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Planning Committee

22 September 2022

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,
HELD ON THURSDAY, 22ND SEPTEMBER, 2022 AT 6.00 PM
IN THE COMMITTEE ROOM - TOWN HALL, STATION ROAD, CLACTON-ON-SEA,
CO15 1SE**

Present:	Councillors White (Chairman), Fowler (Vice-Chairman), Alexander, Baker, Codling, V Guglielmi, Harris and Placey
Also Present:	Councillor Newton
In Attendance:	Gary Guiver (Acting Director, Planning), Graham Nourse (Assistant Director, Planning), Joanne Fisher (Planning Solicitor), John Pateman-Gee (Planning Manager), Jacob Jaarsma (Planning Team Leader), Emma Haward (Leadership Support Officer), Keith Durran (Democratic Services Officer), Mark Wilson (Development Technician), and Chris Stoneham (ECC Highways).

40. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies were received from Councillor Wiggins, with no substitution.

41. DECLARATIONS OF INTEREST

Councillor V Guglielmi declared a personal interest in **Planning Application A.1 20/00594/FUL – LAND ADJOINING IPSWICH ROAD AND WICK LANE ARDLEIGH CO7 7QL** due to knowing the tenant farmer of site of the application. She stated that she was not pre-determined and that she would therefore participate in the Committee's deliberations and decision making for this application.

42. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

There were none on this occasion.

43. REPORT OF ASSISTANT DIRECTOR (PLANNING) - A.1 - PLANNING APPLICATION – 20/00594/FUL – LAND ADJOINING IPSWICH ROAD AND WICK LANE, ARDLEIGH, CO7 7QL

Councillor V Guglielmi had earlier declared a personal interest in respect of this planning application for the reasons set out in Minute 41 above.

It was reported that this application proposed a large warehouse to be used as a food storage and distribution facility, with a height of between 16-20m, and a depth of up to 170m set in an extensive area of proposed hard standing. New access arrangements were proposed from Old Ipswich Road, Ardleigh including car parking as well as a large vehicle yard to the rear (south-east of the

proposed warehouse building) with facilities for vehicle washing and re-fuelling. The proposal also included provision for a large attenuation pond for managing surface water flows.

The Committee was informed that a clear policy conflict had been identified in terms of the landscape harm, and the harmful impact of the 'in depth' part of the warehouse and HGV hardstanding area on the character and appearance of Wick Lane, Ardleigh and the immediate hinterland to the east of the site, as well as the impact of the large warehouse on residential amenity by way of light pollution and being overbearing in nature to nearby residents, especially those residents to the north west and east of the site. Those harmful elements weighed significantly against the development proposal. The proposal would also result in the loss of agricultural land and as a result there was a conflict with Paragraph 174 a) of the National Planning Policy Framework 2021 ('the Framework').

Against this harm the benefits to the local and wider economy, the benefits to the food distribution sector in particular, and direct and indirect job retention/creation would be substantial, and very significant weight had been attributed to those benefits by Officers.

Members were advised that all other material planning considerations had been taken into account and where relevant, where harm arose, those could be mitigated against by way of planning conditions or Section 106 obligations, so therefore all those elements were neutral in terms of 'planning balance'.

The Committee was made aware that, ultimately, the weight given to the substantial benefits, as outlined in the written report, was considered by Officers to very marginally outweigh the significant weight given to the landscape and character harm, as well as the identified harm to residential amenity. For those reasons, it was recommended by Officers that planning permission be granted, subject to the completed Section 106 legal agreement and the conditions as recommended in the Officer report.

The Committee had before it the published Officer report containing the key planning issues, relevant planning policies, planning history, any response from consultees, written representations received and a recommendation of approval subject to conditions.

At the meeting, an oral presentation was made by the Council's Planning Team Leader (JJ) in respect of the application.

An update sheet had been circulated to the Committee prior to the meeting with details of Ardleigh Parish Council's submission of their Regulation 14 Pre-Submission draft Neighbourhood Plan, a further letter of objection and the detailed responses of Officers thereto.

Ben Norton, the agent acting on behalf of the applicant, spoke in support of the application.

Jonathan Waters, a local resident, spoke against the application.

Nikki O'Hagan, representing Ardleigh Parish Council, spoke against the application.

