

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Planning Officer recommendation:	AL	08/10/2024
EIA Development - Notify Planning Casework Unit of Decision:	N/A	N/A
Team Leader authorisation / sign off:	JJJ	11/10/2024
Assistant Planner final checks and despatch:	ER	11/10/24

Application: 24/00774/FUL **Town / Parish:** Ardleigh Parish Council

Applicant: Premier Inn Hotels Limited

Address: Premier Inn Ipswich Road Colchester

Development: Planning Application - Extension to existing hotel to provide additional bedrooms together with alterations to the car park and all associated works.

1. Town / Parish Council

Ardleigh Parish Council No comments received.

2. Consultation Responses

Anglian Water Services
24.06.2024

1st COMMENTS

ASSETS

Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

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

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Colchester Water Recycling Centre that will have available capacity for these flows.

When assessing the receiving water recycling centre's(WRC) dry weather flow(DWF) headroom we take an average flow over the past 5 years to take account of changing weather patterns. Where the average exceeds the WRC's permitted allowance, we also take account of the following Environment Agency enforcement trigger - "has the DWF permit been exceeded in 3 of the last 5 years" - this must include non-compliance from the last annual data return. Based

on the above assessment Colchester WRC is within the acceptance parameters and can accommodate the flows from the proposed growth.

Section 3 - Used Water Network

This response has been based on the following submitted documents: Planning, Design and Access Statement May 2024 and Drainage Statement Report P23-1228 3rd May 2024 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. 1. INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. 2. INFORMATIVE - Protection of existing assets - If a public sewer is shown on record plans within the land identified for the proposed development. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. 3. INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. 4. INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

The preferred method of surface water disposal would be to a sustainable drainage system SUDS with connection to the sewer seen as the last option. The Planning, Design and Access Statement May 2024 and Drainage Statement Report P23-1228 3rd May 2024 submitted with the planning application relevant to Anglian Water indicates that a surface water connection into Anglian Water surface water network located in Stephens Road at a 3.1ls. Anglian Water calculates the discharge rate for the proposed extension to the existing hotel as a greenfield area. Therefore, Anglian Water view the proposed connection as a new connection into Anglian Water Surface water sewer and the discharge rate is to be calculated as 1 in 1 year greenfield rate, the proposed discharge rate of 3.1/s is considered excessive for a site of this size. We would also like to

advise that all the surface water connections into Anglian water network is subject to sufficient surface water evidence which shows the surface water management hierarchy as outlined in Building Regulations Part H has been explored. We would therefore recommend that the applicant consults with Anglian Water and the Lead Local Flood Authority. We request a condition be applied to the decision notice if permission is granted. Further assessment is required to establish whether network reinforcement is required, please note that this assessment and any necessary reinforcement work will be at the developers cost. The purpose of the planning system is to achieve sustainable development. This includes the most sustainable approach to surface water disposal in accordance with the surface water hierarchy. It is appreciated that surface water disposal can be dealt with, in part, via Part H of the Building Regulations, it is felt that it is too late at this stage to manage any potential adverse effect. Drainage systems are an early activity in the construction process and it is in the interest of all that this is dealt with early on in the development process.

Section 5 - Suggested Planning Conditions

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

Surface Water Disposal (Section 4)

No development shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the strategy.

FOR THE ATTENTION OF THE APPLICANT - if Section 3 or Section 4 condition has been recommended above, please see below information:

Next steps

Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy.

If you have not done so already, we recommend that you submit a Pre-planning enquiry with our Pre-Development team. This can be completed online at our website <http://www.anglianwater.co.uk/developers/pre-development.aspx>

Once submitted, we will work with you in developing a feasible mitigation solution.

If a foul or surface water condition is applied by the Local Planning Authority to the Decision Notice, we will require a copy of the following information prior to recommending discharging the condition:

Surface water:

- Feasible drainage strategy agreed with Anglian Water detailing the discharge solution, including:
- Development hectare size
- Proposed discharge rate (Our minimum discharge rate is 2l/s. The applicant can verify the site's existing 1 in 1 year greenfield run off rate on the following HR Wallingford website - <http://www.uksuds.com/drainagecalculation-tools/greenfield-runoff-rate-estimation> . For Brownfield sites being demolished, the site should be treated as Greenfield. Where this is not practical Anglian Water would assess the roof area of the former development site and subject to capacity, permit the 1 in 1 year calculated rate)
- Connecting manhole discharge location
- Sufficient evidence to prove that all surface water disposal routes have been explored as detailed in the surface water hierarchy, stipulated in Building Regulations Part H (Our Surface Water Policy can be found on our website)

Anglian Water Services
Ltd
23.08.2024
2nd COMMENTS
REPEAT FOLLOWING
RE-CONSULTATION

ASSETS

Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

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

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Colchester Water Recycling Centre that will have available capacity for these flows

When assessing the receiving water recycling centre's (WRC) dry weather flow(DWF) headroom we take an average flow over the past 5 years to take account of changing weather patterns. Where the average exceeds the WRC's permitted allowance we also take account of the following Environment Agency enforcement trigger - "has the DWF permit been exceeded in 3 of the last 5 years" - this must include non-compliance from the last annual data return. Based on the above assessment Colchester WRC is within the acceptance parameters and can accommodate the flows from the

proposed growth.

