DR-0602 rev P02

BUILDING A

- Building A - Level 0 - 2188-10-DR-0100 rev P02
- Building A - Level 1 - 2188-10-DR-0101 rev P02
- Building A - Level 2 - 2188-10-DR-0102 rev P02
- Building A - Level 3 - 2188-10-DR-0103 rev P02
- Building A - Level 4 - 2188-10-DR-0104 rev P02
- Building A - Level 5 - 2188-10-DR-0105 rev P02
- Building A - Level 6 - 2188-10-DR-0106 rev P02
- Building A - Level 7 - 2188-10-DR-0107 rev P02
- Building A - Level 8 - 2188-10-DR-0108 rev P02
- Building A - Car Park - 2188-10-DR-0120 rev P02
- Building A - GA Elevations Sheet 1 - 2188-10-DR-0600 rev P03
- Building A - GA Elevations Sheet 2 - 2188-10-DR-0601 rev P03
- Building A - GA Elevations Sheet 3 - 2188-10-DR-0602 rev P02
- Building A - GA Elevations Sheet 4 - 2188-10-DR-0603 rev P03

BUILDING B

- Building B - Level 0-1 - 2188-20-DR-0100 rev P03
- Building B - Level 2-3 - 2188-20-DR-0101 rev P02
- Building B - Level 4-5 - 2188-20-DR-0102 rev P02
- Building B - Level 6-7 - 2188-20-DR-0103 rev P02
- Building B - Roof Plan - 2188-20-DR-0104 rev P02
- Building B - GA Elevations Sheet 1 - 2188-20-DR-0600 rev P03
- Building B - GA Elevations 01 - 2188-20-DR-0601 rev P03

BUILDING C

- Existing Victoria Avenue & Roots Hall Avenue Street Elevations - 2188-30-DR-0610 rev P01
- Building C - Level 0 - 2188-30-DR-0100 rev P04
- Building C - Level 1 - 2188-30-DR-0101 rev P04
- Building C - Level 2 - 2188-30-DR-0102 rev P04
- Building C - Level 3 - 2188-30-DR-0103 rev P04
- Building C - Roof Plan - 2188-30-DR-0104 rev P03
- Building C - GA Elevation Sheet 1 - 2188-30-DR-0600 rev P03

- Building C - GA Elevation Sheet 2 - 2188-30-DR-0601 rev P03
- Building C - GA Elevation Sheet 3 - 2188-30-DR-0602 rev P03

BUILDING D

- Building D Floor Plans - 2188-40-DR-0100 rev P03
- Building D Elevations - 2188-40-DR-0600 rev P03
- Building D Swept Path Analysis - 23258301-STR-HGN-100-DR-D-00501

BUILDING E

- Building E - Level 0-1 - 2188-50-DR-0100 rev P02
- Building E - Level 2-3 - 2188-50-DR-0101 rev P02
- Building E - Level 4-5 - 2188-50-DR-0102 rev P02
- Building E - Level 6-7 - 2188-50-DR-0103 rev P03
- Building E - Roof Plan - 2188-50-DR-0104 rev P02
- Building E - GA Elevations Sheet 1 - 2188-50-DR-0600 rev P02

BUILDING F

- Building F Plans - 2188-60-DR-0100 rev P01
- Building F Elevations - 2188-60-DR-0600 rev P01

DETAILS

- Façade Materials Sheet 01 - 2188-00-DR-0653 rev P01
- Façade Materials Sheet 02 - 2188-00-DR-0653 rev P03

LANDSCAPING

- Landscape Proposals - 1931-TF-00-00-DR-L-1002 – P04
- Landscape Proposals - 1931-TF-00-00-DR-L-1003 – P04
- Landscape Proposals - 1931-TF-00-00-DR-L-1004 – P04
- Planting Schedule and Specification - 1931-TF-00-00-SP-L-1005 – P02

HIGHWAYS

- Proposed Level 2 Layout Site Access - 23258301-STR-HGN-100-DR-D-00306 Rev P3
- Proposed Level 0.5 Cycle Parking - 23258301-STR-HGN-098-DR-D-00106 Rev P1
- Proposed Level 2 Layout Cycle Parking - 23258301-STR-HGN-100-DR-D-00305 Rev P3
- Proposed Level 2 Layout Emergency Access Swept Path Analysis - 23258301-STR-HGN-100-DR-D-00304 Rev P3

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

CONSTRUCTION RELATED CONDITIONS

5. Demolition and Construction Management Plan

(i) Prior to the commencement of the development the applicant shall submit in writing a demolition and construction management plan to the local planning authority for approval. The development shall only be implemented in accordance with the approved demolition and construction management plan. The demolition and construction management plan must include measures to secure or respond to the following requirements:

(a) Traffic Management Plan,

- (b) the control of nuisances, including noise, vibration, and dust, during construction works to preserve the amenity of the area and avoid nuisances to neighbours and to this effect:
- (c) No waste materials should be burnt on the site, instead being removed by licensed waste contractors.
- (d) During construction the target of 85% of waste leaving the site being diverted from landfill will be set and monitored appropriately.
- (e) Dust Management details which should make reference to current guidance on the Assessment of Dust from Demolition and Construction – Institute of Air Quality Management or an acceptable equivalent.
- (f) restricting the duration of noisy activities and locating them away from the periphery of the site (this is notwithstanding any Prior Consent that exists for the site under section 61 of the Control of Pollution Act 1974).
- (g) Hours of works: works should only be undertaken between 0730 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays (this is notwithstanding any Prior Consent that exists for the site under section 61 of the Control of Pollution Act 1974).