Matters raised by Members of the Committee:-	Officer's response thereto:-
<p>A member of the Committee raised the lack of information in the report regarding the refuelling area, and asked why had ECFRS not been consulted.</p>	<p>The Planning Officer referred members of the Committee to pages 64-65 pages of the report referring to refuelling – it was proposed to be covered under a canopy to minimise the risk of pollution on the eastern section of hard-standing. Consultation had been undertaken with Environment Agency, and they had confirmed that they had no objections.</p>
<p>No response was received from Anglian Water or Ardleigh Reservoir, were these chased up?</p>	<p>Planning Officers had followed up consultations with Ardleigh reservoir operators. They were aware of the application and had engaged with the proposal, although no formal response was received. Officers understand that Anglian Water assets is in a location underneath the site, Anglian Water was consulted on the application on at least two occasions. The applicant would have to consult/engage with Anglian Water to obtain the necessary consent from them as the owners (of those assets) to build on or over those assets.</p>
<p>A comment was made that a local farmer's water pipe was fitted 3 years ago across the site, also if the Committee were to approve the application, could they enforce the condition that a formal response is required from Anglian Water.</p>	<p>If the Committee were to approve, the applicant would be required to obtain consent from Anglian Water. In terms of whether that is material to this Planning application, members were advised that it would not be reasonable to withhold a decision on this application on this basis.</p>
<p>A member of the Committee asked for clarification relating to the number of jobs.</p>	<p>The Planning Officer confirmed that the information provided stated 348 new jobs as part of the application and explained that the officers' position on job creation and weight applied is set out in the relevant section of the committee report</p>
<p>Were there plans for electric vehicle charging points?</p>	<p>The proposal included provision for Electric Vehicle charging points. In terms of HGV charging points, these were not included in the application but details of that could be</p>

	<p>included as part of a slighted amended condition if members so wish and depending on the debate to follow.</p>
<p>A member of the Committee raised concerns regarding the height of the proposed warehouse. Was there anything that could be done to reduce the size of the building? A question was also raised in respect the heritage impact.</p>	<p>The original proposals as first submitted were larger and the site area, scale and nature of the proposals had been significantly reduced compared to the original submission. The Planning Officer referred to paragraph 6.5-6.9 of the report where a clear policy conflict in terms of landscape harm was identified. Planning Services had consulted with ECC Heritage, and identified low levels of heritage harm as set out in the report, this harm is weighed against the public benefits as set out in the relevant section of the report.</p>
<p>It was raised by a member of the Committee concerns relating to sustainable transport to and from the site.</p>	<p>There were clear locational infrastructure shortfalls in terms of public transport to and from the site. The proposal included mitigation to include a minibus service to and from Colchester. The proposal did not specifically include or extend a cycle-path to the site but Section 6.53 of the report was referred to whereby the proposal included a £15,000 financial contribution for cycle improvement measures between the development site and Colchester Business Park.</p>
<p>What did ECC Highways say about the safety and access of the site considering the increase of HGV's. Will the roads be resurfaced and improved?</p>	<p>ECC Highways had recommended a number of conditions, in particular, a Stage 1 Road Safety Audit to be undertaken, incorporated in the recommended conditions. A further safety audit was to be undertaken before construction. ECC Highways had confirmed that there were no recorded accidents in the previous 3 years on the roads immediately to the west of the site. Subject to approval, the road safety audit would decide on whether the road needed to be resurfaced.</p>
<p>Could Planning Officers confirm that they had examined alternative sites within the District? Were they satisfied that this sequential test had been examined?</p>	<p>Members were referred to the relevant section and paragraphs in the committee report and update sheet, but in summary it was explained that the applicant had considered alternative allocated sites in the district of Tendring for employment uses, the reasons for taking this position is</p>

	<p>substantially covered in the report. Planning Services were satisfied that the requirement within the policy to look at alternative sites had been met. No alternatives were deemed adequate for the reasons outlined in the report.</p>
<p>What mitigation measures were in place to shroud the building in terms of landscaping and trees?</p>	<p>The report highlighted policy conflict in terms of landscape harm and significant addition tree planting is proposed, the report also made clear that due to the height, additional screening and planting will be placed. Planning Services had consulted with the Council's Tree Officer at length.</p>
<p>What were the potential economic benefits to the District?</p>	<p>Economic benefits were set out in section 6.45-6.50 of the report. It was the Committee's decision as to how much weight was given in terms of the economic benefits.</p>
<p>Was there the facility for wheel washing and where was it located?</p>	<p>A condition had been noted in the recommendations for a wheel-washing facility. Part 6.172 of the report covered surface-water drainage proposals to mitigate against the considerable increases in permeable materials. The Environment Agency had raised no objections.</p>
<p>Part 6.381 of the report refers to the reduction in speed limit and parking restrictions – if those cannot be implemented subject to separate regimes of approval/refusal, does planning permission fail?</p>	<p>If those two schemes cannot be implemented, the proposal would not be suitable in highways safety terms and the permission will be un-implementable.</p>
<p>The Local Plan was submitted in 2017 and approved in 2021-2022, the applicant would have had to build the proposal before 2020. Were other sites put forward by the application to be included in the Local Plan before adoption/determination.</p>	<p>Representations were made between 2016-2017, no specific representations were made by the Applicant.</p>
<p>Old Ipswich Road – would red lines be added to avoid parking on the road?</p>	<p>It was a condition recommended by Highways that waiting restrictions were added.</p>
<p>Would the road be a part of the construction site?</p>	<p>(Highways Officer) The road was classed as a priority route, the design of the access has had modifications to curbs to the exit of the site to facilitate turning vehicles.</p>

