

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ML	18/05/2022
Planning Development Manager authorisation:	JJ	19/05/2022
Admin checks / despatch completed	DB	19.05.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	19.05.2022

Application: 22/00539/FUL **Town / Parish:** Ardleigh Parish Council

Applicant: Mr A Vanzanten - GVZ Glasshouses

Address: 20 Harwich Road Ardleigh Colchester

Development: Demolition of existing industrial units and erection of bespoke administration building with associated parking, landscaping and boundary treatments.

1. Town / Parish Council

Ardleigh Parish Council No comments received

2. Consultation Responses

ECC Highways Dept
10.05.2022

The information that was submitted in association with the application has been fully considered by the Highway Authority. A previous site visit was undertaken in conjunction with another planning application. The information submitted with the application has been thoroughly assessed and conclusions have been drawn from a desktop study with the observations below based on submitted material, google earth image dated March 2019. It is noted that the existing established wide site access off Home Farm Lane will remain relatively unchanged and leads onto an extensive area of on-site circulation serving the existing site. Additional staff parking is being provided to the rear of the site and some parking for visitors at the front of the building. The number of trips generated by the proposal on the highway network would be unlikely to be severe, considering these factors:

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1. In relation to the proposed boundary treatments, there should be no obstruction above ground level within a 2.4 m wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. Such vehicular visibility splays shall be retained free of any obstruction at all times. Reason: To provide adequate inter-visibility between users of the access and the public highway in the interests of highway safety in accordance with policy DM1.

2. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:

- i. vehicle routing,
- ii. the parking of vehicles of site operatives and visitors,
- iii. loading and unloading of plant and materials,
- iv. storage of plant and materials used in constructing the development,
- v. wheel and underbody washing facilities.
- vi. Before and after condition survey to identify defects to highway in the vicinity of the access to the site and where necessary ensure repairs are undertaken at the developer expense when caused by developer.

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM 1

3. The areas within the site identified for the purpose of loading/unloading/reception and storage of materials and manoeuvring shall be provided clear of the highway and retained thereafter for that sole purpose.

Reason: To ensure that appropriate loading / unloading facilities are available in the interest of highway safety in accordance with policy DM1.

4. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8.

5. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8

6. The Cycle / Powered Two-wheeler parking shall be provided in accordance with the EPOA Parking Standards. The approved facility 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 in accordance with Policy DM8

7. A Delivery and Servicing 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. All delivery to the site shall be via Harwich Road and delivery vehicles exiting the site will use the same route.
- ii. Deliveries and refuse collection to the development to be managed in advance and limited to outside of delivery times.
- iii. An area to be kept clear outside operational hours to facilitate servicing and refuse collection.

Reason: In the interests of highway safety to ensure accordance with Policy DM1 and DM19.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's

Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

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

2: On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area, it covers, and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

3: The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

Building Control and
Access Officer

No comments

Environmental Protection
21.04.2022

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

Construction Method Statement:

Prior to the commencement of any construction, ground works or demolition works, the applicant (or their contractors) shall submit a full method statement to, and receive written approval from, the Pollution and Environmental Control. This should at minimum include the following where applicable.

- Noise Control

1) The use of barriers to mitigate the impact of noisy operations will be used where possible. This may include the retention of part(s) of the original buildings during the demolition process to act in this capacity.

2) No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00(except in the case of emergency). Working hours to 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.

3) The selection and use of machinery to operate on site, and working practices to be adopted will, as a minimum requirement, be compliant with the standards laid out in British Standard 5228.

4) Mobile plant to be resident on site during extended works shall be fitted with non-audible reversing alarms (subject to HSE agreement).

5) Prior to the commencement of any piling works which may be necessary, a full method statement shall be agreed in writing with the Planning Authority (in consultation with Pollution and Environmental Control). This will contain a rationale for the piling method chosen and details of the techniques to be employed which minimise noise and vibration to nearby residents.