(ii) Measures to prevent the pollution of ground and surface waters. This will include during works and the location of any hazardous materials including fuel from vehicles and equipment.

(iii) Where any soils that are known to be contaminated are being excavated or exposed a site waste plan must be prepared in order to store treat and dispose of the materials in accordance with the waste duty of care. It is recommended that advice is sought from the Environment Agency on this matter.

(iv) All site lighting shall be located, shielded or angled in a manner that does not cause disturbance, alarm or distress to occupants of any nearby dwellings.

(v) Construction and Demolition shall also be done in accordance with “London Good Practice Guide: Noise & Vibration Control for Demolition and Construction” by The London Authorities Noise Action Forum, CIEH, Arup and AECOM.

Reason: In the interest of the residential amenity of nearby occupiers and the highway safety in accordance with the National Planning Policy Framework (2021), Policies KP2, CP3 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015).

6. Construction Logistics Plan

Prior to the commencement of a phase of the development a Construction Logistics Plan for that Phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of vehicular routing, parking arrangements and be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. Each phase shall be implemented only in accordance with the approved details for the duration of the construction period.

Reason: Reason: In the interest of the residential amenity of nearby occupiers, highway safety and free flow of the traffic network in accordance with the National Planning Policy Framework (2021), Policies KP2, CP3 and CP4 of the Core

Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015).

DESIGN, LANDSCAPING AND ECOLOGY CONDITIONS

7. Site levels

No development above ground level shall be undertaken unless and until details of existing and proposed site levels at and surrounding the site have been submitted to and approved in writing by the local planning authority. The development shall be undertaken and completed at the levels indicated on the approved drawing.

Reason: In the interests of the residential amenity of adjoining residents and the character and appearance of the area and to ensure that the development complies with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Design and Townscape Guide (2009).

8. Building materials submission and approval

Notwithstanding the details shown on the plans submitted and otherwise hereby approved the development hereby permitted shall not commence (save for archaeological investigation, an investigation of ground conditions including exploratory boreholes and trial pits, decontamination, remedial works, groundworks and site preparation works), unless and until full details and appropriately sized samples of the materials to be used for all the external surfaces of the proposed buildings at the site including facing materials, including brickwork patterning roof detail, windows (including sections, profiles, coping and reveals), doors, balustrading, fascia and balconies entrances, stair towers gateway features, grilles to car parks and stores, and vehicle barriers have been submitted to and approved in writing by the local planning authority. The permitted development must be carried out in full accordance with the approved details.

Reason: To safeguard character and appearance of the area and the Pritwell conservation area and the visual amenities of neighbouring occupiers in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM5 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

9. Landscaping scheme, phasing Materials details and management

With the exception of archaeological investigation, an investigation of ground conditions including exploratory boreholes and trial pits, decontamination, remedial works, and site clearance works, no development within any Phase of the development hereby approved (as approved under the approved Phasing Plan under Condition 2, shall commence above ground level until and unless full details of both hard and soft landscape works for that phase including enclosed amenity terraces to the front of the blocks facing the public streets and spaces have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details must include the following as a minimum:

- (i) Proposed Finished Levels or Contours
- (ii) Details of materials
- (iii) Minor artefacts and structures including the Garden Square Pavilion.

- (iv) Details of trees proposed and to be retained, ensuring a minimum of 153 trees are provided in accordance with the approved plans.
- (v) Timetable for the Completion of the Hard and Soft Landscaping and Planting
- (vi) Evidence of Compatibility of Landscaping Scheme with the Proposed Drainage and Other Site Services
- (vii) Details of external lighting
- (viii) Details of green roof and brown roofs and how these will be maintained
- (ix) Details of any boundary treatment and means of enclosure to be erected within the site.
- (x) Measures to enhance biodiversity.
- (xi) Lighting
- (xii) Children play areas and equipment.
- (xiii) Details of the number, size and location of trees, shrubs and plants to be planted together with a planting specification, details of measures to enhance biodiversity within the site and details of the management of the site, such as the uncompacting of ground prior to planting, the staking of trees and removal of the stakes once the trees are established.

The soft landscaping/planting within the area subject to approval within any Phase shall thereafter be carried out accordance with the approved timetable for the completion of hard and soft landscaping and planting.

If any trees are removed or found to be dying, severely damaged or diseased within five years of planting them, they must be replaced with trees of a similar size and species as may be agreed with the Local Planning Authority. Management regimes associated with the soft landscaping shall apply in perpetuity.

