

Reference:	20/01199/FULM	
Application Type:	Full Application Major	
Ward:	Thorpe	
Proposal:	Partial demolition of the hotel and the erection of three storey extensions to the east, fronting Walton Road and to the west fronting Cliveden Road, reconfiguration of the main hotel elevation fronting Thorpe Esplanade, reconfiguration of the car park to provide 60 parking spaces, increase in floorspace from 3,140sqm to 5,708sqm, increase in hotel rooms from 62 to 67, creation of a part basement, provision of 44 cycle parking spaces, and hard and soft landscaping	
Address:	Roslin Hotel, Thorpe Esplanade, Thorpe Bay	
Applicant:	Regis Entertainment Limited	
Agent:	Jon Murch of DaviesMurch	
Consultation Expiry:	12th November 2021	
Expiry Date:	12th January 2022	
Case Officer:	Spyros Mouratidis	
Plan Nos:	WP-0753-A-0000-P-00 Rev A; WP-0753-A-0001-P-00 Rev A; WP-0753-A-0003-P-00 Rev A; WP-0753-A-0004-P-01 Rev A; WP-0753-A-0005-P-02 Rev A; WP-0753-A-0006-P-03 Rev A; WP-0753-A-0020-E-XX Rev A; WP-0753-A-0021-E-XX Rev A; WP-0753-A-0022-E-XX Rev A; WP-0753-A-0030-S-XX Rev A; WP-0753-A-0099-P-B1 Rev A; WP-0753-A-0100-P-00 Rev A; WP-0753-A-0101-P-01 Rev A; WP-0753-A-0102-P-02 Rev A; WP-0753-A-0103-P-03 Rev A; WP-0753-A-0200-E-XX Rev A; WP-0753-A-0201-E-XX Rev A; WP-0753-A-0300-S-XX Rev A; WP-0753-A-0301-S-PR Rev A; WP-0753-A-0202-E-XX Rev A; WP-0753-A-0203-E-XX Rev A; WP-0753-A-0204-E-XX Rev A; WP-0753-A-0205-E-XX Rev A; WP-0753-A-0206-E-XX Rev A; WP-0753-A-0207-E-XX Rev A; WP-0753-A-0210-E Rev A; Existing Room Count Markup	
Supporting Documents:	BREEAM Pre-Assessment Report Issue 1.1.1 August 2021; Design and Access Statement September 2021; Economic Benefits Statement September 2021; Energy and Sustainability Statement August 2021;	

	<p>Environmental Assessment - Surface Water Drainage Strategy reference 5703 SWDS version 1.0 October 2020; Planning Statement September 2021; Sitecheck Assess report reference 256911367 September 2020; Transport Statement reference 2003110-03 September 2021; Hotel Travel Plan Statement reference 2003110-04 September 2021</p>
<p>Recommendation:</p>	<p>Members are recommended to <u>DELEGATE</u> to the Executive Director (Growth and Housing), Director of Planning or Head of Planning and Building Control to <u>GRANT PLANNING PERMISSION</u> subject to <u>CONDITIONS</u> following the completion of a <u>LEGAL AGREEMENT</u> under section 106 of the Town and Country Planning Act 1990 (as amended)</p>



1 Site and Surroundings

- 1.1 The application site is located on the northern side of Thorpe Esplanade and is occupied by a cluster of interlinked buildings used as a hotel and associated facilities. The currently existing buildings can accommodate lawfully up to 47 rooms and 15 additional rooms could be accommodated until recently within the, now demolished, building at 8-10 Clieveden Road. The complex also accommodates space for bars, a restaurant and a wedding venue, some spa and gym facilities, most of which can be used by non-residents of the hotel on site.
- 1.2 The existing buildings are mainly two-storey in scale with some having accommodation within the roofspace and with several single-storey extensions to the front and rear. The site currently accommodates 56 car parking spaces to the rear, although 67 were previously required to be provided under a planning condition of planning permission 16/01757/FUL. There are raised outdoor terraces to the front. The terraces are used for outdoor seating space, surrounded by glazed panels. The whole of the frontage is used for external seating seasonally. Low boundary walls and soft landscaping delineate the site to the front and sides, with higher timber boards to the rear boundary.
- 1.3 To the south of the site is the public beach and the Thames Estuary which is subject of numerous designations for the protection of the natural environment. The rest of the surrounding area is residential in nature. A small part of the application site's frontage lies within Flood Zone 2. The site and the surrounding area are part of the Seafront Character Zone 6 as defined in policy DM6 of the Development Management Document. No other planning related designations affect the site or the surrounding area.

2 The Proposal

- 2.1 Planning permission is sought for the reconfiguration of the existing complex of buildings. The proposal is to demolish the existing side sections of the hotel and to erect two-storey extensions with accommodation within the roof to the east, fronting Walton Road, and to the west, fronting Clieveden Road. The proposed eastern wing would measure some 35m deep by 13m wide, reaching 17m at its maximum width. The proposed western wing would measure some 17m wide by 59m deep extending within the location of the recently demolished building at 8-10 Clieveden Road. Both wings would have gabled projections with maximum height at 10.3m and eaves height at 6.1m. First floor connections between the proposed wings and the central section of the hotel would be created. These would be flat roofed and would reach 6.1m in height. A flat roofed canopy with a green roof would be erected between the proposed wings, to the rear of the middle, existing, section of the building. The proposal includes the creation of a basement beneath part of the proposed eastern wing.
- 2.2 It is proposed to finish the roof over the proposed extensions with terracotta roof tiles. The walls on the upper floors would be finished with horizontal rain-screen timber/composite cladding. The fascia and frames for the gables as well as the balconies would be made from painted white metal and timber. Timber decking would be used for the floor of the balconies and timber privacy screens would be used to separate the balconies for the relevant rooms. The fenestration would be made of white aluminium or timber frames. The colonnade supporting the rear green roof canopy to the rear would be made of timber. Low level stone enclosures would separate the parking from the pedestrian routes.

- 2.3 The proposal would accommodate the increase of the existing gross internal floorspace by 2,568 m², to a total of 5,708 m², and by 5 hotel rooms, a total of 67 rooms. It should be noted that the current lawful maximum hotel rooms on site is 62 rooms, although this is not currently implemented for operational reasons. From the total available floorspace, some 1,451 m² would be used for the provision of incidental uses such as a spa (some 477 m²), a ball room (200 m²), a restaurant (210 m²), two bars (96 m² and 162 m²), a wedding venue (some 258 m²) and a gym (48 m²). Most of these uses, as discussed in section 1 of the report, are already provided on site. With the proposal there would be an increase in maximum capacity. The proposal would also enable the increase of total full-time equivalent employees from 124 to 166, with a maximum of 60 employees on site at any one time.
- 2.4 As part of the proposal the frontages of the site will be modified to accommodate terraces finished with timber decking for external seating areas behind a buffer of soft landscaping retained with rendered masonry walls. Around the proposed external seating areas, it is proposed to install clear glazed windscreen, similar to those already in place around the existing terraces. The majority of these areas are already used for external searing during parts of the year as already mentioned. A ramp is proposed at the Thorpe Esplanade frontage next to the proposed main stairs. The rear boundary is proposed to be 2m high. The areas near the main entrance points would be surfaced in stone. The proposal includes the construction of an electricity substation with a flat roof form at a height of 2.7m above ground level abutting the boundaries of 12 Cliveden Road and 5 Walton Road.
- 2.5 To the rear the car parking area would be reconfigured to accommodate 60 parking spaces, 55 would be accessed from Walton Road and 5 would be accessed from Cliveden Road and controlled with retractable bollards. A total of 44 cycle parking spaces are proposed to be provided on site.
- 2.6 During the course of the application the proposed scheme was amended to alter its internal and external layout as well as the overall design approach. The amendments have been informed by a pre-application discussion with officers.