6) If there is a requirement to work outside of the recommended hours the applicant or contractor must submit a request in writing for approval by Pollution and Environmental Control prior to the commencement of works.

- Emission Control

1) All waste arising from the demolition process, ground clearance and construction processes to be recycled or removed from the site subject to agreement with the Local Planning Authority and other relevant agencies.

2) No materials produced as a result of the site development or clearance shall be burned on site.

3) All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions from the site whilst works of construction and demolition are in progress.

4) All bulk carrying vehicles accessing the site shall be suitably sheeted to prevent nuisance from dust in transit.

Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974).

Lighting

Any external lighting on the proposed development shall be located, designed and directed [or screened] so that it does not cause avoidable intrusion to neighbouring residential properties. The applicant shall demonstrate compliance with the Institute of Lighting Professionals code of practice. (www.theilp.org.uk).

Essex County Council
Ecology

No comments received

Network Rail
11.04.2022

Network Rail strongly recommends the developer complies with the following comments and requirements to maintain the safe operation of the railway and protect Network Rail's infrastructure.

The developer must ensure that their proposal, both during construction and after completion does not:

* encroach onto Network Rail land

* affect the safety, operation or integrity of the company's railway and its infrastructure * undermine its support zone * damage the

company's infrastructure * place additional load on cuttings * adversely affect any railway land or structure * over-sail or encroach upon the air-space of any Network Rail land * cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

3. Planning History

92/01394/FUL	(Land off Home Farm Lane, Ardleigh) Trade supply depot for horticultural and glasshouse sundries businesses	Approved	23.02.1993
97/01441/FUL	(Site at 20 Harwich Road, Ardleigh) Erection of glasshouse	Approved	16.01.1998
97/01567/FUL	Proposed trade supply depot for horticultural and glasshouse sundries business	Approved	23.09.1999
88/02358/FUL	Erection of glasshouse	Approved	27.01.1989
16/01207/FUL	Removal of existing greenhouses and erection of new horticultural storage building.	Approved	21.09.2016
21/00603/FUL	Retrospective application for the retention of a Biomass boiler house that provides district heating to estate.	Approved	20.08.2021
22/00539/FUL	Demolition of existing industrial units and erection of bespoke administration building with associated parking, landscaping and boundary treatments.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021

National Planning Practice Guidance

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)

SP1 Presumption in Favour of Sustainable Development

SP5 Employment

SP7 Place Shaping Principles

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

SPL1 Managing Growth

SPL3 Sustainable Design

PP6 Employment Sites

PP13 The Rural Economy

PPL3 The Rural Landscape

PPL4 Biodiversity and Geodiversity

PPL5 Water Conservation, Drainage and Sewerage

PPL10 Renewable Energy Generation

CP1 Sustainable Transport and Accessibility

CP2 Improving the Transport Network

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 (including Site Description and Proposal)

Site Description

The application site is located on the northern side of Home Farm Lane within the parish of Ardleigh. The site is outside the settlement boundaries within an established industrial employment area operating since 1993. The land is not officially designed as an Industrial or Employment area. The application site is involved in horticultural production and in particular the supply and installation of horticultural glasshouse fittings. The site to which this application relates is part of the trade supply depot and comprises of a mixture of warehouse style buildings and large glasshouses. There are also large areas of outside storage and elements used for offices.

Proposal

The proposal involves the demolition of three existing Industrial units on site and the erection of a bespoke administration centre to be used in connection with the existing business.

Also proposed are the following:

- Existing gates to be repositioned slightly to suit new building form.
- New parking layout in existing yard for staff and commercial vehicles. Surface generally retained as is.
- Landscaping around building to be agreed, generally paving to paths with decorative planting beds.
- Existing boundary treatments retained or renewed where necessary.
- New front boundary enclosure with fence and indigenous planting.
- New gates to be installed, set back approx 14m from highway, with new brick piers/wall either side up to boundary and new building.