Each of the buildings hereby approved within a Phase shall be provided with the necessary vehicular access, pedestrian access, drainage, footway and cycle access prior to full occupation, consistent with the approved Plans and in accordance with the approved timetable for completion of the hard and soft landscaping works approved under the terms of this condition.

Reason: In the interests of highway safety and amenity and to protect the character of the area and the Prittlewell Conservation Area in accordance with the National Planning Policy Framework (2021), Policy KP2, CP3 and CP4 of the Core Strategy (2007) and Policies DM1, DM3, DM5, DM8 and DM15 of Development Management Document (2015).

10. Landscape Management

Prior to first occupation of any part of any Phase of the development hereby approved details of a Landscape Management Plan for the maintenance and management of the soft and hard landscaping for that Phase shall be submitted to and approved in writing by the Local Planning Authority. The landscaped areas shall thereafter be managed and maintained in accordance with the approved Landscape Management Plan. The Landscape Management Plan for that phase/sub-phase shall include details of how trees within that phase/sub-phase will be maintained during the initial three-year establishment period. The landscaped areas shall thereafter be managed and maintained in accordance with the approved Landscape Management Plan for the lifetime of the development.

Reason: in the interests of amenity in accordance with the National Planning Policy Framework (2021) and Policies KP2, CP3 and CP4 of the Core Strategy, Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

11. Trees – replacement of retained and provided trees

If any retained and provided tree is cut down, uprooted or destroyed or dies another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted, in accordance with Condition 9, at such time as may be specified in writing by the local planning authority. In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars. If, within a period of 10 (ten) years from the date of planting, a proposed tree (or any tree planted in replacement for it) is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree unless the local planning authority gives its written consent to any variation.

Reason: In the interests of the character and appearance of the area and to ensure that the development complies with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Design and Townscape Guide (2009).

12. Accessible dwelling standards

Notwithstanding the details shown on the drawings submitted and otherwise hereby approved before the development is commenced above ground floor slab level details setting out how 10% of the dwellings shall be built in compliance with the building regulation M4(3) ‘Adaptable for wheelchair user dwellings’ standard and the remaining 90% shall all be built in compliance with the building regulation part M4(2) ‘accessible and adaptable dwellings’ standard shall be submitted to the local planning authority and approved in writing. Each approved dwelling shall be constructed to comply with either building regulation M4(2) or M4(3) in accordance with the details approved under this condition prior to its first occupation.

Reason: To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM8 and Design and Townscape Guide (2009).

13. Obscure glazing

Notwithstanding the details shown in the plans submitted and otherwise hereby approved, no phase of the development hereby granted consent shall not be first occupied or brought into use unless and until plans are submitted to the Local Planning Authority and approved in writing which clearly specify all the windows and other openings in the development that are to be permanently glazed with obscured glass and fixed shut or provided with only a fanlight (or other similar) opening and the manner and design in which these windows and openings are to be implemented.

The development hereby permitted shall be implemented in full accordance with the details approved under this condition before it is first occupied or brought into use and shall be permanently retained as such thereafter. The windows included within such agreed scheme shall be glazed in obscure glass which is at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority. Top hung lights agreed within such scheme shall be a minimum of 1.7 metres above internal floor level. In the case of multiple or double-glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4. The windows shall be retained in accordance with the agreed details for the lifetime of the development.

Reason: To avoid overlooking and the resultant loss of privacy of the adjoining residential properties, in accordance with the National Planning Policy Framework, Core Strategy 2007 policies KP2 and CP4, and Development Management Document 2015 policy DM1 and advice contained within the Design and Townscape Guide.

14. Privacy Screens

Prior to the commencement of any phase of development details of privacy screens and the manner and design in which these are to be implemented will be submitted and approved by the Local Planning Authority.

The development hereby permitted shall be implemented in full accordance with the details approved under this condition before it is first occupied or brought into use and shall be permanently retained in accordance with the agreed details for the lifetime of the development.

Reason: To avoid overlooking and the resultant loss of privacy of the adjoining residential properties, in accordance with the National Planning Policy Framework, Core Strategy 2007 policies KP2 and CP4, and Development Management Document 2015 policy DM1 and advice contained within the Design and Townscape Guide

15. Designing out crime

With the exception of demolition, site clearance and Preliminary Works, no development shall commence above ground level until and unless a scheme showing the principles to be implemented to reduce the risk of crime and fear of crime for the development in accordance with "secured by design" principles, including but not limited to 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, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Police Designing out Crime Officer. That part of the development shall not be occupied until and unless the approved designing out crime scheme for that part of the development has been fully implemented. The approved measures shall be maintained for the lifetime of the development.

