

DELEGATED DECISION OFFICER REPORT

| AUTHORISATION | INITIALS | DATE |
|---|----------|------------|
| File completed and officer recommendation: | BO'B | 28.01.2022 |
| Planning Development Manager authorisation: | JJ | 31/01/2022 |
| Admin checks / despatch completed | CC | 31.01.2022 |
| Technician Final Checks/ Scanned / LC Notified / UU Emails: | SH | 31.01.2022 |

Application: 21/01875/VOC **Town / Parish:** Clacton Non Parished

Applicant: Mr R Bakes - WM Morrison Supermarkets Plc

Address: Morrisons Supermarket Centenary Way Clacton On Sea

Development: Variation of condition 21 (plans) of application 20/01804/FUL to make minor material amendments to approved scheme to amend the location of the ancillary garden centre, installation of a bike repair station, electric vehicle charging space amendments, including canopy, additional plant and equipment, battery storage unit and customer cycle storage.

1. Town / Parish Council

Clacton- Non Parish

2. Consultation Responses

Environmental Protection
03.12.2021

Thank you for your consultation regarding the proposed development above. The Environmental Protection Team's comments are given below:

I can confirm that I have looked at the proposed variation and Environmental Protection have no comments to make.

ECC Highways Dept
21.12.2021

It is noted that this application concerns variation of condition 21 (plans) of application 20/01804/FUL, in principle, the Highway Authority does not object to the proposal as submitted.

Informative:

1: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 - Development Management Team
Ardleigh Depot,
Harwich Road,
Ardleigh,
Colchester,
CO7 7LT

Tree & Landscape Officer
12.11.2021

The proposed changes to the layout to amend the location of the ancillary garden centre, to install a bike repair station and electric vehicle charging amendments will not adversely affect any trees or other significant vegetation on the application site

3. Planning History

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| TRE/96/30 | Various works to trees to manage | Current | 27.08.1996 |
| 01/00350/ADV | Sign mounted on canopy of Safeway Petrol Filling Station adjacent to existing Safeway logo sign | Approved | 22.03.2001 |
| 01/00351/ADV | Banners mounted on lamp columns in store car park | Approved | 22.03.2001 |
| 91/01444/OUT | Retail supermarket, car park and petrol filling station | Refused | 14.07.1992 |
| 91/01445/OUT | Retail supermarket, car park and petrol filling station (duplicate) | Refused | 14.07.1992 |
| 92/00881/OUT | (Land north west of Highfield Holiday Park, London Road, Clacton on Sea) A1 retail store, petrol filling station and ancillary facilities | Refused | 02.02.1993 |
| 93/00032/OUT | (Land forming part of Bovill Hall Farm to the south of Little Clacton) Outline planning application for a retail supermarket car park and petrol filling station | Refused | 30.03.1993 |
| 93/00791/OUT | (Land forming part of Bovill Hall Farm to the South of Little Clacton) Outline planning application for a retail supermarket car park and petrol filling station | Refused | 27.09.1993 |
| 95/00872/DETAIL | Construction and fitting out of A1 retail store with ancillary uses and petrol filling station together with associated car parking areas, roads, off site sewerage works and new roundabout to Centenary Way (submission of | Approved | 26.09.1995 |
| 96/00339/ADV | (The Safeway Site, Centenary Way, Clacton on Sea) Two temporary signboards | Approved | 11.04.1996 |
| 96/00426/DETAIL | (Land adjacent to the Highfield Holiday Park off) Construction and fitting out of A1 Retail Store (Variation to Design Scheme approved under planning permission TEN/95/0872) | Approved | 14.05.1996 |
| 96/00592/ADV | (Safeway Supermarket, Centenary Way, Clacton on Sea) Internally illuminated and non illuminated | Approved | 12.06.1996 |