The host building to be demolished is a single storey industrial unit at the south west corner of the site adjacent to Home Farm Lane. At its closest point the building is some 5 metres from the Highway. The existing building has an L shape footprint and is some 30 metres in length and 30 metres in width. The host building has three main sections, the section closest to Home Farm Lane (largest section) has an eaves of 3 metres and a ridge of 5 metres. Three separate roof pitches make up the building's roof line, creating two valley gutters. The land to the immediate north of this building is used for car parking, together with the space to the immediate south, next to Home Farm Lane. An access road into the site runs to the west of the building, beyond which are the grounds of three residential dwelling houses located approximately 70 to the north west. To the immediate east and north east of the host building exists the wider industrial site.

The proposed replacement building has a smaller footprint than the host building however is planned as being a two storey building. Again an L shape design is chosen with a single storey outshot and a main two storey core. The footprint measures some 20 metres in width and at its greatest point 25 metres in length. The eaves of the two storey element is 4.5 metres and the ridge is approximately 7.2 metres. Roof lights, high level windows and full length ground floor windows are proposed.

The materials proposed include the following:

- Walls to be surfaced in a mixture of pre-finished vertical boarding and metal cladding
- Dark grey engineering brick plinth.
- Doors and windows finished in powder coated aluminium or similar.
- Roof to be clad in metal sheeting with colour to match metal wall cladding.

The siting of this proposed building results in the a distance of 13.7 metres from the Western boundary and a distance of between 9.5 metres and 20.7 metres from Home Farm Road, as the site is splayed adjacent to the road. This is approximately 4 metres further from the boundary in each case than the existing.

The building shall be used as a bespoke administration centre with office rooms, conference room and staff facilities on ground floor with office space above.

Principle of Development

Paragraph 84 of the National Planning Policy Framework 2021 (NPPF) states that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas both through conversion of existing buildings and well-designed new buildings and should enable the development and diversification of agricultural and other land-based rural businesses.

Policy PP13 is concerned with supporting the rural economy and states that, to support growth in the rural economy the Council may grant planning permission for buildings that are essential to support agricultural and farm diversification schemes. This is subject to details consideration against other policy requirements in the Local Plan. These considerations are addressed below.

In summary, national and local plan policies support the proposed development for an expansion to the established business in a rural location providing the proposals can be accommodated without an adverse impact on the landscape character of the countryside and satisfactory vehicular access and parking is provided. These issues are covered in more detail below.

Consequently, it is considered that the proposal is in accordance with the aims and aspirations of the policies mentioned above, in so far that it concerns the proposed expansion of an established rural business that would support rural economic growth and create 4 additional full time jobs. The detailed design aspects of the proposal are considered below.

Design/Visual Impact

Paragraph 127 of the NPPF requires that development should respond to local character and history, and reflect the identity of local surroundings. Policies SPL3 and PPL3 of the Tendring

District Local Plan 2013-2033 and Beyond seek to ensure that development makes a positive contribution to the quality of the local environment and does not harm the appearance of the landscape. Furthermore, outside development boundaries, the Local Plan seeks to conserve and enhance the countryside for its own sake. To that end Policy SPL3 states that new buildings should be well designed and should relate well to its site and surroundings and minimise any adverse environmental impacts.

The proposal involves the demolition of a single storey building in industrial use and the construction of a new smaller in footprint, although greater in height, two storey office/administration building. At present the existing building is well set back from the nearby A137 and there are only extremely limited views of the site from this main road. The site is established within an Industrial area that has been present for some 25 plus years. Ultimately, the proposed building with an eaves of 4.5 metres and ridge of approximately 7.2 metres is not considered to have a significant visual impact on the locality especially against the back drop of similar buildings on site. Indeed, in several cases the neighbouring existing buildings on site have greater heights, scales and masses than that proposed.

Moreover, the set back of the new building behind an area of proposed soft landscaping (following the removal of the existing industrial buildings) will, overall, have a positive impact upon the character and appearance of the locality. In this respect precise details of the proposed soft and hard landscaping will be secured via condition.