Reason: To ensure the creation of a safe and secure environment in accordance with the National Planning Policy Framework, Core strategy Policies KP2 CP4 and CP6 and guidance in the Southend Design and Townscape Guide (2007)

16. Scheme of Biodiversity Enhancement

The development hereby approved shall be implemented and operated thereafter in strict accordance with the findings, recommendations and mitigation measures of the Habitats Regulation Assessment (Roots HallWIE18031-1-1-2-HRA-AA). No development, including ground and site preparation works, shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a full Biodiversity Mitigation and Enhancement Strategy. The strategy shall:

- (i) Be written in accordance with BS42020:2013 Biodiversity. Code of Practice for planning and development and Biodiversity Net Gain Good Practice Principals for Development;
- (ii) Provide full details of protection measures to be implemented for habitats and faunal species including measures applicable during demolition works and the timings of works such as to avoid bird nesting season;
- (iii) Provide full details of proposed habitat creation measures to enhance the site for biodiversity, including biodiverse roofs;
- (iv) Detail full enhancement measures to be provided for faunal species including bats and birds. This shall include details for the provision of enhanced green infrastructure; numbers, specifications and locations of bird and bat boxes;
- (v) A review of the lighting strategy including an assessment of lux levels and how the proposed lighting scheme will not impact upon any retained or newly created habitats and green infrastructure of value to biodiversity including nocturnal species.

Prior to the commencement of the development a timescale for the implementation of these measures shall be submitted to the Local Planning Authority and approved in writing. The measures shall be implemented in accordance with the approved timescale.

Reason: In the interest of biodiversity in accordance with National Planning Policy Framework (2021), The Conservation of Habitats and Species Regulations 2017 (as amended) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

17. Biodiversity Net Gain

No development shall take place, including ground and site preparation works, unless and until there has been submitted to and approved in writing by the Local Planning Authority a Biodiversity Net Gain assessment for the site. The assessment should detail how the provision of at least a net gain in biodiversity, in terms of both habitats and linear habitats, has been achieved. The assessment should be undertaken using the most recent DEFRA biodiversity metric available at the time. If there is a shortfall in biodiversity net gain on the site itself, off-site compensation shall be provided. It shall be implemented in accordance with the timescales approved in the strategy.

Reason: In the interest of biodiversity in accordance with National Planning Policy Framework (2021) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

HIGHWAYS AND PARKING CONDITIONS

18. Car Parking Provision

As outlined on the approved drawings in Condition 4, 502 car parking spaces and two car club spaces with electric vehicle charging points shall be provided and retained in perpetuity for the parking of occupiers and visitors. Accessible car parking spaces shall be provided to serve the wheelchair accessible units.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policy DM15 of the Council's Development Management Document (2015) and Policy CP3 of the Core Strategy (2007).

19. Car Park Management Plan and Electric vehicle charging points

Notwithstanding the details shown on the plans submitted and otherwise hereby approved, with the exception of archaeological investigation, an investigation of ground conditions including exploratory boreholes and trial pits, decontamination, remedial works, above ground works of the development hereby permitted shall not be commenced unless and until a car park management plan, including measures to control on street parking, and ensure measure to address highways design and safety as identified within the TA has been submitted to and approved in writing by the local planning authority. The car park management plan must be implemented in full accordance with the details approved under this condition before the development is first occupied or brought into first use and shall be maintained as such in perpetuity.

The development shall not be first occupied or brought into first use unless and until full details of the car (including accessible and Electric Vehicle charging point provision, including 20% of all spaces to be provided with active charging points and the remainder of all spaces served by passive provision), motor cycle, delivery and drop off space, and covered and secured cycle parking (based on drawing reference 2188-10-DR-0120 rev P02, 23258301-STR-HGN-098-DR-D-00106 Rev P1 and 23258301-STR-HGN-100-DR-D-00305 Rev P3) to serve the development hereby approved have been submitted to and approved in writing by the local planning authority.

No building shall be first occupied or brought into first use unless and until the onsite car parking spaces for the respective buildings, have been provided and made available for use in full accordance with the drawings, together with properly constructed vehicular access to the adjoining highway, all in accordance with the approved plans.

The approved parking spaces shall be provided and made available for use and the accessible parking bays shall be clearly marked with a British Standard disabled symbol prior to the occupation of that part of the development and shall be maintained thereafter solely for the parking of occupiers of, visitors to and users of the development.

All car park facilities (including residential) will need to be accredited to the 'British Parking Association – Park Mark Scheme' to ensure that measures are in place to safeguard the public and their vehicles.

The Car Park Management Plan should include provision for the long-term review and monitoring of car parking arrangements.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policy DM15 of the Council's Development Management Document (2015) and Policy CP3 of the Core Strategy (2007).

20. Cycle parking and storage – details

The development of above ground works shall not be commenced unless and until full details of the covered and secured cycle parking (based on drawing reference 23258301-STR-HGN-098-DR-D-00106 Rev P1 and 23258301-STR-HGN-100-DR-D-00305 Rev P3), including provision for one space per unit) to serve the development hereby approved have been submitted to and approved in writing by the local planning authority.

No building shall be occupied until the space approved has been laid and made available for each unit for a minimum of one space per unit and that space shall thereafter be kept available for the parking of bicycles.

Reason: To ensure that adequate cycle parking is provided and retained to serve the development in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policies DM1 and DM15 of the Development Management Plan (2015).