3 Relevant Planning History

- 3.1 The most relevant planning history for the determination of this application is shown on Table 1 below:

Table 1: Relevant Planning History of the Application Site

Reference	Description	Outcome [Date]
21/02281/CLE	Commencement of works, comprising of demolition of existing building which commenced in April 2021 and completed within four weeks, digging of a trench and backfilled with concrete to form foundations for part of the southern elevation of the building in association with planning permission 18/00823/FUL dated 22.10.2018 - (Lawful Development Certificate - Existing)	Pending Consideration
19/02106/DEM	Demolish pair of semi-detached Dwellings used for Hotel Accommodation (Application for Prior Approval for Demolition)	Prior Approval Granted [11.12.2019]

18/00823/FUL	Erect hipped to gable roof extension, part single/part two storey rear extension, part single/part two storey side extension and alter elevations to building formerly 8-10 Clieveden Rd	Permission Granted [22.10.2018]
16/01757/FUL	Change of use of residential dwelling (Class C3) into 7 hotel rooms ancillary to existing Roslin Hotel (Class C1)	Permission Granted [21.12.2016]
16/01580/FUL	Erect ground floor extensions to front elevation, extend and alter existing front porch incorporating revolving door and alterations to front entrance steps	Permission Granted [21.12.2016]
15/01815/FUL	Demolish existing conservatory and glazed enclosures to front, erect single storey front extension with roof lantern, terraces areas, erect terraces to first floor front elevation and alter boundary wall to front (Amended Proposal)	Permission Granted [14.01.2016]
15/00822/FUL	Demolish existing conservatories and glazed enclosures to front, erect single storey front extension with roof lantern and part raised roof, form raised terrace to side, erect terraces and bris soliese to first floor front elevation	Permission Granted [16.07.2015]
14/01649/FUL	Erect two storey and first floor rear extensions to form rear entrance and Spa facilities with terrace to front	Permission Granted [09.07.2015]
14/01234/FUL	Erect single storey front extension, extend existing terraced area, form new entrance steps and install revolving doors to front	Permission Granted [16.10.2014]
10/01946/FUL	Change use of residential dwelling (No. 9 Thorpe Esplanade) (Class C3), erect infill extension between 9 and 10 Thorpe Esplanade and alter elevations to form 8 additional hotel rooms, residents lounge, conference room/function room, storage facilities, plant room, alter position of existing vehicular access onto Clieveden Road and provide 14 parking spaces (Amended Proposal) (Retrospective).	Permission Granted [23.07.2013]
11/00570/FUL	Erect timber decking and canopy on the beach opposite the Roslin Hotel to be used for weddings	Refused [24.06.2011]
10/01332/FUL	Erect single storey extension to front, infill extension between 14 and 12 Thorpe Esplanade, erect raised decking and install glazed canopies to front (retrospective)	Permission Granted [10.11.2010]
09/01007/FUL	Change of use of dwelling (Class C3) to restaurant (Class A3), conference facilities (Class D1), form canopies to front and rear and alter elevations	Permission Granted [21.08.2009]
09/00122/FUL	Erect glazed single storey extension,	Permission Granted

	decking, balustrade and terrace to front	[09.04.2009]
08/01155/FUL	Change of use of dwellinghouse (Class C3) to 9-bedroom hotel (Class C1) and provision of additional 9 parking spaces at rear	Permission Granted [16.02.2009]
08/00495/FUL	Erect single storey infill extension and conservatory to front	Permission Granted [26.06.2008]
07/01860/FUL	Change use of part of rear garden of 14 Thorpe Esplanade to form access onto Walton Road and additional parking ancillary to hotel and erect entrance walls to Walton Road	Permission Granted [06.02.2008]
07/01522/FUL	Erect retractable canopy to front elevation, new entrance canopy and stair and replacement balustrading	Permission Granted [07.01.2008]
07/00179/FUL	Form new entrance steps with canopy over to front elevation. Widen crossover and form steps up to terrace. Install raised decking with glass balustrade to front. Erect glass balustrade to existing 2nd floor balcony.	Permission Granted [22.05.2007]
06/00441/FUL	Convert second floor self-contained flat into 3 bedrooms and erect spiral staircase at rear, ancillary to hotel	Permission Granted [30.05.2006]
05/00755/FUL	Erect conservatory to front extension to be used ancillary to restaurant (Amended Proposal)	Permission Granted [08.07.2005]
05/00138/FUL	Erect conservatory to front extension to be used ancillary to restaurant	Refused [08.03.2005]

4 Representation Summary

Call-in

4.1 The application, in addition of being considered by the committee as significant development, has been called in to the Development Control Committee by Councillor Woodley who also submitted the following summarised comments:

- The proposed design is a step back when compared to the original submission, the more modern appearance currently proposed would drastically change this part of the seafront.
- Potential issues with overlooking to properties on Cliveden Road and Walton Road from proposed east-facing, upper floor balconies.
- The height is not a problem.
- The hotel already hosts weddings without local councillors being informed of any noise complaints and conditions about this should be used.
- Parking demand will exacerbate issues in the area and the submitted information has failed to adequately address this matter.

Public Consultation

4.2 Fifteen (15) neighbouring properties were consulted, a site notice was displayed and publicity was given in the local press both for the application as originally submitted and the revisions received during the course of the application. Objecting comments from eighty-six (86) interested parties have been received for this application and are summarised as follows:

Principle of enlargement

- Loss of four family homes in the area.
- The proposal is no longer just a hotel but an entertainment venue mainly for non-residents with associated increase in traffic and noise.
- Too much increase in functions floorspace.

Design and impact on the character and appearance of the area

- The area was mainly residential and now the hotel has grown out of place eroding the residential character.
- The area is occupied by Edwardian and Art Deco properties and as such the loss of the pair of semi-detached properties on Cliveden Road would be unacceptable.
- More than 150m of the streetscene will be taken by the premises, the associated parking and the anti-social nature of additional cars.
- The site is already grossly overdeveloped.
- Out of scale and extends beyond existing building lines.
- The proposal looks like a block of flats.
- Existing vegetation will be removed.
- Corner plots are visually dominant, intrusive and overpowering.
- Poor light conditions on the public areas around the site.
- Dominance of hard landscaping.