In respect of existing vegetation, the application site comprises of a typical industrial yard and other than the boundary hedge to the south east does not contain any trees or other significant vegetation. Therefore, a tree report is not required as sufficient distance is retained between the proposed new build and boundary vegetation.

The building itself will be of traditional pitched roof form but, through the use of extensive areas of glazing and a mixture of vertical boarding, metal cladding, grey engineering brick and aluminium windows, the building will take on a contemporary appearance and therefore respond appropriately to the varied local context.

Residential Amenity

The NPPF, in paragraph 127 states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication (June 2017) supports these objectives.

There are residential dwellings to the North West and also across Home Farm Road to the west. However, due to the degree of separation between the proposed building and the main private outside areas serving these properties any overlooking from first floor windows would be negligible. The distance to the nearest property to the north-west is approximately 60 metres with dense patches of vegetation located within the intervening area.

The established use of the wider site for industrial purposes means that the proposal would not result in any additional noise or disturbance through daily activities or vehicular traffic.

It is therefore considered that the proposal would not cause any demonstrable harm to local residents' amenity in respect of noise, overlooking, loss of light or loss of outlook. A demolition and construction method statement will be secured through condition to control any impacts in terms of noise, dust and disturbance emanating from the construction phase.

Highway Considerations

Paragraph 108 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. Policy SPL3 Part B of Section 2 of the Tendring District Local Plan 2013-2033 and Beyond seeks to ensure that access to a new development site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate and provision is made for adequate vehicle and cycle parking.

As part of the proposals the existing access is to be formalised. However, there are no material alterations relating to the existing crossovers. Parking shall predominantly be provided to the rear of the building in the form of 27 no. parking spaces in total (4 no. spaces are located to the front of the new building).

Essex County Council Highways have reviewed the proposals and state that; 'it is noted that the existing established wide site access off Home Farm Lane will remain relatively unchanged and leads onto an extensive area of on-site circulation serving the existing site. Additional staff parking is being provided to the rear of the site and some parking for visitors at the front of the building. The number of trips generated by the proposal on the highway network would be unlikely to be severe'.

ECC therefore have no objections subject to conditions securing; a 2.4m wide parallel band visibility splay being provided, the submission of a demolition/construction management plan, details of loading/unloading areas in the construction phase, parking being provided prior to first use of the building, the provision of cycle storage and a delivery and servicing plan being submitted for consideration.

Taking the above into consideration the proposed development would have a detrimental impact on highway safety or significantly increase the amount of traffic on the road. The proposal is therefore considered to be in accordance with the requirements of the NPPF (2021) and the Local Plan.

Ecological Impacts

An Ecological Survey and Assessment (John Dobson - Essex Mammal Surveys) has been provided which concludes that as the site is entirely of concrete hardstanding it has no Priority habitats.

In respect of the presence of bats the survey concludes that the buildings do not promote conditions that bats would seek out, i.e. dark areas or crevices to roost. Moreover, the survey states that the site does not contain sufficient habitats to allow foraging activity and the presence of floodlighting would deter bats. No evidence was therefore found of any bats utilising the site or, due to the absence of appropriate habitat, any other protected species.

Recommendations are made within the survey to ensure that any trenches are covered overnight or, if open, sloping planks are left to allow any mammals or amphibians to escape. These recommendations and ecological enhancements, to include 4 no. bird nesting boxes and solitary bee hives, will be secured by condition.

Drainage

Paragraph 174 of the Framework states that planning policies and decisions should contribute to and enhance the natural and local environment by preventing new development from contributing to unacceptable levels of water pollution. Furthermore, Paragraph 185 of the Framework states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects of pollution on the natural environment.