21. Detailed Highways Design

With the exception of archaeological investigation, an investigation of ground conditions including exploratory boreholes and trial pits, decontamination, remedial works, and site clearance works, no development within any Phase of the development hereby approved (as approved under the approved Phasing Plan under Condition 2), shall commence until the detailed designs (including relevant road safety audits) of all highways works, accesses and egresses into the development have been submitted to and approved by the Council.

This shall include the following, or in the event of changes to the baseline situation, alternative works:

- (i) CPZ contribution of £10,000 towards consultation on the introduction of a CPZ and the cost of provision if required, payable before first occupation;
- (ii) 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;
- (iii) TRO and signage for entrance of Shakespeare Drive;
- (iv) 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;

(v) 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;

(vi) Footways to be provided on both sides of the access from Fairfax Drive;

(vii) Highways Agreement to include a supervision fee of maximum of 10%.

The access and egresses shall be carried out in accordance with the approved designs prior to first occupation of the development.

Highways works will be subject to Southend Council's agreement through the detailed design and road safety audit processes. The safety aspects from the RSA1 must be mitigated for in these further stages.

Reason: In the interests of highway safety, the free flow of the local highway network and the amenities of nearby and surrounding occupiers pursuant to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015).

22 Residential Travel Plan

Prior to commencement of above ground works of the development, a Residential Travel Plan shall be prepared based on the principles of the submitted Outline Residential Travel Plan (Steers, December 2020) including measures and incentives to promote an environmentally responsible travel behaviour and shall be submitted to and approved by the Local Planning Authority. The scheme thereafter shall be implemented to the program, monitoring and maintenance requirements outlined within that document.

For the first three years by the end of each calendar year a document setting out the monitoring of the effectiveness of the Travel Plan and setting out any proposed changes to the Plan to overcome any identified issues and timescales for doing so must be submitted to and approved in writing by the local planning authority. The agreed adjustments shall be implemented in accordance with the approved conclusions and recommendations.

The Travel Plan shall include details of the Travel Packs, the car club and the Personalized Journey Planning.

Reason: To support the targeted mode share in the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policy DM15, and Design and Townscape Guide (2009).

23. Delivery and Servicing Plan

Prior to first occupation of any part of any Phase of the development hereby approved details of a Delivery and Servicing Plan (DSP) shall be submitted to and approved in writing by the Council. The DSP will be used to manage deliveries to/from the development and, in particular, to discourage servicing trips during peaks

periods on the surrounding highway network. The approved DSP shall be implemented in full prior to the first occupation of any phase.

Reason: In the interests of highway safety, the free flow of the local highway network and the amenities of nearby and surrounding occupiers pursuant to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015).

CONTAMINATION ASSOCIATED CONDITIONS

24. Land Contamination

A. Site Characterisation

Notwithstanding the details submitted with this application, no development shall commence other than that required to carry out additional necessary investigation which in this case includes demolition, site clearance, removal of underground tanks and old structures until an investigation and risk assessment has been submitted to and approved in writing by the local planning authority. The risk assessment shall assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:

- (i) a survey of extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - Human health,
 - Properly (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - Adjoining land,
 - Groundwaters and surface waters,
 - Ecological systems
 - Archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

A Tier 1 Risk Assessment (Preliminary Risk Assessment) should be submitted and approved in writing by the local planning authority that develops the initial conceptual site model to establish whether there are any potentially unacceptable risks. The Preliminary Risk Assessment should be prepared in accordance with the EA's LCRM guidance.

The findings of the Preliminary Risk Assessment should be used to inform a Tier 2 Generic Quantitative Risk Assessment. A Tier 3 Detailed quantitative risk assessment should be submitted and approved in writing by the local planning authority if the Tier 2 assessment identifies one or more potential contaminant linkages that need a detailed assessment.

B. Site Remediation Scheme

The development hereby permitted shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site

will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Remediation Implementation and Verification

The development hereby permitted shall not commence other than that required to carry out the agreed remediation until the remediation measures set out in the approved Remediation scheme have been implemented in full. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced. The verification report shall be submitted to the local planning authority and approved in writing before the dwellings hereby approved are first occupied.

The Verification Report shall be prepared in accordance with Land Contamination Risk Management (LCRM) guidance from the Environment Agency and should demonstrate that the risk has been reduced and the remediation objectives and criteria have been met, show that remediation has been successful and create a final record of the land quality (including any requirement for long-term monitoring).

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared submitted for the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Representative samples of soils must be undertaken in accordance with Appendix D of WM3 and presented to the local authority and other responsible authorities for approval prior to stockpiling.

Prior to stockpiling the quality and condition of soils used for stockpiling must be approved by and in accordance with the Environment Agency

Where there any reclamation and storage of soils it shall be done in accordance with instructions from the Environment Agency including Environmental Permitting requirements. The applicant should take note that:

Prior to commencement soils for storage must be classified before the waste is moved, stockpiled, reused and disposed (hereafter referred to as 'stockpiling') of in accordance with the Guidance on the classification and assessment of waste (1st Edition v1.1) Technical Guidance WM3 (EA, NRM, SEPA, NIEA, 2018) (or 'WM3').

Reason: To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution to Controlled Waters in accordance with Core Strategy (2007) policy KP2 and Policies DM1 and DM14 of the Development Management Document (2015).