Impact on neighbouring residential amenity

- Numerous changes to the hotel caused disturbance and inconvenience to neighbours with this project requiring at least 18 additional months of construction noise and disturbance, including dust.
- Harmful impact on the privacy of neighbouring occupiers due to overlooking from proposed balconies.
- The additional floorspace would attract more footfall which would create noise and disturbance to nearby residents.
- Noise and disturbance from the use including from broken glass, bottle bank noise, outside seating, external lighting, smokers, deliveries and collections, cooking smells and drunken clients.
- The proposed access arrangements would generate noise and disturbance to surrounding streets.
- The proposed location of the bin storage area would create odours and noise to the detriment of nearby residents.
- Loss of light and overshadowing.
- Concerns about air quality.
- Location of sub-station is a health and safety hazard for neighbours.

Parking and highways

- Insufficient parking for the use negatively impacts on nearby residents.
- Proposal would exacerbate existing parking problems including employees and clients parking on nearby streets.
- Local parking capacity cannot accommodate this expansion.
- Increased traffic, including because of the drive through parking arrangements.
- Highway safety issues for cars traveling to the north end of Walton Road.
- The car parking area should have barriers to prevent unauthorised parking.
- Colbert Avenue is used by the employees of the applicant throughout the year.

- Taxi shuttle will cause problems to surrounding streets.
- Parking issues and traffic during construction.
- The Council should support parking restrictions on Colbert Avenue.
- Emergency services cannot access the area because of parked vehicles around the site.
- Any charging for parking of visitors and guests will only increase parking on surrounding streets.

Impact on the Environment

- The demolition of existing building is a waste of resources.
- The use of external heaters is not environmentally friendly.
- Impact on the beach and the wildlife.
- Two street trees have been removed without consent.

Other matters

- There are many children in the area and their safety should be a consideration.
- Main income is from other functions according to the company's books.
- The company was reporting losses before Covid-19.
- The long-term plan is to turn this site into a block of flats.
- The applicant is applying for development incrementally hoping residents would not notice.
- The neighbours have been bullied by the operators of the hotel.
- The demolition of 9-10 Cliveden Road has left the area as a bomb site
- The planning department has granted so many permissions previously that now does not want to take the residents' objections into consideration.
- Antisocial behaviour from members of staff, including smells of illegal substances.
- The expansions of the hotel are causing mental health problems to residents.
- The proposal would restrict sea views from neighbouring properties.
- Value of nearby properties will go down.

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

Anglian Water

4.4 No objections.

Cadent Gas

4.5 No objections – there is apparatus in the area.

Environmental Health

4.6 No objections subject to conditions regarding construction hours and waste management.

Fire Safety Officer

4.7 No objections.

Highways Team

4.8 No objections subject to a travel plan. A detailed and robust transport statement has

been submitted which included TRICS data confirming the proposal would have a minor impact on the local highway network, the site is in proximity of rail, bus and cycle infrastructure, a significant proportion of employees (69%) use alternative modes of transport to commute and off street parking availability, pay and display bays and public parking area are available.

Lead Local Flood Authority

- 4.9 No objections subject to conditions to require drainage related details prior to construction.

Parks and Greenspace Officer

- 4.10 No objections subject to conditions to require soft landscaping and biodiversity enhancing measures.

5 Planning Policy Summary

- 5.1 The National Planning Policy Framework (NPPF) (2021)
- 5.2 Planning Practice Guidance (PPG) – National Design Guide (NDG) (2021)
- 5.3 Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles), KP3 (Implementation and Resources), CP1 (Employment Generating Development), CP2 (Town Centre and Retail Development), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance), CP6 (Community Infrastructure), CP8 (Dwelling Provision).
- 5.4 Development Management Document (2015): Policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM4 (Tall and Large Buildings), DM6 (The Seafront), DM10 (Employment Sectors), DM11 (Employment Areas), DM12 (Visitor Accommodation), DM14 (Environmental Protection), DM15 (Sustainable Transport Choices).
- 5.5 Design & Townscape Guide (2009)
- 5.6 Waste Storage, Collection and Management Guide for New Developments (2019)
- 5.7 Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) (2020)
- 5.8 Electric Vehicle Charging Infrastructure (EVCI) for New Development Supplementary Planning Document (SPD) (2021)
- 5.9 Community Infrastructure Levy (CIL) Charging Schedule (2015)

6 Planning Considerations

- 6.1 The main considerations in relation to this application are the principle of the development, design and impact on the character and appearance of the site and the wider surrounding area, the impact on residential amenity, parking and highways considerations, air quality, drainage and flooding, land contamination, refuse and recycling storage, water and energy use sustainability and CIL (Community Infrastructure Levy).

7 Appraisal

Principle of Development

Expansion of hotel and associated facilities

- 7.1 Paragraph 119 of the NPPF states: “Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.”
- 7.2 Policy KP2 of the Core Strategy states that all new development should: “[...] make the best use of previously developed land, ensuring that sites and buildings are put to best use”. Policy CP4 of the Core Strategy requires development proposals to: “maximise the use of previously developed land [...] and promote good, well-designed, quality, mixed use development”. Similarly, Policy DM3 of the Development Management Document states that: “The Council will seek to support development that is well designed and that seeks to optimise the use of land in a sustainable manner”
- 7.3 Paragraph 93 of the NPPF states: “To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should [among others] plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments”.
- 7.4 Policy DM10 of the Development Management Document recognises the Seafront as a priority location in relation to hotel provision. Policy DM12 of the same document states that: “New visitor accommodation will be focused within the [Key Areas]. Proposals must relate well to strategic routes and the distributor road network, have good public transport accessibility and meet the requirements of other relevant planning policies”. The preamble of this policy recognises tourism and cultural industries within Southend to be important for sustained economic growth in the Borough.
- 7.5 Policy DM6 of the Development Management Document states: “The provision of new and improved facilities for [...] tourism facilities will generally be supported in appropriate locations along the Seafront in accordance with Policy Table 1. Proposals are required to demonstrate that:
- (i) Such facilities will not detrimentally reduce the amount of beach available for public use or public accessibility to the foreshore; and
 - (ii) They provide an adequate means of access to the foreshore
 - (iii) They contribute to the positive appreciation of natural resources and biodiversity of the foreshore by visitors and users.”
- 7.6 Seafront Character Zone 6, Clieveden Road to Maplin Way, includes, among others, the following principles:
- (i) Maintain existing established build character and activities based around open parks and beach recreation.
 - (iii) Green grid will be enhanced through improvement of the parks and gardens.
 - (iv) Retain and enhance existing leisure activities including the tennis, bowls and yacht clubs. [...]
 - (v) New flatted developments along the Seafront will be resisted. Development that

does take place must respect the open nature of the public and private open space and the grain and character of the residential area.

- (vi) Shelters and cafes will be improved. Refurbishment and renewal works will not impact on the foreshore views and should not unduly encroach upon it.