Paragraph: 020 of the National Planning Policy Guidance states that where a connection to a public sewage treatment plant is not feasible a package sewage treatment plant can be considered. The package sewage treatment plant must comply with the Small sewage discharges in England: general binding rules 2015 (GBR), or a permit will be required. Package sewage treatment plants may only be considered if it can be clearly demonstrated by the applicant that discharging into a public sewer is not feasible (taking into account cost and/or practicability and whether the package treatment plant poses a risk to a designated site) in accordance with Approved Document H of the Building Regulations 2010.

Adopted Policy PPL5 of Section 2 of the Adopted Local Plan states that all new development must make adequate provision for drainage and sewerage. Private sewage treatment facilities will not

permitted if there is an accessible public foul sewer. Where private sewage treatment facilities are the only practical option for sewage disposal, they will only be permitted where there would be no harm to the environment, having regard to preventing pollution of groundwater and any watercourses and odour.

In relation to non-mains drainage from non-major development the Environment Agency's advice is that to comply with the Framework and PPG on foul drainage matters, an LPA needs to be satisfied that foul drainage can be provided without adverse impact on the environment. This requires ensuring that both those environmental risks outside of the control of the permit and the relevant considerations in the PPG are addressed. The LPA should also be mindful that the developer will need to address foul drainage matters to get their environmental permit and meet building control regulations. Therefore, they should be confident that it is likely that any necessary permits and approvals can be successfully obtained.

Question 11 of the application form states that it is not intended to connect to a mains sewer. Instead, foul sewage will be disposed of by way of a package treatment plant; the declaration implies that a mains connection is not possible.

In considering whether or not the use of a planning condition in this instance would be capable of making the development acceptable, having regard to non-mains drainage, the site is not located in close proximity to any dwelling. The site is not close to any designated site of importance to biodiversity, nor is it located within close proximity to any watercourse. The site is not located within a Drinking Water Safeguard Zone or a Source Protection Zone, and the site is sufficiently large enough to accommodate a soakaway. Moreover, the site currently operates on a private treatment plant system. Taking all these factors into account, the use of a condition in this instance is considered to be appropriate.

From the above and in order to be policy compliant, a condition should be attached to ensure that foul water treatment measures are installed in accordance with full details prior to first use of the new building.

Renewable Energy Requirements

Policy SPL3, Part B criterion d), states that an applicant must demonstrate how the proposal will minimise the production of greenhouse gases and impact on climate change, as per the Building Regulations prevailing at the time and policies and requirements in the Local Plan. Following the Council declaring a climate emergency and its adoption of Policy PPL10, there is a requirement for all development proposals to demonstrate how renewable energy solutions, appropriate to the building(s) site, and location have been included in the scheme and for new buildings, be designed to facilitate the retro-fitting of renewable energy installations.

In accordance with the above policies the use of a planning condition to require the submission of a REGP and the provision electric vehicle charging points within the employee parking area is reasonable and necessary.

Other Considerations

Network Rail have been consulted due to the proximity of the development to a railway line. However, they have no specific objections to the development and outline their guidelines to ensure the safe operation of the rail infrastructure is preserved. These guidelines will be communicated to the applicant by way of an informative on the decision notice.

Ardleigh Parish Council have not commented upon the application. No further letters of representation have been received.

Conclusion

The development relates to the expansion of an established rural enterprise and would not have any adverse impacts in respect of visual amenity, highway considerations, residential amenity or

ecological concerns. As such, the proposal is considered acceptable in principle and in accordance with the development plan and the Framework.

6. Recommendation

Approval

7. Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

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

- 06B
- 07A
- 08A
- 09A
- 10A

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

- 3 Prior to above ground works, a hard and soft landscaping scheme shall have first been submitted to and agreed in writing by the local planning authority. Thereafter, the hard landscaping shall be implemented in accordance with the details which may have been agreed. Soft landscaping shall be implemented in accordance with the details which may have been agreed in the first planting season following substantial completion of the development. Any species planted becoming diseased or dying within 3 years of planting shall be replaced to the satisfaction of the local planning authority.