NOISE AND ILLUMINATION RELATED CONDITIONS

25. Noise Insulation of Dwellings – Transport Noise

Prior to the completion above ground floor slab level of the six dwellings fronting Victoria Avenue located in Buildings C1 and C2 details of how the internal and external areas of dwellings are protected from external noise in accordance with BS8233:2014 and the current Noise Policy Statement for England will be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details before the dwellings are occupied. The internal ambient noise levels shall not exceed the guideline values in Table 4 of BS8233:2014 namely:

- 07:00 to 23:00
 - Resting - Living room 35 dB LAeq,16hour
 - Dining - Dining room/area 40 dB LAeq,16hour
 - Sleeping/Daytime Resting - Bedroom 35 dB LAeq,16hour 30 dB LAeq,8hour
- 23:00 to 07:00
 - Sleeping Night-time Bedroom 35 dB LAeq,16hour

- Adequate glazing specification RW39 should be provided in order to mitigate road traffic noise including installation of any ventilation systems necessary to achieve BS 8233:2014 internal noise levels.
- External areas shall be designed and located to ensure that amenity areas are protected on all boundaries as to not exceed 55 dBLAeq,T. The six dwellings fronting Victoria Avenue located in Buildings C1 and C2 are excluded on the basis of good design and meeting amenity requirements.
- Where it is necessary a scheme for approval for alternative means of ventilation is required in writing to demonstrate that:
 - Noise from the system will not present an adverse impact on occupants.
 - The alternative means of ventilation will enable optimum living conditions for heating and cooling in all weather and with reference to climate change predictions

The six dwellings fronting Victoria Avenue located in Buildings C1 and C2 shall not be occupied until a post completion noise survey has been undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. The post completion testing shall assess performance of the noise mitigation measures. A method statement shall be submitted to and approved by the Local Planning Authority prior to the survey being undertaken, unless otherwise agreed in writing by the Local Planning Authority. If additional noise mitigation measures are required (where necessary to ensure the appropriate noise levels can be met), these shall be submitted to an approved in writing by the Local Authority and implemented in full prior to the first occupation of the six dwellings. The Post Completion report shall assess the performance of any ventilation and cooling/heating system that has been installed to the satisfaction of the local authority. The approved alternative means of ventilation and cooling/heating shall be maintained thereafter.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, and Policies DM1 and DM3 of the Development Management Document (2015).

26. Noise from Residential Building Services

Prior to first occupation of each building to which it relates in accordance with the Phasing Plan submitted in accordance with Condition 2 a noise impact assessment shall be conducted by a competent person to assess the impact of noise from plant and equipment within the proposed residential buildings on occupiers of dwellings. This shall include noise and vibration from:

- Elevators including service elevators
- Air condition units and condensers
- Automatically opening doors
- Service entrances and barriers

The impact assessment shall include requirements for mitigation measures. The Noise impact Assessment shall be submitted in writing for approval. All mitigation measures must be implemented in accordance with the approved report before the dwellings are occupied and post-installation testing completed and verification sent submitted in writing for approval. The mitigation measures shall be retained and maintained hereafter.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, and Policies DM1 and DM3 of the Development Management Document (2015).

27. External Illumination

Prior to the first occupation of the development hereby approved, details of all external illumination of the site including the luminance and spread of light and the design and specification of the light fittings shall be submitted to and approved in writing by the local planning authority. All illumination shall be designed in accordance with the Institute of Lighting Professionals "Guidance Note 01/20: Guidance notes for the reduction of obtrusive light" and Bat Conservation Trust "Guidance Note 8 Bats and Artificial Lighting 2018". All illumination within the site shall be implemented and retained in accordance with the approved details only. There shall be no other lighting of the external areas of the site.

Reason: In the interest of the safety and amenities of the area, in the interests of biodiversity and to protect the amenities of surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

FLOOD AND DRAINAGE CONDITIONS

28. Detailed design of a surface water drainage scheme

A detailed design of a surface water drainage scheme incorporating the following elements and timescales for implementation shall be submitted to and agreed with the Local Planning Authority in consultation with the Lead Local Flood Authority before the development is commenced, other than for demolition and site clearance works. The approved scheme shall be implemented in accordance with

the approved timescales and be maintained as such in perpetuity thereafter. The scheme shall address the following matters:

(a) Provide an assessment of suitability for infiltration, accounting for the presence of constraints on infiltration SuDS, drainage potential, and the potential for ground instability or contamination as a result of infiltration. The applicant needs to include evidence that infiltration testing has been undertaken for the site and that they are compliant with BRE365 guidance.

(b) Provide evidence demonstrating that surface water runoff retention on site has been maximised for the 1 in 100 year plus climate change storm event to achieve an overall discharge from the site as close as possible to greenfield runoff rate (QBAR).

(c) Provide detailed drawings of the drainage network showing site layout, discharge locations, types and location of flow control devices, pipe sizes and gradients and all SuDS techniques being used on the site including the proposed water treatment methods. Also including sizing and volume of storage to be provided for all SuDS features on the site, with demonstration of how the network will perform under different flood scenarios.