- 7.7 Policy CP1 of the Core Strategy seeks to promote economic regeneration and expects development to support the Southend's regional potential to develop as a hotel and conference resort . Policy CP6 of the same document states: "Development proposals must mitigate their impact on community infrastructure [...] by [...] safeguarding existing and providing for new leisure, cultural, recreational and community facilities"
- 7.8 There is clear policy support for the principle of the provision of additional hotel accommodation and associated facilities in this location. Considering the existing and established facilities on site, this development is clearly associated with the seafront and the economic activity arising from tourism in the area. The proposal would comply with the criteria in policy DM6 and would be compatible with the principles of Seafront Character Zone 6.
- 7.9 It is noted that objections have been submitted against the principle of the extension of the facilities on site. One of the grounds raised is that the proposal would result in loss of existing family homes. However, in planning terms, any previous use of parts of the site for residential purposes as single dwellinghouses was lost when the change of use of these buildings was allowed. Whilst the surrounding buildings are dwellings, the site has a long-established use as a hotel with provision of other associated facilities which are open to the wider public. The proposed enlargement of the premises is compatible with the spatial vision of the Local Planning Authority and, in principle, would not conflict with the established character of the area. No dwellings would be lost as a result of this proposal.

Provision of a large building

- 7.10 Policy DM4 of the Development Management Document states that tall and large buildings will be considered acceptable where the following criteria are met:
 - (i) They are located in areas whose character, function and appearance would not be harmed by the scale, mass or bulk of a tall or large building; and
 - (ii) They integrate with the form, proportion, composition, and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street level; and
 - (iii) Individually or as a group, form a distinctive landmark that emphasises a point of visual significance and enhances the skyline and image of Southend; and
 - (iv) The highest standards of architecture and materials are incorporated; and
 - (v) The latest regulations and planning policies for minimising energy use and reducing carbon emissions over the lifetime of the development are exceeded, where viable and feasible; and
 - (vi) Ground floor activities provide a positive relationship to the surrounding streets; and
 - (vii) They are located in a sustainable area with frequent public transport links, and where local services are accessible by foot and bicycle.
- 7.11 The design and impact of the proposal is discussed in more detail in the relevant section of this report. In summary, in relation to criteria (i) and (ii), it is considered that the character, function and appearance of the area would not be harmed and that the

proposed building would integrate acceptably in the locality, particularly considering that the existing building, through the amalgamation and extension of smaller buildings has formed a single large building on site. The resulting buildings would function as a landmark enhancing the image of Southend's seafront in line with criterion (iii). Criteria (iv) and (v) are considered to be met as discussed in the relevant sections of this report. In compliance with criterion (vi), the ground floor would continue to contain an active and transparent frontage where all the facilities would be accommodated. The area is well served by public transport, including bus and train links, and is accessible by alternative means in line with the requirements of criterion (vii). The principle of providing a large building in this location is considered acceptable and policy compliant.

- 7.12 There is no objection to the principle of the development. Other material planning considerations are discussed in the following sections of this report.

Design and Impact on the Character of the Area

- 7.13 Good design is a fundamental requirement of new development in order to achieve high quality living environments. Its importance is reflected in the NPPF, in Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management Document. The Design and Townscape Guide also states that: "the Borough Council is committed to good design and will seek to create attractive, high-quality living environments."
- 7.14 Paragraph 126 of the NPPF states that: "The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."
- 7.15 Policy DM1 of the Development Management Document states that all development should: "add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features."
- 7.16 Policy KP2 of the Core Strategy states that new development should: "respect the character and scale of the existing neighbourhood where appropriate". Policy CP4 of the Core Strategy requires that development proposals should: "maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development and respecting the scale and nature of that development".
- 7.17 The Design and Townscape Guide states that: "The successful integration of any new development is dependent upon the appropriate scale, height and massing in relation to the existing built fabric. Buildings that are over scaled will appear dominant [...] the easiest option is to draw reference from the surrounding buildings."
- 7.18 The existing building on site is a result of a series of amalgamation and extension projects throughout the years. The result of this process is a distinct building in its locality which reinforces its commercial character and use. Whilst the original form and appearance of its elements was kept, the process compromised the functionality of the building internally and its external appearance which at places appears disjointed. The existing building offers a neutral contribution to the character and appearance of the area.

- 7.19 In terms of layout, the proposal mainly follows the notional established building lines in the area. On Clieveden Road, exiting development on site significantly projects forward of buildings to the north. The proposal would remove that part of the existing development and would result in the main bulk of the building following the established layout, with only the balconies projecting beyond. On Walton Road, the building on site currently projects forward of other building frontages to the north of the site. The proposal would not project any further than the existing building. On Thorpe Esplanade, considering the notional line connecting the southernmost point of the buildings on nos.5, 6 and 17, the existing building on site sits already significantly further forward from that. The proposed additions would not detract detrimentally from the established urban grain and the layout of the proposal is considered acceptable.
- 7.20 The proposed scale, albeit not subservient to the entirety of the existing building, would respect the scale of the retained part of the existing building as well as the scale of the surrounding development. Development with accommodation in the roof level is common in the area and the property at 6 Thorpe Esplanade is unapologetically three-storey in scale. Whilst the eaves and total height of the proposed side extensions would be higher than that of adjoining neighbours, this would assimilate the relationship of the recently demolished building at 8-10 Clieveden Road and the existing western part of the building on site with their respective northern neighbours.
- 7.21 The proposed form has been designed as a series of uniform gables with balconies and rooms in the roof. The regular rhythm of gables would ensure that the building retains a domestic scale which positively references the form of the existing building and wider streetscene. The use of colonnades to support the balconies and the building above undercroft parking is not an uncommon form in the area. Whilst the proposed form of the new wings would be distinct from the form of the retained part of the building, the distinction would not conspicuously stand out. The use of flat roofs above the gables to keep the maximum height acceptable towards neighbouring development, is a less positive aspect of the proposed form, but appropriate detailing could screen these areas and mitigate the resulting impact.
- 7.22 Considering the appearance of the proposal, it is important to bear in mind that the area contains mainly well-detailed traditional dwellings and has a characteristic seaside appearance. The proposal has a distinct character which compliments the original frontage but is more modern in appearance which would assist in reinforcing the presence and distinction of the hotel and other facilities in this location. The use of timber balconies in particular is a positive reference to the seaside character of the esplanade and work well as the main decorative feature of the new wings. The building would maintain an active frontage on Thorpe Esplanade, with the proposal also creating active frontages on part of the eastern and western facades of the building. The hierarchy of openings and level of glazing proposed are positive aspects of the proposed design.
- 7.23 It is proposed to enclose the required plant within parts of the eastern wing, hiding it from public vistas. The indicative provision of solar photovoltaic panels on the flat roofed areas is acceptable. Provisions for shading on the external seating areas, mainly through retractable umbrellas, could potentially compromise the appearance of the building. The proposed undercroft areas at the sides towards the rear will create voids on these frontages. Retaining the mansard roof within the middle section of the building would retain an incongruous feature on the site. These are less positive aspects of the design and appearance of the scheme. However, considered in the round, would not

justify the refusal of the proposal in these regards.

