

Southend-on Sea City Council

Development Control Committee 31 May 2023

SUPPLEMENTARY REPORT

**Agenda Item 9
23/00434/FUL**

**Pages 103-116
Leigh Road Baptist Tennis Club (Chalkwell Ward)**

One (1) additional neighbour representation in support of the application has been received not raising any additional comments beyond those already listed in the officer's report.

Note the following item is not part of the 31 May DCC agenda

Application reference 22/01214/BC3

Application Address: Land Adjacent to 85 Lundy Close, Eastwood, Essex

Proposal: Erect a two storey block of 4 no. self-contained flats, a pair of semi-detached dwellinghouses and 3 No. terrace houses, layout amenity space and landscaping, car parking and cycle store

At its meeting on 12th October 2022 the Development Control Committee granted planning permission for this development. The agent for that application has since identified that within the wording of condition 10 (ecology) reference is made to a previous tilted author of the ecology report and has expressly sought that this be updated. This matter is therefore being drawn to the attention of this committee for noting, such that the relevant committee minute can be updated to reflect that it is proposed to re-word condition 10 as below, and that an adjusted decision notice will be issued. This alteration has no bearing on the development, or the merits of the decision made by committee at its October 2022 meeting.

Proposed Deletion and Amendment to Condition 10 of 22/01214/BC3

The proposed site clearance and construction works shall be carried out in full accordance with the recommendations set out in Preliminary Ecological Appraisal by Hybrid Ecology Ltd SES (Southern Ecological Solutions) Rev B dated 21st Sept 2022 including the installation of the proposed badger corridor as shown on plan reference 4867.135-PL3 or any other details that have been previously submitted to and agreed in writing by the Local Planning Authority under the terms of this condition. In addition, the following badger protection measures shall be implemented prior to the commencement of

the development and maintained as such throughout the construction period:

- i) All workmen on site must be fully briefed concerning the presence of badgers and the mitigation measures to be followed.*
- ii) An exclusion zone around the development area must be set up prior to the commencement of works to prevent encroachment on the badger sett during completion of the scheme. This must provide a clear 20m area around the sett, as a minimum, in which no construction work must take place, including the storage of materials or machinery.*

iii) The proposed badger corridor must be similarly defined and fenced prior to the commencement of work to ensure the badgers have free access on and off site during the completion of the project.

iv) Any trenches or deep pits must be securely covered overnight to stop any badgers falling in and becoming trapped. Alternatively, a rough plank must be provided, at an angle no steeper than 45 degrees, to allow any badgers a suitable means of escape.

v) Any trenches/pits must be inspected each morning and evening to ensure no badgers have become trapped.

vi) The storage of topsoil or other 'soft' building materials within the site must be given careful consideration. Badgers will readily adopt such mounds as setts, which would then be afforded the same protection as established setts. So as to avoid the adoption of any mounds, they must be subject to daily inspections before work commences.

vii) During the work, the storage of any chemicals must be contained in such a way that they cannot be accessed or knocked over by any roaming badgers.

viii) Open pipework with a diameter of more than 120mm must be properly covered at the end of the workday to prevent badgers entering and becoming trapped.

ix) Litter on site must be cleared at the end of the working day or otherwise kept to a minimum.

x) Security lighting must be kept to a minimum, and away from setts, so as not to disturb the badgers on site.

Reason: A condition is justified to ensure any protected species and habitats utilising the site are adequately protected during building works in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM2.