<p>Concerns were raised regarding the end of extraction on the adjacent quarry site and the impact of this proposal on the proposed Open Space. What weight could be given to permissions on the adjacent land?</p>	<p>Weight could be given to the potential impact on the adjacent site where open space is proposed, referenced in section 6.95 of the report.</p>
<p>The hedge was thin to the east of the site, what arrangements were being mitigated around lighting?</p>	<p>A 24hr operation was proposed, the report stated that there was harm to the residential amenity. Additional tree planting is proposed around the proposed attenuation basin.</p>

Following discussion by the Committee, it was moved by Councillor Harris, seconded by Councillor Alexander and **RESOLVED** that the Assistant Director (Planning) (or equivalent authorised officer) be authorised to grant planning permission for the development, subject to

the following conditions (and reasons) and the prior completion of a Section 106 legal agreement with the agreed Heads of Terms as set out in section 1 of the Officer Report, as well as the following amendments to recommended conditions:

- Electric car and truck points to condition
- Need Condition 18 to refer to wheel washing for both construction and for any ongoing operational requirement.
- Condition colour and cladding of building

Note to detail expectations and ensure sufficiently robust trees will form the landscape scheme.

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Conditions and Reasons

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 drawings/documents listed and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard. 2748_150A – Site Layout

Red Line Drawing 2748_050 – Location Block Plan 2748_100C – Site Layout 2748_002J – Layout Plan 2748_100E – Roof Plan 2748_200 – Elevations of Building 2748_300 – Sketch Sections and Axonometric TPSarb1140120 TPP Rev C – Tree Protection Plan IT2114_TA_102 – Visibility Splays

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

3. The development shall be carried out in full accordance with enhancement measures and details contained in Amended Preliminary Ecological Appraisal (Iceni Ecology, April 2022). This includes 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 LPA 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).

4. Prior to the commencement of works of the development hereby approved, a Construction Environmental Management Plan (CEMP for Biodiversity) shall have first been submitted to and approved in writing by the local planning authority. The CEMP for Biodiversity shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i. Containment, control and removal of any Invasive non-native species present on site. The CEMP for Biodiversity shall be adhered to and implemented throughout the construction period in accordance with the details as may have been approved.

Reason: A pre-commencement condition is necessary to ensure risk assessments and other practical measures are implemented prior to demolition and construction works and in order to conserve protected and Priority species.

5. Prior to above ground works of the development hereby approved, a Biodiversity Enhancement Strategy (BES) for Protected and Priority species

shall first been submitted to and approved in writing by the local planning authority. The BES shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) detailed designs to achieve stated objectives;
 - c) locations of proposed enhancement measures by appropriate maps and plans;
 - d) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
 - e) persons responsible for implementing the enhancement measures;
 - f) details of initial aftercare and long-term maintenance (where relevant).
- Thereafter the development shall proceed in accordance with the details as may have been approved. The approved biodiversity enhancement measures shall be retained for the lifetime of the development.

Reason: In order to conserve protected and Priority species and secure a net gain in biodiversity.

6. The development hereby approved shall not be brought into first use until a lighting design scheme shall be submitted to and approved in writing by the local planning authority. The lighting design scheme shall include the following:

- identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging;
- show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory as well as to minimise the impact of light spillage and luminance on nearby residents. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. No other lighting except as may be approved by this condition shall be installed on the site.

Reason: In the interest of residential amenity and to allow the LPA 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).