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| | corporate and information signs | | |
| 96/01107/FUL | (Safeway Petrol Filling Station, Centenary Way,) To install on flat roof above kiosk area, a 1.2 metre diameter satellite antenna for the purpose of 2-way datacommunication | Approved | 30.09.1996 |
| 96/01108/FUL | (Safeway Superstore, Centenary Way, Clacton on Sea) To install on flat roof, a 1.8 metre diameter satellite antenna for the purpose of 2-way date communication | Approved | 30.09.1996 |
| 99/00112/FUL | Extension to existing Safeway Retail Store | Refused | 15.03.2001 |
| 99/01536/FUL | Proposed cyclepath/footway crossing existing open space within development | Approved | 22.11.1999 |
| 99/01543/TPO | Lop low branches overhanging proposed cycle path | Approved | 24.11.1999 |
| 02/02072/FUL | Extension to existing warehouse and other associated works | Refused | 23.12.2002 |
| 04/01213/ADV | Various store and car park signage, converting to Morrisons Supermarket. | Approved | 10.08.2004 |
| 14/00308/TPO | G4 - 1 Oak - fell because of excessive shading and low amenity value. Replant with 1 standard Ash in the same place. | Refused | 10.04.2014 |
| 17/01343/ADV | Rebranding of external sign age to include 3no. fascia signs, 1no. motif sign, 1no. totem sign, canopy signs, and car wash signs. | Approved | 03.10.2017 |
| 17/01389/TPO | 3 No. Oak - to be taken back from the building by 2 metres to deter rodent access to the roof of the building. | Approved | 12.09.2017 |
| 17/01764/TPO | Trees around car park - prune back to the boundary, crown lift to at least 3 m, retaining limbs with a girth great than 75 mm where possible. prune trees/vegetation adjacent lampposts to give clearance of 500 mm at the base. Oak and Poplar trees around site and yard area - prune back to the boundary line to give 2 m clearance from the building. | Approved | 07.11.2017 |

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| 17/01878/FUL | Development of a drive thru unit, car wash area, tyre service area and small retail pod (within and adjoining the existing car park). | Refused | 23.08.2018 |
| 20/30050/PREAPP | Proposed replacement foodstore. | | 26.05.2020 |
| 20/00757/FUL | Demolition of existing store and erection of temporary store including revisions to the car park. | Approved | 04.12.2020 |
| 20/01804/FUL | Proposed replacement foodstore, warehouse and service yard including reconfiguration of car park and the internal access road, together with landscaping and associated site works. | Approved | 24.08.2021 |
| 21/00626/DISCON | Discharge of conditions 8 (travel plan) and 9 (car parking management strategy) of approved application 20/00757/FUL. | Approved | 11.05.2021 |
| 21/00721/FUL | Proposed relocation of garden centre and installation of new Timpson store | Approved | |
| 21/00722/ADV | Proposed relocation of garden centre and installation of new Timpson store. | Approved | |
| 21/00827/ADV | Installation of signage for new Timpson store. | Approved | 03.08.2021 |
| 21/00828/FUL | Reconfiguration of parent/child and disabled car parking spaces and proposed relocation of garden centre pod building and installation of new Timpson store (retrospective). | Approved | 03.08.2021 |
| 21/00906/DISCON | Discharge of condition 2 (Arboricultural Method Statement) of approved application 20/00757/FUL. | Approved | 09.06.2021 |
| 21/00981/DISCON | Discharge of condition 2 (Arboricultural Method Statement) of approved planning application 20/00757/FUL. | Approved | |
| 21/01529/DISCON | Discharge of condition 8 (Construction phase health and safety plan (Princebuild) and 11 (traffic management plan) of application 20/01804/FUL | Approved | 02.11.2021 |
| 21/01570/DISCON | Discharge of condition 16 (Detailed Surface Water Drainage Scheme) | Approved | 01.12.2021 |

