



AGENT: Mr Andrew Stevenson -
Andrew Stevenson
Associates
Bigods Hall
Bigods Lane
Great Dunmow
CM6 3BE

APPLICANT: Mr A Vanzanten - GVZ
Glasshouses
20 Harwich Road
Ardleigh
Colchester
Essex
CO7 7LT

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 22/00539/FUL

DATE REGISTERED: 24th March 2022

Proposed Development and Location of the Land:

**Demolition of existing industrial units and erection of bespoke administration building with associated parking, landscaping and boundary treatments.
20 Harwich Road Ardleigh Colchester Essex**

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY GRANT PLANNING PERMISSION** in accordance with the application form, supporting documents and plans submitted, subject to the following 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 unacceptable impacts on the site, its surrounds and the amenity of nearby residents.

DATED: 19th May 2022

SIGNED:



Graham Nourse
Assistant Director

IMPORTANT INFORMATION :-

The local planning authority considers that the following policies and proposals in the development plan are relevant to the above decision:

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

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.

Standard Informative 1: The Provisions of the Essex Act 1987, Section 13 (Access for the Fire Brigade) may apply to this Development and will be determined at Building Regulation Stage.

Standard Informative 2: You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control section at Tendring District Council.

Standard Informative 3: If the development includes the construction of a new building on or at the boundary of 2 properties, work to an existing party wall or party structure or involve excavation near to and below the foundation level of neighbouring buildings, you are advised that the provisions of the Party Wall Act 1996 may apply to this development. An explanatory booklet concerning the implications of this Act is available online or from the District Council.

The attached notes explain the rights of appeal.

NOTES FOR GUIDANCE

WHEN PLANNING PERMISSION IS REFUSED OR GRANTED SUBJECT TO CONDITIONS

APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within the set time frame as outlined below:
 - a. If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Householder Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
 - b. If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
 - c. If you want to appeal against your local planning authority's decision on a development which is not caught by a. and b. above then you must do so within **6 months** of the date of this notice. A **Planning Appeal Form** is required, available online <https://www.gov.uk/planning-inspectorate>
- Appeals must be made using the relevant form (as detailed above) which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. **Please note, only the applicant possesses the right of appeal.**
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions imposed having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

ENFORCEMENT

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.