Section 3 - Used Water Network

This response has been based on the following submitted documents: FRA and Drainage Strategy Issue 2 24/7/24

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. 1. INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. 2. INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. 3. INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. 4. INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

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Anglian Water has reviewed the submitted documents (FRA and Drainage Strategy Issue 2 24/7/24) and can confirm that these are acceptable to us at the maximum proposed rate of 2l/s. We require these documents to be listed as approved plans/documents if permission is granted.

Anglian Water Services
Ltd

03.07.2024

3rd COMMENTS

**ADDITIONAL
COMMENTS
FOLLOWING RE-**

Thank you for your email regarding our planning application response reference PLN-0211199.

We recommended the surface water condition be applied to the decision notice if permission is granted, because when reviewing proposed surface water drainage strategy for the site the applicant's proposed discharge rate into Anglian Water surface water network is excessive for a site of this size. The proposed extension to the

CONSULTATION

existing Premier Inn building is considered to be a greenfield and therefore Anglian Water calculates the discharge rate for the site as 1 in 1-year greenfield run off rate. The second reason for the condition recommendation is that all the new surface water connections into Anglian Water surface water network are subject to satisfactory surface water evidence which shows that the surface water management hierarchy as outlined in Building Regulations Part H has been explored. The applicant will need to ensure that the surface water hierarchy is followed before considering a surface water connection into Anglian Water network.

For the above reasons we recommend that the applicant consults with Anglian Water direct regarding the proposed discharge rates in a form of pre-development enquiry to be submitted direct to Anglian Water.

We also recommend that the applicant consults the Lead Local Flood Authority as they are the statutory consultees for surface water management.

Please do not hesitate to contact me if you require further assistance.

Colchester City Council
12.07.2024

CCC have no objection to the scheme at this stage, please let us know if you receive any further information or secure any amendments as you see fit.

ECC Highways Dept
03.07.2024

The information submitted with the application has been assessed and conclusions have been drawn from a desktop study with the observations below based on the submitted material and google earth photo dated August 2023. No site visit was undertaken in conjunction with this planning application. It is noted that the proposals would result in a total of 121 rooms, a net increase of 16 rooms. On the ground floor of the southern wing, five bedrooms would be converted to provide a new breakfast room for guests. No changes are proposed to the established vehicular access off Ipswich Road. There is a secondary unsigned access from Stephenson Road, but has a very low use, the proposed extension would result in the permanent closure of this access to the car park from Stephenson Road. Following the completion of the development there would be 110 spaces (including 8 disabled spaces). The modified car park layout would be adequate to accommodate the demand from the extension proposals, and this is reflected in the results of the car park survey contained within the Transport Statement, while the roads in the surrounding area are well serviced by existing waiting restrictions. The proposed extension would create modest increase in trips to the site, but it is not envisaged that the alterations would give rise to a significant increase in vehicle movements to and from the site or result in a material change in the character of the traffic in the vicinity of the site, 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. 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.

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 DM1.

2. The proposed extension shall not be occupied until such time as the revised 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.

3. Prior to occupation of the proposed extension the revised vehicular turning facility, shall be provided and constructed in principle with the details shown on drawing no. 6133 - P-010 Rev. C, and maintained free from obstruction within the site at all times for that sole purpose.

Reason: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety in accordance with policy DM1.

4. Each vehicular parking space shall have minimum dimensions of 2.5 metres x 5.0 metres and 3.9 metres x 6.5 metres for Blue Badge parking spaces.

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

5. The powered two-wheeler/cycle parking facilities as shown on the approved plan are to be provided prior to the first occupation of the extension and retained at all times.

Reason: To ensure appropriate powered two-wheeler and bicycle parking is provided in accordance with Policy DM8.

6. Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

Reason: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety and in accordance with Policy DM1.

7. Prior to occupation of the proposed extension, and to current Essex County Council specification, the upgrade of the two existing bus stops located to the north of the site access on either side of Ipswich Road (Balkerne Gate) to include but not restricted to, 5-

metre raised Kassel kerbs, cantilever shelter (x1 northbound side only) and Re-lining of each bus cage road marking.

Reason: To ensure the proposal site is accessible by more sustainable modes of transport, promoting public transport, cycling, and walking, in accordance with policy DM1, and DM9.

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 and National Planning Policy Framework 2023.