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| | of application 20/01804/FUL. | | |
| 21/01874/FUL | Proposed relocation of Timpsons pod, erection of recycling DRS unit and new transformer and substation in conjunction with the proposed replacement store. | Approved | 04.01.2022 |
| 21/01875/VOC | Variation of condition 21 (plans) of application 20/01804/FUL to make minor material amendments to approved scheme to amend the location of the ancillary garden centre, installation of a bike repair station, electric vehicle charging space amendments, including canopy, additional plant and equipment, battery storage unit and customer cycle storage. | Current | |
| 21/02058/DISCON | Discharge of Condition 2 (Manufacturer, types and colours of external materials) of permission 20/01804/FUL | Approved | 22.12.2021 |

4. Relevant Policies / Government Guidance

National:

NPPF National Planning Policy Framework July 2021

National Planning Practice Guidance

Local:

Tendring District Local Plan 2013-2033 and Beyond Section 1 (adopted January 2021)

SP1 Presumption in Favour of Sustainable Development

SP3 Spatial Strategy for North Essex

SP5 Employment

SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL3 Sustainable Design

HP2 Community Facilities

PP1 New Retail Development

PP2 Retail Hierarchy

PP4 Local Impact Threshold

PPL4 Biodiversity and Geodiversity

PPL10 Renewable Energy Generation

CP1 Sustainable Transport and Accessibility

CP2 Improving the Transport Network

Supplementary Planning Documents

Essex County Council Development Management Policies 2011 (the Highways SPD)

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

Planning law requires that decisions on applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

5. Officer Appraisal

Site Description

The application concerns the Morrisons food store site, which is situated on the south side of Centenary Way, south-east of Little Clacton.

Currently a temporary replacement Morrisons store is positioned to the north of the site.

The temporary store exists as a replacement for a store which was demolished after to being found to be suffering from structural defects.

The demolition of the redundant store and the erection of the temporary replacement store, was granted approval under LPA Ref: 20/00757/FUL.

Morrisons took the decision to build a new supermarket complex on the site and planning permission for the re-development project was conditionally approved under planning application LPA Ref: 20/01804/FUL.

Vehicular access to the site is obtained from Centenary Way. The existing customer car park is positioned to the south of the temporary store. Morrisons Petrol Filling Station is located to the east of the site.

All boundaries of the site and car park are screened by a mix of mature tree planting and vegetation landscaping.

The character of the surrounding area is a mix of urban built form, predominantly to the east and south of the site where Highfields Holiday Park is located.

A site visit demonstrated that the development as approved under LPA Ref: 20/01804/FUL is well underway. All pre-commencement conditions have been discharged.

The applicants are finalising the wider site layout and their ancillary offers. An application for the relocation of a Timpson's pod, the erection of recycling DRS unit and new transformer and substation was recently approved under LPA Ref: 21/01874/FUL

Proposal

The application is submitted under Section 73 of the Town and Country Planning Act 1990 (as amended) and seeks to vary the approved plans listed under Condition 21.

This application seeks to vary Condition 21 of planning permission LPA Ref: 20/01804/FUL to amend the location of the ancillary garden centre, install a bike repair station, electric vehicle charging space amendments to include a canopy, create additional plant and equipment, battery storage unit and customer cycle storage.

Assessment

Principle of Development

The site is an established and extensive food store site. The principle of the development of the site to include supermarket site provisions is established.

The agreement to re-develop the site included meeting the sequential approach to retail development as defined within the local development plan.

Paragraph 91 of the NPPF (2021) confirms that an application should only be refused where the proposed development is likely to have a 'significant adverse' impact. Based on the information provided within application 20/01804/FUL the forecast impact levels on Clacton Town Centre and other identified centres that may be created by the re-development of the site would not be 'significantly adverse'. Furthermore, the information demonstrated that in terms of scale of the proposal, the development would not change trading patterns significantly and due to the site being an established retail destination the re-development of the store would not affect the retail hierarchy of the wider area and on existing retail destinations.

As such, it is considered that the proposed improvements and installation of features on the wider site would not have harmful impacts on other businesses and local competition. The proposed changes to the plans include structures and provisions that would be expected on a wider commercial retail site and the principle of development is accepted.