Reason: In the interests of visual amenity and biodiversity.

- 4 No above ground works shall be commenced until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.

Reason - In the interests of visual amenity and the semi-rural character of the area as insufficient details have been provided with the application.

- 5 All works shall be carried out in accordance with the recommended ecological mitigation measures contained at Section 9 of the Ecological Survey and Assessment (March 2022), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

- 6 No above ground works shall be commenced until a Biodiversity Enhancement Scheme (BES) has been submitted to and approved in writing by the local planning authority. The BES shall follow the principles and recommendations set out in the Ecological Survey and Assessment (March 2022). Thereafter, the development shall follow the approved BES and all measures described within it shall be implemented prior to first occupation.

Reason: In order to ensure the conservation and enhancement of biodiversity interests, in accordance with Policies PPL4 and SPL3.

- 7 No development shall be commenced until a Renewable Energy Generation Plan (REGP) has first been submitted to and approved in writing by the local planning authority. The REGP shall provide for electric vehicle charging points within the proposed parking area, and set out the measures that will be incorporated into the design, layout and construction, aimed at maximising energy efficiency and the use of renewable energy. Thereafter, the development shall comply with the REGP and any approved measures shall be implemented prior to first occupation.

Reason: In order to ensure that the development contributes towards reducing carbon emissions in addressing climate change, in accordance with Policy PPL10 and SPL3.

- 8 In relation to the proposed boundary treatments, there should be no obstruction above ground level within a 2.4 m wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. Such vehicular visibility splays shall be retained free of any obstruction at all times.

Reason: To provide adequate inter-visibility between users of the access and the public highway in the interests of highway safety.

- 9 No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and underbody washing facilities
- vi. before and after condition survey to identify defects to highway in the vicinity

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety.

- 10 Prior to the first use of the proposed building the vehicle parking area and associated turning area shall be completed and made available for use and shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided

- 11 The Cycle / Powered Two-wheeler parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to first use of the proposed building and retained at all times.

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

- 12 Prior to first use of the proposed building a Delivery and Servicing Plan shall be submitted to, and agreed in writing with, the local planning authority. The Plan shall include the following information, and shall be adhered to at all times following approval:

- i. All delivery to the site shall be via Harwich Road and delivery vehicles exiting the site will use the same route.
- ii. Deliveries and refuse collection to the development to be managed in advance and limited to outside of delivery times.

iii. An area to be kept clear outside operational hours to facilitate servicing and refuse collection.

Reason: In the interests of highway safety

- 13 No materials produced as a result of the site development or clearance shall be burned on site. All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions from the site whilst works of construction and demolition are in progress.

Reason: In the interests of protecting the general amenity of the area.

- 14 No vehicle connected with the construction/demolition works shall arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Construction/demolition working hours shall be restricted between 08:00 and 18:00 Mondays to Saturdays (finishing at 13:00 on Saturdays) with no working of any kind permitted on Sundays or any Public/Bank Holiday whilst construction works and alterations are being carried out. No materials produced as a result of the site development or clearance shall be burned on site.

Reason: In the interests of protecting the amenity of the locality.

- 15 Prior to the commencement of above ground works, a scheme for the provision of foul water drainage shall have first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of connection point and flow rates. Thereafter the drainage scheme as may be approved shall be implemented prior to first use and retained for the lifetime of the development.

Reason: In order to protect the water environment.

- 16 The building shall be used for Class E (g) use only (Office/Light Industrial use) and for no other 'Class E' use or other purpose in the Town and Country Planning (Use Classes) Order 1987 (or in any provision in any Statutory instrument revoking and re-enacting that Order with or without modification).

Reason - Any other use may result in an unacceptable impacts on the site, its surrounds and the amenity of nearby residents.

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.

Highway Informatives

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

On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area, it covers, and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by

the appropriate statutory authority.

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

Network Rail Informative

The developer must ensure that their proposal, both during construction and after completion does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land and;
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future.

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