(d) Provide a plan illustrating the conveyance and exceedance flow routes for storm events exceeding the 1 in 100 year plus 40% allowance for climate change and in the event of system failure to demonstrate how exceedance flow will be managed and mitigated on site without significantly increasing flood risks (both on site and outside the development).

(e) Provide details of embedded mitigation including 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 to prevent the ingress of surface water into the proposed buildings.

(f) Provide a method statement regarding the management of surface water runoff during the construction phase of the project.

(g) Provide evidence of consent from Anglian Water regarding the proposed discharge rate and connection point.

(h) A maintenance plan for the drainage infrastructure to ensure it continues to function as envisaged.

Reason: To ensure the approved development does not increase flood risk elsewhere in accordance with National Planning Policy Framework (2021), Core Strategy (2007) Policies KP1, KP2 and KP3.

WASTE MANAGEMENT AND UTILITIES CONDITIONS

29. Recycling and Waste Management Plan

Prior to first occupation of the development a Full Recycling and Waste Management Plan shall be submitted to the local planning authority and approved in writing. The submitted plan shall be in accordance with the Applicant's Outline Recycling and Waste Management Strategy (Steers, December 2020) and the Essex County Council and Southend-on-Sea Borough Council Waste Management Plan and include a scheme for temporary storage and recycling, collection and disposing of waste resulting from construction works that does not allow for the burning of waste on site, and mitigation methods to control noise and odour from the waste storage and collection arrangements and pest control measures. The development shall be implemented in accordance with the approved plan from first occupation.

Reason: To ensure that the development provides adequate refuse and recycling facilities in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015) and Design and Townscape Guide (2009).

SUSTAINABILITY CONDITIONS

30. Water Efficiency design measures

All residential dwellings in each building must comply to the limit of internal water consumption of 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting. A building in the scheme shall not be occupied until it has been implemented in accordance with the requirements of this condition and the buildings shall be retained as such in perpetuity.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and the Councils Design and Townscape Guide (2009).

31. Renewable Energy Scheme

Prior to construction of the development hereby approved above ground floor slab level a scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources must be submitted to and agreed in writing by the Local Planning Authority. A building in the scheme shall not be occupied until it has been implemented in accordance with the details approved under this condition.

This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development and ensuring a high quality of design in accordance with Policy KP2 of the Core Strategy (2007) and the Design and Townscape Guide (2009).

32. Energy Conservation Measures

Prior to construction of the development hereby approved above ground floor slab level a scheme detailing how efficiency measures are to be incorporated throughout the proposed development to reduce the overall energy demand, and subsequent CO2 emissions.

The measures shall include but not be limited to 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.

Reason: In the interests of providing sustainable development and ensuring a high quality of design in accordance with Policy KP2 of the Core Strategy (2007) and the Design and Townscape Guide (2009).

LONDON SOUTHEND AIRPORT

33. London Southend Airport Height Restriction

The development hereby approved shall not exceed height of 56.46m AOD at any time. This AOD height includes aerials, antenna, apparatus and roof mounted plant appliances of any sort.

Reason: In the interests of aviation safety in accordance with Development Management Document (2015) Policy DM4.

34. Roof Equipment

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any statutory instrument amending, revoking or replacing that Order, no satellite antenna, apparatus or plant of any sort (including structures or plant in connection with the use of telecommunication systems or any electronic communications apparatus) shall be erected on the site or roof of any building within the development hereby approved without the receipt of express planning permission in writing from the Local Planning Authority.

Reason: In the interests of aviation safety in accordance with Development Management Document (2015) Policy DM4.

35. Southend Airport Instrument Flight Procedures Compliance

Prior to above ground works within any Phase or Sub-Phase of the development confirmation that the Phase or Sub-Phase complies with the relevant Instrument Flight Procedures of the Airport Authority shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Airport Authority. The development shall only be implemented in accordance with the details approved under this condition.

Reason: In the interests of aviation safety in accordance with Development Management Document (2015) Policy DM4.

36. Crane Height

Prior to the commencement of development within any Phase of the development hereby approved details of the cranes to be used in the construction of that Phase shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Airport Authority. The details shall include the location of cranes and maximum heights, in order to allow the Airport Authority to undertake further assessment prior to commencement of development. Thereafter cranes shall only be erected and operated in accordance with the approved details.

If additional cranes are required following commencement of development, or revised crane heights or locations are subsequently sought, the revised details shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Airport Authority prior to the erection or first operation of the relevant cranes and the cranes shall only be erected or operated in accordance with the revised details.

All cranes required for construction must be limited to operate no taller than 56.46m AOD unless the Airport Authority has been notified of any cranes proposed to operate over 56.46m AOD and the proposed maximum crane heights and locations have been reviewed and approved by the Local Planning Authority in consultation with the Airport Authority in accordance with the terms of this permission condition.

Reason: In the interests of aviation safety in accordance with Development Management Document (2015) Policy DM4.