Design/Layout

Paragraph 130 of the Framework requires developments are sympathetic to local character and history, including the surrounding built environment, and are visually attractive as a result of good architecture.

Policy SP7 sets out the place shaping principles all new development should follow. The first point of this policy states that development should respond positively to local character and context to preserve and enhance the quality of existing places and their environs.

Policy SPL3 seeks to ensure that all new development makes a positive contribution to the quality of the local environment, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form.

The location of the garden centre, currently approved to be to the south of the main entrance to the new store, will be moved to the east of the store, away from the main entrance, close to the recently approved Timpson's Store. Near to the newly located garden centre would be the proposed bike repair station, cycle stand and bike shelter. All of these structures are single storey, low impact, and lightweight buildings which are commonly found within supermarket complexes and would not cause harm to the character and appearance of the site.

The previously approved electric vehicle charging spaces, some of which are now to include a canopy, would be located to the east of the store within the main parking area and also towards the south of the store in a home shopping area. The proposed relocation and layout of the EVC's would appear appropriate and would not cause harm to the appearance of the wider site layout.

There would be a battery storage unit, which comprises a shipping container, placed in the service yard. This is a necessary item which would be largely hidden from public view and therefore would not cause harm to the appearance of the wider site layout.

There would be additional plant, equipment and ducting on the roof of the store to allow for a new heat pump and additional mechanical and engineering plant. It is considered that although this new plant would alter the roof profile of the building, the changes would be largely unseen, utilitarian and not visually harmful.

Residential Amenity

Paragraph 130 (f) of the National Planning Policy Framework (2021) states that planning should always seek to secure a good standard of amenity for all existing and future occupants. In addition, Policy SPL3 of the Tendring District Local Plan 2013-2033 supports these objectives.

The site is self-contained on the edge of the nearby settlement, with open countryside to the north and to the west of the site. However, a caravan park envelopes the eastern and southern boundaries of the site. It is however noted that there is a good level of hedgerow screening to the boundaries with the caravan park and this will be retained and enhanced by way of the previously approved landscape proposals.

Within planning application LPA Ref: 20/01804/FUL, Acoustical Control Consultants (ACC) undertook an acoustic assessment in respect of the proposed replacement food store and the replacement plant and equipment to be installed to serve this.

An updated Noise Assessment, prepared by Acoustical Control Engineers, has been prepared in support of this application. The Noise Assessment submitted with the original application recommended that *'the plant will be selected, located, oriented and attenuated (if necessary) to comply with the cumulative design limits (LAeq,T) of 40 dBA and 35 dBA at the closest noise sensitive receptor during the day and night respectively'*. The updated report demonstrates how the selected plant and equipment will achieve the noise limit recommendations.

The Council's Environmental Protection Team has reviewed the submitted information and states that they have no comments to make.

Highways/Parking

Paragraph 110 of the National Planning Policy Framework 2021 seeks to ensure that safe and suitable access to a development site can be achieved for all users, whilst Paragraph 104 requires that streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places. Policy SPL3 and Policy CP1 of the emerging Tendring District Local Plan 2013-2033 state that planning permission will only be granted if amongst other things; access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate and the design and layout of the development provides safe and convenient access for people. Furthermore, the Essex County Council Parking Standards 2009 set out the parking requirements for new development.

The Highways Authority have been consulted on the varied plans. They note that this application concerns variation of condition 21 (plans) of application 20/01804/FUL, and the Highway Authority does not object to the proposal as submitted.

Biodiversity and Ecology Matters

Policy PPL4 of the Tendring District Local Plan 2013- 2033 requires that development proposals protect and enhance biodiversity or geodiversity and that compensation measures would ensure net gains to mitigate any impacts.

The Council's Tree Officer states that the proposed changes to the layout and additions will not adversely affect any trees or other significant vegetation on the application site.

A landscape plan and its implementation was approved by way of the determination of LPA Ref: 20/01804/FUL and this condition shall be carried over here.