- 7.24 The proposed materials, as described in section 2 of the report, would reference the palette of materials present on site and in the area. However, particular details and, samples, where appropriate, are suggested to be required by condition to ensure the success of the proposal and appropriate blend with the retained part of the existing building.
- 7.25 Considering the submitted information regarding soft and hard landscaping, the proposed buffer at the perimeter of the site is a positive aspect that would soften the appearance of the proposal in the streetscene. It is suggested that details of the proposed plants and soft landscaping maintenance are required with a condition. A condition is also suggested regarding details of hard landscaping which should include details of boundaries and details of materials for the hardsurfaces on site with a preference to block paving instead of tarmac for the car parking areas. The proposed appearance of electricity substation is acceptable.
- 7.26 In the round, the proposal is considered acceptable and policy compliant in the above regards, subject to conditions.

Impact on Residential Amenity

- 7.27 Policy DM1 of the Development Management Document requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities and also: "having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight."
- 7.28 The proposed western extension to the building would be at least 3.4m away from the flank elevation of the nearest property at 12 Clieveden Road and would project some 8.8m beyond its main rear elevation, some 3.1m from the rear elevation of a recently constructed rear extension (permission granted under reference 19/00139/FULH). Until recently, the building on the site at 10 Clieveden Road was 1.9m away from the same flank elevation of no.12 and was projecting some 6m beyond its northern neighbour's main rear elevation. Both the proposed and recently demolished structures have eaves height of approximately 6.2m. On balance, it is considered that the design of the development is such that the proposed relationship to number 12 Clieveden Road is acceptable in terms of its impact on light, overshadowing, outlook and sense of enclosure. The nearest upper floor opening facing this neighbouring property is at least 32m away from the site boundary. As such, it is not considered that the proposal would result in any significantly harmful impact on the residential amenity of this neighbour in terms of overlooking and loss of privacy.
- 7.29 The flank elevation of the other property that abuts the boundary of the application site, 5 Walton Road, would be at least 11.2m away from the rear elevation of the eastern proposed extension. The nearest openings facing this neighbour would be located to the eastern flank of the western extension, some 19.5m from the rear boundary of No.5 and more than 41m from its rear elevation. The resulting separation distance would be sufficient to ensure that no significantly harmful impact would be caused to the residential amenity of this neighbour.
- 7.30 As already discussed, the proposal includes the construction of a substation abutting

the boundaries of 12 Clieveden Road and 5 Walton Road. The structure would be of a modest volume. Given the size of the neighbouring gardens and the distance of this structure from the neighbouring dwellings its relationship with its neighbours would be acceptable.

- 7.31 Other nearby residential properties are further away from the site, most of them separated by the adjoining highways resulting in a separation distance in excess of 21m. As such, it is not considered that the proposal would result in any undue loss of privacy or overlooking, loss of outlook, sense of enclosure, creation of an overbearing relationship, overshadowing or loss of light to its neighbouring dwellings, including as a result of the balconies proposed.
- 7.32 The proposed enlargement of the building is not expected to result in unacceptable pollution, noise and disturbance over and above the existing situation. Conditions to control the hours of construction and to require a construction method statement are suggested in order to avoid significant harm to the residential amenity of neighbours during the construction period. Additional conditions to control the hours of operations of certain aspects of the proposal and of external lighting sources to avoid noise and light pollution to the detriment of the residential amenity of neighbours are also suggested. The Council's Environmental Health service has raised no objections.
- 7.33 Overall, subject to conditions, the proposal is, on balance, acceptable and policy compliant in the above regards.

Traffic and Transportation Issues

- 7.34 Policy DM15 of the Development Management Document states: "Development will be allowed where there is, or it can be demonstrated that there will be, physical and environmental capacity to accommodate the type and amount of traffic generated in a safe and sustainable manner". The policy also requires that adequate parking should be provided for all development in accordance with the adopted vehicle parking standards.
- 7.35 The adopted parking standards require the provision of a maximum of 1 parking space per 5m² for drinking establishments, restaurants and cafes, a maximum of 1 car parking space per 10m² for any public areas of gyms, and a maximum of 1 space per bedroom for Class C1 hotels. The adopted standards also require the minimum provision of 2 cycle parking space per 100m² for staff and customers for drinking establishments, restaurants and cafes, a minimum of 1 space per 5 staff plus 1 space per 10 bedrooms for hotels and 10 spaces plus 1 space per 10 vehicle spaces.
- 7.36 When previous applications were considered by the Local Planning Authority, the maximum car parking requirement was calculated only on the basis of the main use as a hotel. As such it was considered that the provision of 67 car parking spaces exceeded the maximum of 62 spaces that the standard would require for the amount of hotel rooms. If the parking requirements for the function floor space were to be calculated separately, the existing parking requirements would be calculated as a maximum of 242 car parking spaces by the standards (62 for the hotel rooms, 2 for the gym and 178 for 890m² of bar/lounge/restaurant spaces). On this basis, the proposed development would attract a maximum car parking requirement of 257 car parking spaces (67 for the hotel, 5 for the gym and 185 for the bar/restaurant space). Using this approach a maximum of 15 parking spaces over and above the existing situation would be permissible.

- 7.37 The proposal would result in the loss of 7 car parking spaces from the number previously required by conditions; it is proposed to provide 60 car parking spaces whilst conditions previously required 67. The proposal is supported by a transport statement and a travel plan. In these documents it is stated that the site operates with 54 parking spaces, but it should also be acknowledged that it also operates fewer hotel rooms from its lawful maximum. The submitted documents state that the proposed car parking provision along with the proposed measures, including the operation of a shuttle-taxi to and from satellite car park locations which customers would be encouraged to pre-book, would be sufficient for the expected parking needs. The submissions include a car parking survey and trip generation data which the Council's Highways Team considered to form a robust analysis.
- 7.38 Despite the significant level of objections, the supporting information in relation to car parking need, provision and management, is considered sufficient to demonstrate that the proposed development would not cause a significant level of harm to the car parking conditions of the area or to the highway safety. Furthermore, it is noted that the site is located in a sustainable location with good access to bus services, the Shoebury to London Fenchurch Street rail line and local cycle routes. With this in mind and on the basis of the submitted information, including its assessment by the Council's Highways service, it is considered acceptable to allow a parking provision lower than the maximum.
- 7.39 The submitted travel plan supporting the application includes the proposed measures to encourage alternative modes of transport. These measures include recruiting people who live locally, minor changes to staff shifts to accommodate use of public transport, travel information on the hotel's website, promotion of walking and cycling, promotion of public transport to employees and visitors, offer of a dedicated taxi service, encouragement of car sharing for staff, management of private vehicles with CCTV and parking penalties. A condition is suggested to ensure that the travel plan measures, and car parking management are implemented. A S106 legal agreement is proposed in order to ensure the necessary funding for the monitoring of the travel plan is in place.
- 7.40 Following the adoption of the EVCI SPD, it is a requirement that 20% of the car parking spaces, 12 spaces on this site, are provided with active infrastructure for electric charging and the rest 48, 80% of the spaces, have to be provided with passive infrastructure. A condition to secure this provision is suggested. In terms of cycle parking provision, the minimum standards result in a requirement for 44 cycle parking spaces for the proposal. This provision is proposed on site and a condition is suggested to be imposed to secure this.
- 7.41 The proposed access arrangements are considered satisfactory with acceptable visibility. The existing crossovers would be used for the five car parking spaces accessed from Clieveden Road. The proposed single point of access to the main parking area from Walton Road and single point of egress onto Clieveden Road along with measures to limit parking to clients only, would assist in reducing traffic associated with the site. The submitted car parking survey noted that there were cases when a car would enter one part of the parking area only to find it full and travel to the other, adjoining but unconnected, parking area. Furthermore, neighbours have raised concerns that the parking area of the hotel is used by members of the public who may not be attending the site. This rationalisation of access arrangements is a positive, enhancing highway safety.