Informative:

i) 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

ii) 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.

iii) 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.

iv) Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the Essex Climate Action Commission proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the Essex Developers' Group Climate Charter [2022] and to view the advice contained in the Essex Design Guide. Climate Action Advice guides for residents, businesses and schools are also available.

Environmental Protection
09.07.2024

With reference to the above application, please see below for comments from the EP Team:

Noise: I can confirm we have assessed the submitted NIA, dated 16th May 2024, and can confirm we are satisfied with its contents and methodology. Providing all recommendations outlined in sec 5.2 of the aforementioned report are adhered to and implemented eg: external walls and window specifications to minimise external noise intrusion into bedrooms within the proposed extension; we have no

reason to object on grounds of noise.

Contaminated Land: Given the sites proximity to historical, registered, contaminated land (ten59 and ten317 - glass, brick and tile manufacturer), we are requesting a Watching Brief be conditioned and adhered to throughout the demolition / construction phase -

We request that the LPA are contacted in the event of unexpected ground conditions being encountered during construction and that the below minimum precautions are undertaken until such time as the LPA responds to the notification. I would also advise that the developer is made aware that the responsibility for the safe development of the site lies with them.

Minimum requirements for dealing with unexpected ground conditions being encountered during construction.

1. All site works at the position of the suspected contamination will stop and the Local Planning Authority and Environmental Health Department will be notified as a matter of urgency.
2. A suitably trained geo-environmental engineer should assess the visual and olfactory observations of the ground and the extent of contamination and the Client and the Local Authority should be informed of the discovery.
3. The suspected contaminated material will be investigated and tested appropriately in accordance with assessed risks. The investigation works will be carried out in the presence of a suitably qualified geo-environmental engineer. The investigation works will involve the collection of solid samples for testing and, using visual and olfactory observations of the ground, delineate the area over which contaminated materials are present.
4. The unexpected contaminated material will either be left in situ or be stockpiled (except if suspected to be asbestos) whilst testing is carried out and suitable assessments completed to determine whether the material can be re-used on site or requires disposal as appropriate.
5. The testing suite will be determined by the independent geo-environmental specialist based on visual and olfactory observations.
6. Test results will be compared against current assessment criteria suitable for the future use of the area of the site affected.
7. Where the material is left in situ awaiting results, it will either be reburied or covered with plastic sheeting.
8. Where the potentially contaminated material is to be temporarily stockpiled, it will be placed either on a prepared surface of clay, or on 2000-gauge Visqueen sheeting (or other impermeable surface) and covered to prevent dust and odour emissions.
9. Any areas where unexpected visual or olfactory ground contamination is identified will be surveyed and testing results incorporated into a Verification Report.
10. A photographic record will be made of relevant observations.
11. The results of the investigation and testing of any suspect unexpected contamination will be used to determine the relevant actions. After consultation with the Local Authority, materials should either be: o re-used in areas where test results indicate that it meets compliance targets so it can be re-used without treatment; or o treatment of material on site to meet compliance targets so it can be re-used; or o removal from site to a suitably licensed landfill or permitted treatment facility.
12. A Verification Report will be produced for the work.

REASON: to protect the health of site workers and end users

Construction Method Statement: In order to minimise potential nuisance to nearby existing residents caused by construction and demolition works, Environmental Protection ask that the following is submitted:

Prior to the commencement of any construction 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.

o 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.

o 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).

REASON: to protect the amenity of nearby residential dwellings

ECC SuDS Consultee
05.07.2024
1st COMMENTS
HOLDING OBJECTION

Thank you for your email received on 20/06/24 which provides Essex County Council (ECC) with the opportunity to assess and advise on the proposed surface water drainage strategy for the aforementioned planning application.

As the Lead Local Flood Authority (LLFA) ECC provides advice on SuDS schemes for major developments. ECC have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council, and their appointed consultants, looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C753)
- BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

As we have been consulted on a minor application, we are assuming that there is a potential flood risk on site, therefore we are considering the impact of increased run off rates. The cumulative impacts of minor developments can increase flood risk in an area.

The site is located within the NCOL_009 Highwoods Critical Drainage Area (CDA).

Current processes for assessing major applications cannot be applied in the same way to minor applications as reduced orifice sizing to meet the greenfield 1 in 1 rate can increase the risk of blockages and therefore flood risk.

The required storage volume and run off for the site can be calculated using the UK SUDS website.

Having reviewed the application we wish to issue a holding objection based upon the following:

- Discharge locations must be discussed in accordance with the Drainage Hierarchy, including ground investigation.
- Discharge rate. As the site is within a CDA, discharge rates to be limited to the greenfield 1 in 1 year rate or 1l/s, whichever is greater. The proposed rate of 3.1l/s is significantly high in relation to the scale of development, and this rate does not take into account the runoff

from the southern portion of the roof which appears to have a separate unrestricted connection.