Paragraph 174 of the NPPF requires Councils, when determining planning applications, to minimise impacts on and providing net gains for biodiversity. Where significant harm to biodiversity cannot be avoided, mitigated or, as a last resort, compensated for, Councils should refuse planning permission. Policy PPL4 of the Local Plan gives special protection to designated sites of international, national or local importance to nature conservation but for non-designated sites still require impacts on biodiversity to be considered and thereafter minimised, mitigated or compensated for.

ECC Place Services (ecology) reviewed an Preliminary Ecological Appraisal (Penny Anderson Associates, June 2020), the Tree Protection Plan (September 2020) and the Biodiversity Enhancement Measures (Penny Anderson Associates, March 2021) relating to the likely impacts of development on designated sites, protected species and Priority species & habitats, submitted as part of LPA Ref: 20/01804/FUL.

The mitigation measures identified in the Preliminary Ecological Appraisal (Penny Anderson Associates, June 2020) were secured via condition. All mitigation and enhancement measures and/or works to be carried out under LPA Ref: 20/01804/FUL shall be carried over here by way of planning condition.

Legal Obligations

As part of LPA Ref: 20/01804/FUL, ECC-Highways requested contributions towards bus stop improvements, cycle/pedestrian footway enhancements and travel plan monitoring. The following financial contributions were secured via the completion of a Section 106 legal agreement:

Bus Stop Improvements - £9,175

Delivery of Pedestrian/Cycle Improvements - £30,600

Travel Plan Monitoring Fee - £6,000

These payments were payable to Essex County Council.

Under clause 11.7 of the aforementioned section 106 agreement, given that there has been no subsequent deed of variation, the approval of a Section 73 application means that the agreed financial contributions apply to the new grant as they did the original planning permission and remain payable.

Other Considerations

No letters of representation have been received.

Conclusion

For the reasons set out in this report and in the absence of any policy conflict, the application is recommended for approval subject to conditions.

6. Recommendation

Approval - Full

7. Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Lighting Plan REV 0 as approved under LPA Ref: 20/01804/FUL

Tree Protection Plan 14281-DB3-277-00-DR-LA-32 as approved under LPA Ref: 20/01804/FUL

Proposed Elevations 14962-DB3-B01-ZZ-M3-DR-A-20009 Rev. B

Proposed Service Yard Site Profiles 14962 - DB3 - B01 - ZZ - DR - A - 20007 REV B

Proposed Roof Plan 14962 - DB3 - B01 - 01 - DR - A – 20003 REV B

Proposed Ground Floor Plans- 14962 - DB3 - B01 - 00 - DR - A – 20005 REV B

Proposed Landscape Plan- 14962 DB3 B01 00 DR A 00020 REV A

Proposed Site Plan 14962-DB3-277-00-DR-A-00016 Rev. I

Proposed Building Sections 14962 – DB3 – B01 – ZZ – DR – A – 20023 REV A

Proposed Garden Centre Plans & Elevations Rev. A 14962 – DB3 – B01 – ZZ – DR- A – 20011 REV A

Bike Repair Station Details, Drawing number. 109

Broxap Cycle Shelter Specification Sheet 'Newcastle Senior Cycle Shelter' (in Anthracite Grey)

Broxap Sheffield Stand

Proposed EV Charging/Parking Canopy 14962 – DB3 – B01 – ZZ – DR – A – 00021

Proposed Battery Storage Unit 14962 – DB3 – B01 – 00 – DR – A – 20025 Rev. A

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

2. All hard landscaping, planting, seeding or turfing shown the approved landscaping details drawing no. 14962 DB3-B01-00-DR-A-00020 Rev. A and the associated document 'Landscape General Commentary' (October 2020) as approved under LPA Ref: 20/01804/FUL shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason - To ensure the implementation of the approved scheme and adequate maintenance of the landscaping for a period of five years in the interests of visual amenity.