- 7.42 Subject to conditions and a S106 Legal Agreement, the proposal would be acceptable and policy compliant in terms of its highways, transport and parking impacts.

Refuse and Recycling Storage

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

Energy and Water Sustainability

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

Flooding and surface water drainage

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

Land contamination

- 7.47 Paragraph 174 of the NPPF stipulates that planning decisions should contribute to and enhance the natural and local environment by, among others, remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. Paragraph 183 of the NPPF requires that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from contamination and after remediation, as a minimum, land should not

be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

- 7.48 Policy DM14 of the Development Management Document states that: "Development on or near land that is known to be contaminated or which may be affected by contamination will only be permitted where:
- (i) An appropriate Contaminated Land Assessment has been carried out as part of the application to identify any risks to human health, the natural environment or water quality; and
 - (ii) Where contamination is found which would pose an unacceptable risk to people's health, the natural environment or water quality, the Council will impose a condition, if appropriate, to ensure the applicant undertake appropriate remedial measures to ensure that the site is suitable for the proposed use and that the development can safely proceed.
 - (iii) Remediation works will be carried out before the commencement of any new development.
- 7.49 The submitted assessment confirms that the land on site is unlikely to be contaminated. The Council's Environmental Health service raised no objection in this regard. The proposal is acceptable and policy compliant in the above regards.

Ecology, Biodiversity, HRA and RAMS

- 7.50 The site is located opposite the estuary of river Thames which is subject of numerous designations for the protection of the natural environment. These designations include Site of Special Scientific Interest, Ramsar Site, Special Protection Area and Nature Improvement Area. The Council's adopted RAMS SPD advises that for hotels there should be a case-by-case assessment as to whether any mitigation, similar to the RAMS tariff payable for other types of residential development (Use Classes C2, C3 and C4), should be payable.
- 7.51 In this instance, the proposal is for alterations and extensions to an existing unit with established levels of activity. The resulting activity levels following the completion of the development are not considered to result to a Likely Significant Effect on the protected sites, wither on its own or cumulatively with other projects. On this basis, it is not considered that any mitigation, financial or otherwise, is necessary.
- 7.52 A condition to require details of the soft landscaping along with measures for biodiversity enhancements is recommended. Subject to such condition the proposal is considered acceptable and policy compliant in the above regards.

Developer Contributions

- 7.53 Paragraph 57 of the NPPF states 'Planning obligations must only be sought where they meet all of the following tests
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 7.54 The Core Strategy Policy KP3 requires that: "In order to help the delivery of the Plan's provisions the Borough Council will: Enter into planning obligations with developers to

ensure the provision of infrastructure and transportation measures required as a consequence of the development proposed.”

Highways

- 7.55 As set out in previous sections of this report, a S106 contribution for the monitoring of the Travel Plan is required and is necessary in highways terms. The contribution would be £1,500 per year for 5 years from first occupation.
- 7.56 The Section 106 contributions required above are considered to meet the tests set out in the CIL Regulations 2010 (as amended). Without the contributions that are set out above the development could not be considered acceptable. Unless the S106 agreement has been completed the application should be refused on this ground.

Community Infrastructure Levy (CIL)

- 7.57 This application is CIL liable and there will be a CIL charge payable. In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is being reported as a material ‘local finance consideration’ for the purpose of planning decisions. The proposed development includes the creation of an additional gross internal area of 2,568m², which may equate to a CIL charge of approximately £32,890.15 (subject to confirmation). Any existing floor area that is being retained/demolished that satisfies the ‘in-use building’ test, as set out in the CIL Regulations 2010 (as amended), may be deducted from the chargeable area thus resulting in a reduction in the chargeable amount.

8 Conclusion - Planning Balance

- 8.1 Paragraph 7 of the NPPF states that: “The purpose of the planning system is to contribute to the achievement of sustainable development.” Paragraph 8 states: “Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

- 8.2 The supporting information for the application includes an Economic Benefits Statement which highlights that the proposal would succeed in the economic objective for sustainable development. In terms of the social objective, the provision of additional facilities as well as a more cohesive and better-designed venue in the area are part of the positive aspects of the proposal. The perceived resulting negatives for the local community as expressed in the received objections is a less positive aspect, albeit the proposal offers the opportunity for improvement on many of the re-occurring issues reported in the local resident's objections. In relation to the environmental objective, whilst the demolition, construction activities and increased activity on site are less positive aspects due to the associated carbon footprint, the improvement in the built fabric, the provision of renewable energy sources on site and the measures to improve the local environment are positive aspects of the proposal. Overall, it is considered that the proposal would represent sustainable development.
- 8.3 Having taken all material planning considerations into account it is found that subject to compliance with the attached conditions and the completion of the recommended S.106 legal agreement, the proposed development would, on balance, be acceptable and compliant with the objectives of the relevant local and national planning policies and guidance. The proposal would have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site, street scene and the locality more widely. There would be no materially adverse traffic, parking or highways impacts caused by the proposed development and the proposal is considered to be acceptable in all other relevant regards. This application is therefore recommended for approval subject to conditions and the completion of the S.106 agreement.

9 Recommendation

9.1 Members are recommended to:

- (a) **That the Council enter into a Planning Obligation by Deed of Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:**
- **Highways contribution - £1,500.00 per year for 5 years from first occupation for monitoring of the travel plan.**
- (b) **That the Executive Director (Growth and Housing), Director of Planning or Head of Planning and Building Control be DELEGATED to GRANT PLANNING PERMISSION subject to the completion of the section 106 agreement referred to above and subject to the conditions set out below:**

General Conditions

- 01 The development hereby permitted shall begin no later than 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.