7. The development hereby approved shall not be brought into first use until the following have been provided or completed in full: a) A priority junction off Old Ipswich Road to provide access to the proposed site as shown in principle on the amended viability and access plan drawing number: IT2114_TA_03. a) Carriageway measuring no less than 9m in width for the first 30 metres. b) Kerb radii measuring a maximum or no more than 15 metres. c) A straight section of carriageway to be provided from the entrance junction for 30 metres. d) 2-metre-wide footway on both sides of the junction and continued around the kerb radii and appropriate pedestrian crossing facilities (drop kerbs/ tactile paving).

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner and to avoid displacement of loose material onto the highway in the interest of highway safety in accordance with policy DM1.

8. The gradient and proposed vehicular access/ road junction shall be in accordance with DMRB standards.

Reason: to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety to ensure accordance with safety in accordance with policy DM1.

9. The development hereby approved shall not be brought into use until the road junction / access at its centre line shall be provided with minimum clear to ground visibility splay with dimensions of 2.4m x 160m to the north of the access junction 2.4m x 110m to the south of the access junction, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction / access is first used by vehicular traffic and be retained thereafter free of obstruction above 600mm and below 2 metres at all times. In addition, the development site boundary fence/wall/vegetation should be located outside of the visibility splays.

Reason: To provide adequate inter-visibility between vehicles using the road junction / access and those in the existing public highway in the interest of highway safety in accordance with policy DM1.

10. The development hereby approved shall not be brought into use until the Wick Lane junction at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4m x 98m in both directions, in accordance with drawing no. IT2114_TA_05, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the development becomes operational and retained free of any obstruction at all times.

Reason: To provide adequate inter-visibility between vehicles using the road junction / access and those in the existing public highway in the interest of highway safety in accordance with policy DM1.

11. The existing access at Total Roofing Supplies north of Wick Lane which is located adjacent to the car park shall hereby approved shall be suitably and permanently closed incorporating the reinstatement to full height of the highway verge / kerbing prior to the new access into the site is brought into first beneficial use.

Reason: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety in accordance with policy DM1.

12. The development hereby approved shall not be brought into use until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. 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.

13. 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.

14. The development hereby approved shall not be brought into first use until a Workplace Travel Plan shall first have been submitted to and approved in writing by the local planning authority. The Workplace Travel Plan shall as a minimum include:

- The identification of targets for trip reduction and modal Shift
- The methods employed to meet these targets
- The mechanisms for monitoring and review • The mechanisms and review
- The penalties to be applied in the event that targets are not met
- The mechanisms for mitigation
- Implementation of the travel plan to an agreed timescale or timetable and its operation thereafter
- Mechanisms to secure variations to the Travel plan following monitoring and reviews The Workplace Travel Plan as may have been approved shall be actively implemented for a minimum period of 5 years following first use.

Reason: In order to promote sustainable transport.

15. Prior to commencement of work of the development hereby approved, full design details relating to the required improvements to the A12 Junction 29, to include a scheme for traffic signals shown in outline on Intermodal Transportation drawing no IT2214/TA/04 titled Proposed Roundabout improvement, Ardleigh Depot for the Flying Trade Group PLC dated Jan 2021, shall have first been submitted to and approved by the local planning authority. Scheme details shall include drawings and Documents showing:

- i. How the improvement interfaces with the existing highway alignment and carriageway markings including lane destinations

- ii. Full construction details relating to the highway improvement. This should include any modifications to existing structures or proposed structures with supporting analysis.
- iii. Full Signing and Lighting details
- iv. Confirmation of compliance with Departmental standards (DMRB) and policies (or approved relaxations/departures from standards)
- v. Evidence that the scheme is fully deliverable within land in the control of either the applicant or the Highway Authority.
- vi. An independent Stage 2 Road Safety Audit (taking account of and stage 1 Road Safety Audit recommendations carried out in accordance with Departmental Standards (DMRB) and Advice Notes.
- vii. A construction Management plan detailing how construction traffic will be managed. The approved scheme shall thereafter be implemented and completed in full to the satisfaction of the Local Planning Authority in consultation with the Highways Authorities and the development approved by this planning permission shall not be brought into use until all the approved junction improvements have been delivered and are fully operational.

Reason: The design details is required prior to commencement of development so as to ensure the relevant authorities that the A12 and A120 trunk roads continue to serve their purpose as a part of a national system for through traffic in accordance with Section 10 of the Highways Act 1980, and to mitigate against the development and to satisfy the reasonable requirements of road safety.

16. The development hereby approved shall not be brought into use until a Highways Act 1980 agreement for the delivery of the works specified conditions 7 and 15 above has been completed in full.