- All areas of the site must receive sufficient water treatment. The runoff from the roof requires treatment and must be included within the overall discharge rate. Please review and revise the drainage layout to ensure all roof runoff including that from the southern part of the new extension passes through a required stage of treatment. In addition, please provide the mitigation indices of the bypass separator.

<https://www.essexdesignguide.co.uk/suds/water-quality/>

- Please confirm whether the access road where the attenuation tank is to be located is either an adopted road or intended to be adopted. The LLFA would not accept underground tanked storage underneath adoptable roads.

- The modelling should include a manhole schedule.

<https://www.essexdesignguide.co.uk/suds/further-guidance/drainage-calculations-guide/>

- Section 3.8 states that "the building's finished floor level would be raised above surrounding levels to minimise the risk from overland flows". Please detail the FFL.

- Climate change allowances of both 40% and 45% have been used within the FRA. Please review and confirm that 45% has been used as this is the correct figure for the site.

- Engineering drawings should be provided detailing the SuDS components used within the drainage system.

We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.

<https://www.essex.gov.uk/protecting-environment>

Please note that where discharge is to a public sewer, consent from the relevant authority will be required. The link can be found below.

<https://www.anglianwater.co.uk/developing/drainage-services/sustainable-drainage-systems/>

We recommend that a covenant should be included within the deed to the land to ensure SUDS features are maintained in the future.

Should you wish us to provide further comment additional information should be supplied to show how SUDS will be implemented on site.

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other

building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, ECC advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Should further correspondence be required, please contact the SuDS team directly using the below details.

ECC SuDS Consultee
22.08.2024

**2nd COMMENTS
FOLLOWING RE-
CONSULTATION**

**HOLDING OBJECTION
MAINTAINED**

Thank you for your email received on 20/08/24 which provides Essex County Council (ECC) with the opportunity to assess and advise on the proposed surface water drainage strategy for the aforementioned planning application.

As the Lead Local Flood Authority (LLFA) ECC provides advice on SuDS schemes for major developments. ECC have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council, and their appointed consultants, looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C753)
- BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

As we have been consulted on a minor application, we are assuming that there is a potential flood risk on site, therefore we are considering the impact of increased run off rates. The cumulative impacts of minor developments can increase flood risk in an area.

The site is located within the NCOL_009 Highwoods Critical Drainage Area (CDA).

Current processes for assessing major applications cannot be applied in the same way to minor applications as reduced orifice sizing to meet the greenfield 1 in 1 rate can increase the risk of blockages and therefore flood risk.

The required storage volume and run off for the site can be calculated using the UK SUDS website.

Having reviewed the Flood Risk Assessment Rev 2 dated 24.07.24 we wish to issue a holding objection based upon the following:

- Section 4.9 and Table 2 state that a drainage ditch runs along the northern boundary of the site. Given the levels, please explore discharge to the ditch via a pumped system in accordance with the Drainage Hierarchy. Pumping stations should be configured as duty/standby dual pumps.
<https://www.essexdesignguide.co.uk/suds/discharge-locations/the-drainage-hierarchy/>

- Demonstrate that the proposed discharge rate (2 l/s) is as close as feasibly possible to the greenfield 1:1 year rate (0.3 l/s) given the site is situated within a CDA. A range of rates and the corresponding storage volumes associated with those rates should be provided.
- It is unclear how the drainage network diverted around the extension (east and south east areas) will receive treatment prior to discharge and the discharge rate associated with the separate connection.

We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.

<https://www.essex.gov.uk/protecting-environment>

Please note that where discharge is to a public sewer, consent from the relevant authority will be required. The link can be found below.

<https://www.anglianwater.co.uk/developing/drainage-services/sustainable-drainage-systems/>

We recommend that a covenant should be included within the deed to the land to ensure SUDS features are maintained in the future.

Should you wish us to provide further comment additional information should be supplied to show how SUDS will be implemented on site.

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We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, ECC advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Should further correspondence be required, please contact the SuDS team directly using the below details.

ECC SuDS Consultee
12.09.2024

**3rd COMMENTS
AGREE TO
DISCHARGE
LOCATION**

Thank you for your email.

Having reviewed the email chain below, we would be amenable to the surface water sewer as the discharge location.

This hopefully addresses Philip's query in relation to the drainage

hierarchy and discharge location, however the other two points within our response dated 22/08/24 should still be addressed. It is also not clear from the email below what the reduced discharge rate mentioned is.

If a meeting is still required, this is possible, but as the SuDS Team is working at reduced capacity due to sick leave within the Team, then we would request it be a relatively short meeting please. Detailed discussions should be directed to the SuDS Planning Advice Service.

ECC SuDS Consultee
01.10.2024
4th COMMENTS
NO OBJECTION

As the Lead Local Flood Authority (LLFA) ECC provides advice on SuDS schemes for major developments. ECC have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council, and their appointed consultants, looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C753)
- BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

As we have been consulted on a minor application, we are assuming that there is a potential flood risk on site, therefore we are considering the impact of increased run off rates. The cumulative impacts of minor developments can increase flood risk in an area.