- 02 The development hereby approved shall be carried out in accordance with the approved plans: WP-0753-A-0000-P-00 Rev A; WP-0753-A-0001-P-00 Rev**

A; WP-0753-A-0003-P-00 Rev A; WP-0753-A-0004-P-01 Rev A; WP-0753-A-0005-P-02 Rev A; WP-0753-A-0006-P-03 Rev A; WP-0753-A-0020-E-XX Rev A; WP-0753-A-0021-E-XX Rev A; WP-0753-A-0022-E-XX Rev A; WP-0753-A-0030-S-XX Rev A; WP-0753-A-0099-P-B1 Rev A; WP-0753-A-0100-P-00 Rev A; WP-0753-A-0101-P-01 Rev A; WP-0753-A-0102-P-02 Rev A; WP-0753-A-0103-P-03 Rev A; WP-0753-A-0200-E-XX Rev A; WP-0753-A-0201-E-XX Rev A; WP-0753-A-0300-S-XX Rev A; WP-0753-A-0301-S-PR Rev A; WP-0753-A-0202-E-XX Rev A; WP-0753-A-0203-E-XX Rev A; WP-0753-A-0204-E-XX Rev A; WP-0753-A-0205-E-XX Rev A; WP-0753-A-0206-E-XX Rev A; WP-0753-A-0207-E-XX Rev A; Existing Room Count Markup.

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

- 03 The development hereby approved shall only be used as a hotel within Use Class C1 with ancillary or incidental facilities as shown on the approved plans and shall not be used for any other purposes including any other purposes within that use class in the Town and Country Planning (Use Classes) Order 1987 (as amended) nor any change of use permitted under the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or in any provision equivalent to that Class in any statutory instruments revoking or re-enacting these Orders.**

Reason: To determine the scope of the permission in the interest of amenity and the character and functionality of the area in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP1 of the Core Strategy (2007) and Policies DM10, DM11 and DM12 of the Development Management Document (2015).

Design and visual impact

- 04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works except demolition and construction up to ground floor slab level shall take place until samples of the materials to be used in the construction of the external elevations of the building hereby permitted, including balconies, balustrades, screening and fenestration, have been submitted to and approved in writing by the Local Planning Authority under the terms of this condition. The development shall be carried out solely in full accordance with the approved details before it is first occupied.**

Reason: In the interest of visual amenity of the area in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM4 of the Development Management Document (2015) and the advice contained within the National Design Guide (2021) and the Design and Townscape Guide (2009).

- 05 Within the first available planting season (October to March inclusive) following the first use of the development hereby approved, a soft landscaping scheme shall be implemented and completed in full accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The**

soft landscaping scheme shall follow the general principles shown within the approved plans and shall include measures to enhance the biodiversity on site, details of the species to be planted, the treatment of the ground before planting and maintenance details.

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

Reason: Reason: In the interest of visual amenity of the area in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM4 of the Development Management Document (2015) and the advice contained within the National Design Guide (2021) and the Design and Townscape Guide (2009).

- 06 The use of the development hereby approved shall not commence until a hard landscaping scheme has been carried out and implemented solely in full accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority under the terms of this condition. The hard landscaping scheme shall follow the general principles shown on the approved plans and shall include details and, where practicable, samples of materials to be used on hardsurfacing and boundary treatment of the site, including boundaries within the site.**

Reason: In the interest of visual amenity of the area in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM4 of the Development Management Document (2015) and the advice contained within the National Design Guide (2021) and the Design and Townscape Guide (2009).

- 07 The substation hereby approved shall be constructed solely in accordance with the details contained in the approved plan WP-0753-A-0210-E Rev A or alternative details which have previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition.**

Reason: In the interest of visual amenity of the area in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM4 of the Development Management Document (2015) and the advice contained within the National Design Guide (2021) and the Design and Townscape Guide (2009).

- 08 Prior to the first use of the development hereby approved, a signage strategy shall be implemented in full accordance with details which have previously been submitted to and agreed in writing by the Local Planning Authority under the provisions of this condition.**

Reason: In the interest of visual amenity of the area in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM4 of the Development Management Document (2015) and the advice contained within the National Design Guide (2021) and the Design and Townscape Guide (2009).

Residential amenity

- 09 No development shall take place, including any works of demolition or excavation, unless and until a Construction Management Plan and Strategy to include a Dust Mitigation Strategy has been submitted to, and approved in writing by the Local Planning Authority under the provisions of this condition. The approved Construction Management Plan and Strategy shall be adhered to in full throughout the construction period and shall provide, amongst other things, for:**
- a) the parking of vehicles of site operatives and visitors**
 - b) loading and unloading of plant and materials**
 - c) storage of plant and materials used in constructing the development**
 - d) the erection and maintenance of security hoarding**
 - e) measures to control the emission of dust and dirt during construction**
 - f) a scheme for recycling/disposing of waste resulting from construction works that does not allow for the burning of waste on site.**
 - g) a dust management plan to include mitigation and boundary particulate monitoring during demolition and construction.**
 - h) details of the duration and location of any noisy activities and the measures to be implemented to minimise noise impacts.**

Reason: This pre-commencement condition is required in the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM4 of the Development Management Document (2015) and the advice contained within the National Design Guide (2021) and the Design and Townscape Guide (2009).

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

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM4 of the Development Management Document (2015) and the advice contained within the National Design Guide (2021) and the Design and Townscape Guide (2009).

- 11 No dust or fume extraction or filtration equipment or air conditioning, ventilation, or refrigeration equipment shall be installed on the building hereby approved unless and until details of its design, siting, discharge points, predicted acoustic performance and details of any noise and odour**

mitigation measures to be used have been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The equipment shall be installed only in accordance with the approved details and shall be maintained in good working order thereafter.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM4 of the Development Management Document (2015) and the advice contained within the National Design Guide (2021) and the Design and Townscape Guide (2009).

- 12 No external lighting shall be installed on site unless in accordance with the details of a scheme which has previously been submitted to and agreed in writing by the Local Planning Authority under the provisions of this condition. Details to be submitted for approval shall include design, siting, direction and screening of the light sources on site. All lighting shall be retained on site in accordance with the approved scheme for the lifetime of the development.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM4 of the Development Management Document (2015) and the advice contained within the National Design Guide (2021) and the Design and Townscape Guide (2009).

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

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM4 of the Development Management Document (2015) and the advice contained within the National Design Guide (2021) and the Design and Townscape Guide (2009).

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

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM4 of the Development Management Document (2015) and the advice contained within the National Design Guide (2021) and the Design and Townscape Guide (2009).

- 15 Notwithstanding the details shown on the documents submitted and otherwise hereby approved, with reference to British Standard 7445:2003, the noise rating level arising from activities associated with the use hereby

approved (including amplified music and human voices) shall be at least 10dB(A) below the background noise level as measured at 1m from the facades of the neighbouring noise sensitive premises.

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM4 of the Development Management Document (2015) and the advice contained within the National Design Guide (2021) and the Design and Townscape Guide (2009).

- 16 Notwithstanding the information submitted and otherwise hereby approved, the proposed substation shall not be constructed unless and until full details of the acoustic insulation of this building have been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The substation shall be constructed in full accordance with the approved details prior to its first use and shall be retained as such thereafter for the lifetime of the development.**

Reason: In the interest of the residential amenity of nearby occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM4 of the Development Management Document (2015) and the advice contained within the National Design Guide (2021) and the Design and Townscape Guide (2009).

