

Southend-on-Sea City Council

Development Control Committee 30 November 2022

SUPPLEMENTARY REPORT

Agenda Item 4

22/00611/FULM

Pages 7-72

425 - 427 Sutton Road (Victoria)

Section 9(b)

Recommendation

Condition 11

Condition 11 stipulates working times for construction are limited to 08:30 to 18:00 Mondays to Fridays and 08:00 to 13:00 on Saturdays, and not at any time on Sundays or Bank Holidays. The reason for this condition is to protect the amenities of surrounding occupiers. The agent requests working times for construction are changed to an earliest time of 07:30 as a later start time is not viable. They note that the conditions to the development neighbouring to the south, which included application 16/01503/FUL, allowed construction hours beginning at 07:30. Environmental Health have further commented that the normal earliest time is 08:00. Environmental Health object to a start time of 07:30, noting the scale and context of the development. In light of this, it is considered reasonable that the condition is altered to:

Demolition or construction works of the development hereby approved shall not take place outside 08:00 to 18:00 Mondays to Fridays and 08:00 to 13:00 on Saturdays nor at any time on Sundays or Bank Holidays.

Agenda Item 5

22/01602/RES

Pages 73-132

**Land Between Barge Pier Road and Ness Road
(Shoeburyness)**

Section 3

Relevant Planning History

Correction. The planning history table should read as follows:

Reference	Description	Outcome
21/01887/DOV5	Modification of planning obligation (Section 106 agreement) dated 26th February 2021 pursuant to application 20/01227/OUTM to amend the chargee provisions in relation to the affordable housing.	Recommendation agreed at Development Control Committee on 1 st June 2022, decision pending
20/01227/OUTM	Erect up to 214 residential units (Use Class C3), provision of a new health centre up to 1000sqm (Use Class D1), up to 400sqm of retail floorspace (Use Class A1-A3), land raising, all associated car parking, new foot and cycle paths, public open space, landscaping and ancillary works and infrastructure, install vehicular access off Barge Pier Road, New Garrison Road and Magazine Road (Outline Application)	Outline Planning Permission Granted 26th February 2021
20/00823/BC3M Northern section of site only	Temporary storage of soil at New Barge Pier Road	Planning permission granted.
20/00740/RSO	Residential development of up to 250 dwellings and a health centre (class D1) vehicular access off Barge Pier Road and areas of open space and recreational areas and associated infrastructure. (Request for Scoping Opinion)	Scoping opinion issued.
20/00310/RSE	Residential development of up to 250 dwellings and a health centre, vehicular access off Barge Pier Road and associated new and enhanced open space comprising informal/natural greenspace. (Request for Screening Opinion) - Is EIA development and Environmental Statement required.	EIA development and Environmental Statement required.
18/01975/FULM Northern section of site only	Re-grading and retention of existing on-site spoil heap, erect 9 Commercial Units (Use Class B1/B8) with ancillary Trade Counter, 1 Retail Unit (unit 8) (Use Class A1) and 1 Unit (Use Class Sui Generis) for use as Vets (unit 1), layout Car Parking Spaces and Cycle Parking, construction of vehicular and pedestrian accesses from existing roundabout	Planning permission granted.

	and layout soft landscaping	
15/02053/OUTM	Erect 172 dwellinghouses and 14,130sqm of Offices (Class B1(a) and Health Centre (Class D1) (outline application) (Amended Proposal)	planning permission granted. <i>Reserved matters never submitted</i>
14/01495/BC3M Northern section of site only	Temporary storage of soil and install wheel cleaning apparatus at New Barge Pier Road	Planning Permission Granted
14/00566/OUTM	Erect 172 dwellinghouses and 15000sqm of Offices (Class B1) (outline application)	Withdrawn
13/01743/RESM Whole Garrison Site	Details of New Gunners Park infrastructure/facilities including children's play area, toddlers play area, wheeled sports and multi-use games area, tennis courts, car parks, footpaths/cycleways and historic military structures.(Approval of reserved matters following outline permission 00/00777/OUT granted on 06/02/2004)	Reserved Matters Approved.
12/01198/BC3M	Temporary storage of soil and install wheel cleaning apparatus at New Barge Pier Road	Planning Permission Granted.
10/01829/FULM	Erect three storey building for use as Primary Care Centre (Class D1) incorporating entrance ramp with steps and balustrade to north boundary, lay out associated parking for 171 cars, 78 cycle spaces, ambulance bay and service yard, hard and soft landscaping, erect sub-station to east elevation and erect 1.1m high mesh fencing to boundary on land adjacent to Barge Pier Road	Planning Permission Granted.
07/00366/FUL	Form access road from south of roundabout on Barge Pier Road; form flood alleviation ditch to east of Ness Road between Campfield Road and New Ness Road access	Planning Permission Refused
06/00543/RES Whole Garrison Site	Form wetland area/ balancing pond, new ditches and associated headwall structures, secondary flood defence bund with footway/cycleway and associated works (approval of reserved matters following grant of outline planning permission SOS/00/00777/OUT	Reserved Matters Approved.

	dated 06/02/04) (retrospective)	
00/00777/OUT Whole Garrison Site	Mixed use development comprising conversion of existing buildings and erection of new buildings for: parkland and open space; up to a total of 465 dwellings; up to 23,750sq.m of business floorspace (Class B1(a) and (B)); up to 1625sq.m of non-residential (Class D1) uses, including A. a health centre within the mixed use area, B. the former Garrison Church as a community hall, and C. the former battery gun store as a heritage centre; up to 5,900sq.m of leisure (Class D2) uses; up to 800sq.m of retail (Class A1); up to 600sq.m of financial services (Class A2) use; formation of hotel (Class C1) with approximately 40 bedrooms; land for a new school; erection of landmark residential building; construction of new access roads; and associated works (Outline)	Planning Permission Granted on 6 th February 2004.

Section 4

Consultation

Response from **Shoebury Residents Association:**

- The current proposal for reserved matters is accepted but the original conditions should be maintained unchanged.
- Surface water flooding also needs to be considered - this was not considered in the original flood risk assessment.

Section 8

Recommendation

Condition 01

Condition 01 requires the development to be commenced within 3 years of the date of the reserved matters decision but this condition is unnecessary because timescales for commencement are covered by condition 01 of the outline permission which states:

'01 Details of the appearance, layout and scale (hereinafter called the "reserved matters") shall be submitted to and approved in writing by the Local

Planning Authority before any development begins and the development shall be carried out as approved under the reserved matters. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than 3 (three) years from the date of this permission. The development hereby permitted shall begin not later than 2 (two) years from the date of approval of the last of the reserved matters to be 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.'

It is therefore proposed to delete condition 01 of the reserved matters application and renumber the remaining conditions accordingly.