The site is located within the NCOL_009 Highwoods Critical Drainage Area (CDA).

Current processes for assessing major applications cannot be applied in the same way to minor applications as reduced orifice sizing to meet the greenfield 1 in 1 rate can increase the risk of blockages and therefore flood risk.

The required storage volume and run off for the site can be calculated using the UK SUDS website.

Having reviewed the Flood Risk Assessment & Drainage Strategy Rev 3 dated 13.09.24 we do not object to the granting of planning permission based upon the following:

Condition 1

No works except demolition shall takes place 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:

- Limiting discharge rates to a maximum of 2l/s for all storm events up to and including the 1 in 100 year plus 45% allowance for climate change storm event.

- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 45% climate change critical storm event.
- Final modelling and calculations for all areas of the drainage system.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- Demonstrate that the existing pipes within the extent of the site, which will be used to convey surface water, are cleared of any blockage and are restored to a fully working condition.
- A final SuDS maintenance plan detailing the maintenance arrangements.
- An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.

The scheme shall subsequently be implemented prior to occupation.

Reason

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment.
- To ensure that drainage system implemented at the site will adequately function and dispose of surface water from the site.
- Failure to carry out the required maintenance before commencement of works and/or provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.

<https://www.essex.gov.uk/protecting-environment>

Please note that where discharge is to a public sewer, consent from the relevant authority will be required. The link can be found below.

<https://www.anglianwater.co.uk/developing/drainage-services/sustainable-drainage-systems/>

We recommend that a covenant should be included within the deed to the land to ensure SUDS features are maintained in the future.

Should you wish us to provide further comment additional information should be supplied to show how SUDS will be implemented on site.

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this

development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, ECC advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Tree & Landscape
Officer
27.06.2024

To show the extent of the impact of the proposed development on existing trees the applicant has provided an Arboricultural Method Statement (AMS). The AMS shows the extent of the Root Protection Areas (RPA's) of retained trees and the degree to which they are a constraint on the development potential of the land.

This information is in accordance with BS5837 2012 Trees in relation to design demolition and construction. Recommendations.

The AMS identifies the removal of the small Mountain Ash and Ash trees contained in G1. These trees are not well formed and have low amenity value. Their removal will not have an adverse impact on the appearance of the locality.

The AMS demonstrates that the development would result in a minor incursion into the RPA of the Oak (T6) by approximately 0.1%. Taking into account the existing hard surfacing and the extent of the incursion this will not cause any harm to the tree.

The planning application is supported by details of soft landscaping that will soften and enhance the internal appearance of the development but will, because of the position of the new planting, not be a prominent feature in the public realm. Details of soft landscaping are acceptable.

3. Relevant Planning History (full history available online)

- **04/01000/FUL**
Two storey extension.
Approved - 30.07.2004
- **08/01000/FUL**
Part two storey, part three storey extension to existing hotel and extension to existing car park area
Approved - 06.10.2008
- **11/00290/FUL**
Part two storey, part three storey extension to existing hotel and extension to existing car park area (Extension of time on previously approved 08/01000/FUL).
Approved - 09.06.2011

4. Constraints

- Employment Allocations – Rear of Balkerne Gate
- Ardleigh Reservoir Catchment
- Contaminated Land - Ipswich Road Colchester
- Critical Drainage Areas - NCOL 009 Highwoods, Colchester
- Group TPO – 96/0004/TPO G1 - 11 Oaks, G2 - 3 Oaks, 1 Ash
- Nearest Listed Building located opposite in Plains Farm Close - no heritage impact due to distance
- No adjacent Public Right of Way

5. 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 Local Plan 2013-33 and Beyond (adopted January 2021 and January 2022, respectively), supported by our suite of evidence base core documents (<https://www.tendringdc.uk/content/evidence-base>) together with any Neighbourhood Plans that have been made and the Minerals and Waste Local Plans adopted by Essex County Council.

6. Neighbourhood Plans

Neighbourhood Plan Overview

A neighbourhood plan introduced by the Localism Act that can be prepared by the local community and gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan to promote development and uphold the strategic policies as part of the Development Plan alongside the Local Plan. Relevant policies are considered in the assessment. Further information on our Neighbourhood Plans and their progress can be found via our website <https://www.tendringdc.uk/content/neighbourhood-plans>

Stage 1: Designated neighbourhood area (Limited Weight)
Stage 2: Preparing a draft neighbourhood plan (Limited Weight)
Stage 3: Pre-submission publicity and consultation (Limited Weight)
Stage 4: Submission of a neighbourhood plan (Limited Weight)
Stage 5: Independent Examination (Limited/Significant Weight)
Stage 6: Referendum (Significant Weight)
Stage 7: Adoption by LPA (Full Weight)

Ardleigh Neighbourhood Plan

The site is located in the parish of Ardleigh and therefore the draft Ardleigh Neighbourhood Plan is relevant. In terms of the progress of the Ardleigh Neighbourhood Plan, the Examiner published her Final Report on the 5th of May 2024. This Final Report found that the Neighbourhood Plan met the Basic Conditions subject to a number of changes.