Highways

- 17 The development hereby approved shall not be first used unless and until the access improvement works, the sixty (60) on site car parking spaces, including two (2) spaces for disabled users and forty-four (44) cycle parking spaces shown on the approved plans and traffic management signage and pedestrian access improvements, the details of which have previously submitted to and approved in writing by the Local Planning Authority under the provisions of this condition, have been fully implemented at the site solely in accordance with the approved details. The car and cycle parking spaces, the access arrangements, traffic management signage and pedestrian access improvements shall be permanently maintained thereafter.**

Reason: To ensure that acceptable access arrangements and adequate car and cycle parking is provided and retained to serve the development in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP3 of the Core Strategy (2007) and Policies DM3 and DM15 of the Development Management Document (2015).

- 18 Prior to the first occupation of the development hereby approved at least twelve (12) car parking spaces shall have an active electric charging point provided, capable of charging vehicles from the outset, and the remaining forty-eight (48) car parking spaces shall be future proofed with passive electric vehicle charging point provision, with measures such as, but not exclusively, four-way duct and drawpits to all service bays, so that electric**

charging points can be installed when demand requires.

Reason: In the interests of providing sustainable transport choices in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP3 of the Core Strategy (2007), Policies DM3 and DM15 of the Development Management Document (2015) and the advice contained within the Electric Vehicle Charging Infrastructure for New Development Supplementary Planning Document (2021).

- 19 The development hereby approved shall not be brought into first use unless and until a Detailed Travel Plan to promote sustainable travel for journeys associated with the proposed development, which shall include, among other requirements, details of parking packs, booking arrangements to be offered to customers, details of parking areas for staff, a communication strategy, which shall include the provision of individual travel packs to engage with customers and employees in order to encourage them to use public transport to access the hotel and timescales for implementation, monitoring and review arrangements for the Detailed Travel Plan, has been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The Detailed Travel Plan shall be implemented and reviewed in full accordance with the terms set out in the approved details.**

Reason: In the interests of providing sustainable transport choices in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP3 of the Core Strategy (2007) and Policies DM3 and DM15 of the Development Management Document (2015).

- 20 The development hereby approved shall not be brought into first use unless and until a detailed Car Parking Management Plan to promote sustainable use of the available car parking spaces associated with the proposed development, which shall include, among other requirements, details of the operation of the car parking facilities e.g. timed use of parking by different users, management and enforcement, and consideration to the Safer Parking Award, has been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The detailed Car Parking Management Plan shall be implemented from the first use of the development and operated for the lifetime of the approved development in accordance with the terms set out in the approved details.**

Reason: In the interests of providing sustainable car parking in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP3 of the Core Strategy (2007) and Policies DM3 and DM15 of the Development Management Document (2015).

Waste management

- 21 Prior to the first occupation of the development hereby approved the refuse area shown on the approved plans shall be provided and operated in full accordance with the principles contained within a refuse management strategy, which has previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition, in**

perpetuity for the lifetime of the development.

Reason: To ensure that the development is satisfactorily serviced and that refuse and recycling facilities are provided in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with the National Planning Policy Framework (2021), Policies KP2, CP3 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015) and the advice contained within the National Design Guide (2021), the Design and Townscape Guide (2009) and Waste Storage, Collection and Management Guide for New Developments (2019).

Energy and water sustainability

- 22 The development hereby approved shall not be first used unless and until a final Certificate has been issued certifying that a BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating “Very Good” has been achieved for the development and a copy of this certification has been submitted to the Local Planning Authority.**

Reason: In the interests of providing a sustainable development, in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015).

- 23 Prior to occupation of the development hereby approved the energy efficiency and other sustainability measures to benefit the scheme, including the provision of at least 10% of the energy needs of the development hereby approved being provided from onsite renewable sources, shall be implemented on site in accordance with the agreed details contained within in the submitted Energy and Sustainability Statement August 2021.**

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015).

Flooding and water drainage

- 24 No construction works other than demolition and excavation works shall take place on site unless and until detailed designs of a surface water drainage scheme incorporating the following measures has been submitted to and agreed in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority under the provisions of this condition. The approved scheme shall be implemented prior to the first occupation of the development and be maintained in good working order in accordance with the maintenance plan for the lifetime of the development. The scheme shall address the following matters:**

- 1) A final version of the Surface Water Management Strategy document shall be submitted.**

- 2) The applicant should consider that although a full infiltration method of discharge may not be feasible, a partial infiltration method may be. Soakaway testing may be required if a partial infiltration system is proposed. Where partial or total infiltration is proposed, consideration should be given to ground stability and deterioration in groundwater quality.
- 3) The applicant should confirm that the proposed permeable pavement will be implemented. The applicant should consider the use of appropriate systems as green roofs, rainwater harvesting, rain gardens and trees to manage and re-use surface water from roof and impervious hardstanding areas. If these systems are not used, appropriate justification is required.
- 4) The applicant should provide a Catchment Plan. This should include any permeable and impermeable areas draining into the system.
- 5) The applicant should provide a Detailed Drainage Plan which should show the proposed point of connection and flow control chamber. Evidence should be provided for the acceptance from Anglian Water and the proposed construction details for the connection into the sewer.
- 6) The application should include graphical information such as plans to show the blockage, conveyance and exceedance routes.
- 7) A more detailed calculation of the available storage volume in the permeable pavement should be provided, by considering site gradients, permeable/impermeable ratios, sub-base depths, access points for SuDS and incoming/outgoing pipework of the different sections of the pavement.
- 8) The applicant should provide method statements or other evidence for the management of any health and safety risks related to the drainage/SuDS
- 9) Where applicable, the applicant should present a process for information delivery and community engagement to relevant stakeholders. This may not be applicable but the applicant should confirm.
- 10) Where applicable, the applicant should provide any economic valuation costs to demonstrate long-term viability.
- 11) The details of the management agent responsible for maintenance should be provided. The maintenance schedule provided by the applicant should consider the requirements of permeable pavement in CIRIA's SuDS Manual.
- 12) The applicant should provide proposals for foul drainage.
- 13) The applicant should be reminded that the permeable pavement must be designed to preserve their structural integrity under any anticipated loading conditions as per S10 (Non-statutory technical standards for SuDS, DEFRA, 2015).

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

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in

determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

- (c) In the event that the planning obligation referred to in part (a) above has not been completed before 12th January 2022 or an extension of this time as may be agreed by the Director of Planning or Head of Planning and Building Control, authority is delegated to the Executive Director (Growth and Housing), 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 for the Travel Plan monitoring. As such, the proposal would be contrary to National and Local Planning Policy.

Informatives:

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

- 4 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.**
- 5 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.**
- 6 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.**
- 7 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.**
- 8 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.**
- 9 Please note that the apparatus that has been identified as being in the vicinity of your proposed works is: Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity).**
- 10 You are reminded that there is clear evidence that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire & Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can reduce the risk to life, business continuity and limit the impact of fire on the environment and to the local economy. Even where not required under Building Regulations guidance, ECFRS would strongly recommend a risk-based approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. We also encourage developers to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met.**