Reason: To ensure suitable and safe access to the development in the interests of highway safety

17. The total floor areas of the development hereby approved shall not exceed at any time: Use Class E(g) i (Office) - Office space: 1,300 SQM Use Class B8 (Storage and Distribution) - Warehouse for storage and distribution 16,188 SQM

Reason: To ensure the approved development is controlled, for the avoidance of doubt and in the interests of proper planning.

18. Prior to the commencement of works of the development hereby approved, precise details of the locations and type of wheel washing facilities to be provided and road cleansing measures shall have first been submitted to and approved in writing by the local planning authority. Thereafter, wheel washing and road cleansing shall take place in accordance with the details as may have been approved for the duration of construction.

Reason: In the interests of highway safety.

19. No development above slab level shall commence until a scheme for the installation of solar photovoltaic panels and electric vehicle charging points shall have first been submitted to and approved in writing by the local planning authority. Thereafter the scheme shall have been implemented prior to first use and retained for the lifetime of the development.

Reason: In order to secure renewable energy generation and promote sustainable transport, and contribute towards addressing the climate change implications of the development.

20. Prior to the commencement of works of the development hereby approved a Construction Method Statement and Construction Environmental Management Plan, covering all the construction phases of development shall be submitted to and approved in writing by the Local Planning Authority. The approved statement and plan as may be approved shall be adhered to throughout the construction period within each part or phase of development. The statement and plan shall provide for:

- i. Measures to avoid impacts upon relevant ecological receptors, including breeding
- ii. birds and retained hedgerows;
- iii. A soil handling and storage method statement informed by the Defra Construction
- iv. Code of Practice for the Sustainable Use of Soils on Construction Sites;
- v. Signage (types and location) for directing construction traffic;
- vi. The enclosure of the site;
- vii. The parking of site operatives and visitors vehicles;
- viii. Loading and unloading of plant and materials;
- ix. Management of construction traffic and access/haul routes;
- x. Storage of plant and materials used in constructing the development;
- xi. Method of cleaning wheels and chassis of all HGV's, plant and delivery vehicles
- xii. leaving the site and the means of keeping the site access road and adjacent public
- xiii. highway clear of mud and debris during site preparation and construction;
- xiv. Construction site lighting; A scheme, detailing temporary surface water drainage generated during construction; A scheme for the control of construction site noise;
- XIII. Details for construction and excavation waste management/ removal;
- xv. A dust management plan (developed in accordance with EPUK IAQM guidance and including site-specific dust mitigation measures including provision for the suppression of dust generated by vehicles on roads, haul routes and circulation areas within the site in dry weather conditions);
- xvi. Incident logging and reporting procedures.

Reason: A pre-commencement condition is required in the interests of highway safety, amenity and to contribute towards a reduction in emissions in accordance with air quality objectives.

21. No piling work shall take place within any area of the site until a scheme detailing the piling methodology has been submitted to and approved in writing by the Local Planning Authority. In addition to the method of piling proposed the scheme shall include the proposed hours of work and prediction of the impact of noise and likely levels of ground borne vibration at the nearest noise sensitive occupiers. The approved scheme shall be implemented throughout the duration of any piling work.

Reason: In the interest of residential amenity

22. Construction work shall not take place on Sundays or Bank Holidays nor at any other time except between the hours of 0730 and 1800 Monday to Friday and 0800 and 1300 on Saturdays. No vehicle associated with the construction phase(s) of the development shall be permitted to arrive, depart, be loaded or unloaded outside 07.00 and 18.30 hours on Monday to Friday, 07.30 and 13.30 on Saturdays nor at any time on Sundays or Bank Holidays.

Reason: In the interest of highway safety and residential amenity

23. The development shall only be carried out in full accordance with the tree protection measures set out in the Arboricultural Impact Assessment and Preliminary Method Statements (tree protection section) by Tree Planning Solutions. Development shall not commence until the tree protection fencing shown in the above report by Tree Planning Solutions has been fully erected and the Local Planning Authority has been notified in writing of the erection of the Tree Protection Fencing and its full implementation/installation in accordance with the approved plans. The tree protection fencing shall be retained for the duration of the construction period and no works shall take place and nothing shall be stored within the area enclosed by the Tree Protection Fencing until construction works have ceased.

Reason: A pre-commencement condition is required to ensure trees are protected during the construction period, in the interests of visual amenity, and to safeguard the ecological value provided by the trees on the site.