The decision to progress the Plan to referendum was made by the Director for Planning in consultation with the Portfolio Holder for Housing and Planning on the 13th of May 2024. The recommended changes have been agreed by the Parish and District Councils.

A Referendum relating to the adoption of the Parish of Ardleigh Neighbourhood Plan was held on Thursday 12th September 2024 and the results of the votes were published on Friday 13 September 2024. More than half of those voting, voted in favour of the Parish of Ardleigh Neighbourhood Plan being used to help decide planning applications in the Neighbourhood area.

Consequently, the Ardleigh Neighbourhood Plan, and any relevant policies therein, can be understood as reaching 'Stage 6: Referendum' and can be attributed significant weight in the decision-making process.

7. Relevant Policies / Government Guidance

National:

National Planning Policy Framework December 2023 ([NPPF](#))

National Planning Practice Guidance ([NPPG](#))

Local:

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

- SP1 Presumption in Favour of Sustainable Development
- SP2 Recreational disturbance Avoidance and Mitigation Strategy (RAMS)
- SP3 Spatial Strategy for North Essex
- SP7 Place Shaping Principles

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

- SPL1 Managing Growth
- SPL2 Settlement Development Boundaries
- SPL3 Sustainable Design
- PP6 Employment Sites
- PP7 Employment Allocations
- PP8 Tourism
- PP9 Hotels and Guesthouses
- PPL1 Development and Flood Risk
- PPL4 Biodiversity and Geodiversity
- PPL5 Water Conservation, Drainage and Sewerage
- PPL10 Renewable Energy Generation and Energy efficiency Measures
- CP1 Sustainable Transport and Accessibility
- CP2 Improving the Transport Network

Ardleigh Neighbourhood Plan 2020 - 2033 (May 2024 Referendum Version)

- GDP General Approach to Development
- EP Natural, Built & Historic Environment
- TP Transport & Parking

Supplementary Planning Documents

Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy SPD 2020 (RAMS)

[Essex Design Guide](#)

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

8. Officer Appraisal (including Site Description and Proposal)

Site Description and Context

The application relates to the existing Premier Inn hotel occupying a triangular site to the west of Ipswich Road (A1232), within the Parish of Ardleigh (on the border with Colchester City Council). The site lies approximately 200m south-west of the A12/A120 junction.

The existing two storey hotel provides 105 bedrooms in a L-shape configuration close to the south-west and south-east site boundaries. The central part of the site accommodates a part single, part two storey Table Table restaurant. There is car parking between the two buildings and further car parking in the north-east part of the site, close to the site access from Ipswich Road (A1232), with a total of 127 car parking spaces available.

The site is bounded to the south-east by Ipswich Road and to the south by a KFC drive thru and associated parking. There is a large warehouse building to the south-west and further warehouses to the north-west and north.

The application site lies on the edge of Tendring District. Properties to the north-west, west and south-west are in Colchester District.

There are banks of mature trees around the site boundaries, along the road frontage and on the northern boundary of the site, alongside the car parking area.

Description of Development

The application seeks full planning permission for the erection of a two-storey extension to the northern end of the western wing of the hotel (removing two existing bedrooms within this part of the building). The extension will provide 10 standard bedrooms and one universal access bedroom on the ground floor, with a further 11 standard bedrooms on the first floor (with two new external plant enclosures).

Other internal reconfiguration works (not requiring planning permission) are also shown on the proposed plans for completeness, comprising the conversion of 5 existing bedrooms within the ground floor of the southern wing of the building to accommodate new breakfast room for guests. The extension would be finished in materials to match the existing hotel, mainly red and yellow brick with a tiled roof. The proposals as a whole would result in a total of 121 rooms, a net increase of 16 rooms.

The main access to the hotel is via Ipswich Road. There is a secondary access from Stephenson Road, but this is unsigned and therefore has very low use. Following the proposed development, the Stephenson Road entrance would no longer have access to the car park. There are currently 127 car parking spaces (including 8 disabled spaces) and following the development there would be 110 spaces (including 8 disabled spaces).

Three areas of landscaping will be upgraded.