OTHER

37. Archaeological Watching Brief

No development shall take place, within each phase of the development unless and until an Archaeological Written Scheme of Investigation for a programme of archaeological work including a programme of archaeological recording and analysis, trial trenching, a watching brief for any works involving vertical or lateral invasion into the existing top or sub soil and details of the measures to be taken should any archaeological finds be discovered has first been submitted to and approved in writing by the Local Planning Authority. The approved Archaeological Written Scheme of investigation/watching brief and measures are to be undertaken throughout the course of the works affecting below ground deposits and are to be carried out by an appropriately qualified archaeologist. The subsequent recording and analysis reports shall be submitted to the local planning authority before that phase of the development is brought into first use.

Reason: To allow the preservation by record of archaeological deposits and to provide an opportunity for the watching archaeologist to notify all interested parties before the destruction of any archaeological finds in accordance with the National Planning Policy Framework (2021) and Policy DM5 of the Development Management Document (2015).

38. Removal of certain permitted development rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order or Act of Parliament revoking and re-enacting that Order with or without modification, no development shall be carried out at the development hereby approved specified within Schedule 2, Part 1, Classes A, B, E and F of the Town and Country Planning (General Permitted Development) Order 2015 without the receipt of express planning permission in writing from the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties, to safeguard the character of the area and in the interests of aviation safety in accordance the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and DM4, and the Southend Design and Townscape Guide (2009).

39 Binding S106 Agreement

No development shall commence on any part of the site as shown on the approved drawings in Condition 4, or any subsequent/amended version approved in writing by the Local Planning Authority until all interests within the site are

bound by either: (1) a Section 106 Agreement containing the same planning obligations to those secured in the Section 106 Agreement accompanying this permission; or (2) a confirmatory deed confirming that the land is bound by the Section 106 Agreement accompanying this permission to the written satisfaction of the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVES:

The applicant is reminded that this permission does not bestow compliance with other regulatory frameworks. In particular, your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and the noise provisions within the Control of Pollution Act 1974. Applicants should contact the Council's Regulatory Services Officer in Environmental Protection for more advice on 01702 215005 or at Regulatory Services, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend SS2 6ER'.

The applicant is also reminded that this permission is separate to the need to comply with Food Safety and Health & Safety at Work laws. These will include the Food Safety Act 1990 (as amended), the Food Hygiene (England) Regulations 2006, Regulation (EC) 852/2004 and the Health and Safety at Work Etc. Act 1974. Applicants should contact the Council's Regulatory Services Officer for Food and Health and Safety for more advice on 01702 215005 or at Regulatory Services, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend SS2 6ER.

Construction outside of normal hours

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. A consent enables the applicant to conduct the works without the worry of enforcement provided they comply with it. The applicant will have to submit details of any noisy works including type of plant and machinery to be used, proposed daily start and finish times, consultation with nearby residents and businesses and duration and time scales of the works. The applicant will need an acoustically qualified person who will be able to calculate the predicted noise levels from the operation and the impact on nearby residents and then be able to evaluate mitigation measures that can be used.

If we become aware of any works that are highly likely to cause a nuisance, we can serve a notice under section 60 of the Control of Pollution Act 1974 to prevent this. A breach of this will represent a criminal offence.

The application form and guidance is available on the Southend-On-Sea Borough Council website. The applicant can also contact the Regulatory Services Team at Southend-on-Sea Borough Council for details.

Asbestos

As it is considered likely that the buildings to be demolished contain asbestos a scheme implemented to remove and safely dispose of any asbestos-containing materials in accordance with the Control of Asbestos Regulations 2012 and the applicant's/developer's duty of care for waste should be implemented with reference the asbestos survey of the buildings.

The Control of Asbestos Regulations 2012 is regulated by the HSE. It is recommended that the applicant and their contractors use competent persons and ensure that any necessary risk assessments and mitigation measures are conducted in accordance with their duty of care and that where necessary properly licensed contractors are used.

Where necessary the Southend-on-Sea Borough Council Building Control Team to also ensure that all works are in accordance with the Building Regulations 2000.

Water

Where there is requirement for dewatering the site the relevant consent must be sought from the Environment Agency

Where there is a requirement to obstruct or alter watercourses a consent under section 23 of the Land Drainage Act must be obtained from Southend-on-Sea Borough Council

Highways

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

Please take care when carrying out works on or near the public highways and footpaths in the Borough.

A contribution has been secured for a CPZ, subject to the outcome of a consultation exercise led by SSBC, identifying parking issues on nearby streets. If such a scheme were to be introduced in the future, the ability for residents of the development to be eligible for off-site parking permits may be removed.

CIL

Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). Further information about CIL can be found on the Planning Portal (www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy) or the Council's website (www.southend.gov.uk/cil).

Anglian Water

(1) Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(2) Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(3) Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this

matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

(4) Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

(5) The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Land Contamination

Land contamination works shall be conducted by competent persons and in accordance with the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers' and DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and other current guidance deemed authoritative for the purposes. The development hereby permitted shall not commence other than that required to carry out additional necessary investigation until the measures set out in the approved report have been implemented.

(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 of the Committee Report. 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).

Chair: _____