24. a) No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written scheme of investigation (WSI) which has been submitted by the applicant, and approved in writing by the local planning authority.

b). No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological evaluation identified in the WSI defined in Part a, and confirmed by the Local Authority archaeological advisors.

c) A mitigation strategy detailing the excavation / preservation strategy shall be submitted to the local planning authority for written approval following the completion of the archaeological evaluation. d) No development or preliminary groundworks can commence on those areas containing archaeological deposits

until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been approved in writing by the local planning authority.

e) The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Reason: In the interests of preserving any possible historic artefacts found on the host site.

25. No development shall commence until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- A Demonstration that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event. In case the half drain down time is more than 24 hours then a demonstration that features are able to accommodate a 1 in 10 year storm events within 24 hours of a 1 in 30 year event plus climate change.
- Provision of a drainage plan which details exceedance and conveyance routes, Finished Floor Levels and proposed ground levels as well as an updated written report summarising the final strategy and highlighting any minor changes to the approved strategy.

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.

26. The development hereby approved shall not be brought into use until an Operational Noise Management Plan has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include protocols for minimising noise from operational activities in all external areas, including the car park areas and the HGV servicing yard. The approved scheme shall be implemented, operated and retained throughout the life of the development.

Reason: In the interests of the amenity of neighbouring occupiers.

27. Prior to above ground works of the development hereby approved, 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 prior to first occupation. Soft landscaping shall be implemented in accordance with the details which may have been approved 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, biodiversity enhancement and landscape protection.

28. The development hereby approved shall not be brought into use until full details of all boundary treatments, acoustic attenuation features and those landscaping works not covered by conditions 5 and 27 have been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include the specification, materials of construction and location of all acoustic measures to be implemented. Notwithstanding the details shown on the approved plans listed under condition 2, no barbed wire topping shall be added to any site fencing. The storage and distribution warehouse hereby approved shall not be brought into use until the approved boundary treatments, acoustic attenuation features and landscaping works have been implemented in full. The approved boundary treatments and acoustic attenuation features shall be maintained whilst ever the development subsists. All site landscaping shall, from its completion, be maintained for a period of at least five years. If, within this period, any tree, shrub or hedge shall die, become diseased or be removed, it shall be replaced with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity, landscape character, security and acoustic attenuation.

29. Prior to the commencement of works of the development hereby approved in proximity to any tree to be retained, a tree care plan for retained trees shall have first been submitted to and approved in writing by the local planning authority. Thereafter, trees to be retained shall be protected during construction in accordance with the tree care plan as may have been approved.

Reason: In order to protect retained trees during consideration, in the interests of visual amenity and biodiversity conservation.

30. Prior to cladding of the exterior of buildings hereby approved, precise details of the external cladding and the colour scheme shall have first been submitted to and approved in writing by the local planning authority. Thereafter external cladding and the colour scheme shall be in accordance with the details as may have been approved.

Reason: In the interests of protecting visual amenity and the landscape.

31. Prior to above ground works of the development hereby approved, details of a revised Sustainable urban Drainage System (SuDS) scheme shall have first been submitted to and approved in writing by the local planning authority. The scheme shall include long term maintenance proposals. Thereafter, the revised SuDS scheme as may be have been approved shall be implemented in full and retained in working order for the lifetime of the development.

Reason: In order to prevent the risk of flooding being increased elsewhere.

32. No development shall commence until full details of the package treatment plant and all associated works for the disposal of sewage and foul water have been submitted to and approved in writing by the local Planning Authority. The details shall thereafter be provided on the site to serve the development hereby permitted, in accordance with details that have first been submitted to and approved in writing by the local planning authority.

Reason: To protect the natural environment from groundwater pollution.

33. If during groundworks evidence of potential contamination is encountered, works shall cease, and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not re-commence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed. If evidence of potential contamination is encountered and upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of;

- a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.
- b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.
- c) If no contamination has been discovered during the build, then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

Reason - To ensure that any risks from land contamination to the future users of the land and neighbouring land are minimised.

34. Prior to the commencement of development, a Renewable Energy Generation Plan (REGP) shall have first been submitted to and approved in writing by the local planning authority. The REGP shall 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.

Reason – To ensure the development meets the requirements of policy PPL10.

In addition,

- Electric car and truck points to condition.
- Need Condition 18 to refer to wheel washing for both construction and for any ongoing operational requirement.
- Condition colour and cladding of building.

- Note to detail expectations and ensure sufficiently robust trees will form the landscape scheme.

The meeting was declared closed at Time Not
Specified

Chairman

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