The application is supported by the following plans and documents (accounting for additional and amended information received during the application process):

- 6133-P-001 B Site Plan
- 6133-P-111 A Proposed First Floor Plan
- 6133-P-112 Proposed Roof Plan
- 6133-P-119 Proposed Lower Ground Floor Plan
- 6133-P-210 Proposed Elevations
- 6133-P-211 Proposed Elevations - External Plant Enclosure
- 6133-P-010 D Amended Proposed Block Plan
- 6133-P-110 B Amended Proposed Ground Floor Plan
- 2024/7896/TS01 Transport Statement (RGP May 2024)
- 2024/7896/001 P2 Swept Path Analysis
- P23-1228 Issue 3 Amended Flood Risk Assessment and Drainage Strategy
- 6133 - P - 010 – B Arboricultural Impact Assessment – External Plant Enclosure
- 1132-MP-01 Landscape Masterplan
- 1132-ST-01 Landscape Proposals Information
- Arboricultural Method Statement (Arbtech Consulting Limited May 2024)
- Arbtech TPP 01 Rev a Tree Protection Plan
- Noise Impact Assessment Rev 00 (Scotch Partners, May 2024)
- Sustainability Statement May 2024
- Planning Statement (Walsingham Planning May 2024)
- C88882-TLP-00-XX-XX-BP-100 P01 Energy Strategy

Assessment

The material considerations relevant to an application of this nature can be summarised and addressed as follows:

1. Principle of Development
2. Layout, Design and Appearance
3. Trees and Landscaping
4. Parking, Accessibility, and Highway Safety
5. Sustainable Construction & Design
6. Impact on Residential Amenities
7. Flood Risk, Foul Sewage Disposal & Sustainable Drainage
8. Habitats, Protected Species and Biodiversity Mitigation and Enhancement
9. Environmental Protection – Noise and Construction Management
10. Representations and Objections
11. Conclusions and Recommendation

1. Principle of Development

The National Planning Policy Framework (NPPF) makes it clear that sustainable development has three overarching objectives: an economic objective to help build a strong, responsive and competitive economy; a social objective to support strong, vibrant and healthy communities; and an environmental objective to contribute to protecting and enhancing our natural, built and historic environment.

Adopted Tendring District Local Plan 2013-2033 and Beyond Section 2 (TDLP2) Policy PP8 gives general support to proposals that would help to improve the tourism appeal of the District to visitors. TDLP2 Policy PP9 gives specific support to proposals to increase the number of rooms at existing hotels.

The existing Premier Inn hotel is a well-used facility providing overnight accommodation for tourists and business travellers. The Planning Statement accompanying the application explains that Premier Inn has identified a considerable demand for additional budget hotel accommodation in this location. The development is considered to comply with the principles of sustainable development and the aims of the above-mentioned Local Plan policies as it would:

- Make more efficient use of brownfield land
- Deliver extra guest bedrooms to meet the identified demand
- Create additional employment opportunities during the operational and construction phases, Support the District's tourism facilities.

The proposed expansion to this well-established facility is considered acceptable in principle, subject to the detailed considerations addressed below.

2. Layout, Design and Appearance

Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and landscape setting.

Adopted Tendring District Local Plan 2013-2033 and Beyond Section 1 (TDLP1) Policy SP7 seeks high standards of urban and architectural design which respond positively to local character and context. Furthermore, TDLP2 Policy SPL3 requires that all new development make a positive contribution to the quality of the local environment and protect or enhance local character.

Policy EP of the emerging Ardeleigh Neighbourhood Plan states that new development should have regard to the Village Design Statement; should not have an urbanising effect on a rural lane or street or result in urban intrusion into currently rural / tranquil areas. Given the current

use and built form on the site, the proposed extension would not have a significant urbanising effect over and above what is already there.

The proposal is for a two-storey extension to the existing hotel, mimicking the scale, proportions, appearance and material finishes of the existing building. The position of the extension would utilise an underused area of the site. The development would therefore sit comfortably on the site and would not appear cramped. The development will complement the appearance of the existing site by continuing the form and style of the existing hotel whilst delivering upgraded parking and landscaping areas.

The application therefore complies with the aims of the above-mentioned national and local plan policies, and neighbourhood plan.

3. Trees and Landscaping

TDLP2 Policy SPL3 requires that proposed developments should maintain or enhance importance existing site features of landscape value. It denotes that all new development should make a positive contribution to the quality of the local environment. This includes the incorporation of hard and soft landscaping, with the Council encouraging the use of locally occurring and characteristic hedge species.

Consultation has been undertaken with the Council's Tree and Landscaping Officer. The comments received are included in full above.

The application is supported by an Arboricultural Method Statement, Arboricultural Implications Assessment and Tree Protection Plan in accordance with BS5837 2012 Trees in relation to design demolition and construction. Recommendations. The AMS identifies the removal of some low amenity value Ash trees (Group G1) and shows that the development would result in a minor incursion into the RPA of the Oak (T6) by approximately 0.1%. However, the removal of the trees will not have an adverse impact on the appearance of the locality. Furthermore, taking into account the existing hard surfacing and the minor extent of the identified incursion, this will not cause any harm to the tree. All retained trees would be protected during construction works.