3. The tree protection measures shown on plan number 14281-DB3-277-00-DR-LA-32 and as outlined in the JCA Arboricultural Method Statement Ref: 16017-B/AJB (Appendices 2 and 3) as submitted under LPA Ref: 20/01804/FUL shall be adhered to throughout the construction phase.

Reason - To ensure the retention of the mature trees located within the application site in the interests of amenity.

4. No vehicle connected with the construction works shall arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Construction and demolition working hours shall be

restricted between 08:00 and 18:00 Monday to Saturday (finishing at 13:00 on Saturday) with no working of any kind permitted on Sundays or any Public/Bank Holidays.

Reason - In the interests of local amenity.

5. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Penny Anderson Associates, June 2020) and Biodiversity Enhancement Measures (Penny Anderson Associates, March 2021) as submitted under LPA Ref: 20/01804/FUL and agreed in principle with the local planning authority prior to determination of under LPA Ref: 20/01804/FUL.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason - To conserve and enhance Protected and Priority species and allow the Council to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

6. The retail store hereby permitted shall not be open to customers outside the following times:
7:00 - 22:00 Monday to Saturday, Bank and Public Holidays and on Sundays for no more than six hours.

Reason - To protect the amenities of nearby residents.

7. The Cycle and Powered Two-wheeler parking shown on the approved layout plan shall be provided in accordance with the EPOA Parking Standards. The approved facilities shall be secure, convenient, covered and provided prior to occupation and retained at all times.

Reason - To ensure appropriate cycle / powered two-wheeler parking is provided in the interest of highway safety and amenity.

8. Prior to the development becoming operational an updated Delivery and Servicing Plan, and a Car Park Management Plan shall be submitted to, and agreed in writing with, the Local Planning Authority. The Plans to include the following, and be adhered to at all times:

- i. Service vehicles servicing the site of maximum length 18.55 metres shall be used to service the store.
- ii. Deliveries and refuse collection to the development to be managed in advance to minimise the impact on the local highway network where possible.
- iii. A parking management strategy to be in place limiting customers to a maximum 180-minute stay only.

Reason - In the interests of highway safety.

9. Prior to the first use of any external lighting/floodlighting within the development site, the light source shall be so positioned and shielded, in perpetuity, to ensure that users of the highway are not affected by dazzle and/or glare.

Reason - To ensure that users of the highway are not subjected to glare and dazzle from lighting within the development in the interest of highway safety.

10. Prior to the first use of the service yard the 3m high acoustic imperforate barrier shall be erected in accordance with the details outlined within the submitted Acoustic Assessment (as prepared by Acoustical Control Engineers and Consultants) and retained as approved thereafter.

Reason - In the interests of amenity of nearby residents/occupiers of adjacent holiday park.

11. Notwithstanding the provisions of the Town and Country Planning (General permitted development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no provision of retail floor space in excess of the net area of 3,811 sqm as set out in the application supporting documents without the express permission of the Local Planning Authority, neither shall there be any subdivision of the sales floor, nor provision of ancillary or subsidiary retail units within that sales floor.

Reason - To help protect the vitality and viability of Clacton Town Centre.

12. Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason - To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

13. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason - To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

14. Prior to first occupation of the proposed development, the approved Travel Plan (Bryan G Hall document reference 20-121-004.05 as submitted under LPA Ref: 20/01804/FUL) shall be actively implemented for a minimum period of 5 years. It shall be accompanied by a monitoring fee of £6,000 (plus the relevant sustainable travel indexation) to be paid before occupation to cover the 5-year period.

Reason - In the interests of reducing the need to travel by car and promoting sustainable development and transport.

8. Informatives

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.

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

Access for a fire appliance and the provision of fire hydrants needs to be in accordance with Building Regulations Approved Document B.

The applicant is reminded that this permission is linked to a planning obligation under Section 106 of the Town and Country Planning Act 1990.

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| Are there any letters to be sent to applicant / agent with the decision? If so please specify: | | NO |
| Are there any third parties to be informed of the decision? If so, please specify: | | NO |