The planning application is also supported by details of three areas of landscaping that are to be upgraded as part of the development. The grassed area at the site entrance will be planted as a wildflower meadow. Two areas are proposed for native and semi-ornamental shrub planting, one between the eastern end of the southern wing of the hotel and the restaurant, and the other between the northern wing of the hotel and the proposed extension. The proposed landscaping would improve the appearance and biodiversity of the site.

4. Parking, Accessibility, and Highway Safety

TDLP2 Policy CP1 states that developments will only be acceptable if the additional vehicular movements likely to result from the development can be accommodated within the capacity of the existing or improved highway network or would not lead to an unacceptable increase in congestion. TDLP2 Policy CP2 states that planning permission will not be granted where there would be unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe. TDLP2 Policy SPL3 seeks to ensure that access to a new development site is practical and safe.

Policy TP of the emerging Neighbourhood Plan, states that development proposals will be strongly supported where they improve road safety, provide appropriate traffic control, or provide new cycleways/walkways. It also states that permission will be refused for any development that is likely to exacerbate existing transport issues, particularly along and in close proximity to Old Ipswich Road.

The application is accompanied by a Transport Statement, which describes the site's accessibility, trip generation and parking provision. The main access to the hotel is via Ipswich Road. There is a secondary access from Stephenson Road, but this is unsigned and therefore

has very low use. Following the proposed development, the Stephenson Road entrance will no longer have access to the car park. Consolidation of vehicular access to the front of the site is considered to be a benefit in highway terms.

The proposed extension would create modest increase in trips to the site but this is not considered to represent a notable increase in traffic and would have a negligible impact on the local highway network.

The extended hotel and restaurant will have use of 110 spaces (including 8 disabled spaces) which sits comfortably within the Essex County Council Parking Standards (2009).

Consultation with Essex County Council Highway Authority has been undertaken. Initial comments received on 24th June requested the submission of a swept path drawing for a refuge vehicle and the largest HGV that would continue to access the site. The swept path plan was received by the LPA on 1st July which also resulted in a very minor tweak to the centre run of parking spaces, which is shown on the amended Site Plan 010C. Subsequently, an amended parking layout to address the undersized parking space was provided on 15th July.

The Highway Authority raise no objection subject to the following recommended conditions. These will be imposed or re-written as necessary to comply with the NPPG 6 tests (officer comment in italics):

1. Submission and approval of a Construction Method Statement.
Necessary, and aligns with Environmental Protection recommended conditions.
2. Revised parking areas provided prior to occupation.
Necessary. Sufficient parking required to serve the extended development.
3. Revised vehicular turning facility provided prior to occupation.
Necessary. Sufficient turning required to serve the extended development.
4. Parking bay sizes to accord with EPOA standards.
Not necessary. Detailed on plans and controlled by approved plans conditions.
5. Powered two-wheeler/cycle parking facilities provided prior to occupation.
Necessary. Combined with Condition 2.
6. Any new boundary planting shall be planted a minimum of 1 metre back from the highway.
Not necessary. Detailed on plans and controlled by approved landscaping conditions.
7. Prior to occupation of the proposed extension, and to current Essex County Council specification, the upgrade of the two existing bus stops located to the north of the site access on either side of Ipswich Road (Balkerne Gate) to include but not restricted to, 5-metre raised Kassel kerbs, cantilever shelter (x1 northbound side only) and Re-lining of each bus cage road marking.

The Highway Authority have not provided sufficient justification for the works. As set out in the officer's email dated 12.7.2024 (scanned to the file), the LPA will not be pursuing this request as this is deemed unreasonable, disproportionate and unjustified for the scale and nature of the proposed development (for the reasons set out in that email).

Subject to the necessary conditions, the application is considered acceptable in terms of parking, accessibility, and highway safety in compliance with the above-mentioned policy requirements.

5. Sustainable Construction & Design

Policy SP7 of the Local Plan outlines that schemes should incorporate measures to promote environmental sustainability including addressing energy efficiency. Policy PPL10 of the Local Plan states that all development proposals should demonstrate how renewable energy solutions, appropriate to the building(s) site and location, have been included in the scheme. Its preamble requires that a range of renewable energy solutions should be considered, which is particularly supportive of the use of solar panels.

The application is accompanied by a Sustainability Statement and an Energy Strategy. This sets out the proposal for an all-electric building services strategy, which will ensure lower carbon emissions. The strategy includes heat pumps for bedroom heating and hot water, low external envelope U-values, low air permeability, low energy LED lighting and mechanical ventilation with passive heat recovery. The overall development's carbon emissions will be reduced to 9.7% below Part L 2021 baseline. The proposals therefore support Policies SPL3 and PPL10.

However, to ensure full compliance with policy requirements, a condition will be imposed to secure the recommendations within the accompanying strategy and to secure details of additional features, such as EV charging points.

6. Impact on Residential Amenities

Policy SP7 of the Local Plan requires all development to protect the amenity of existing residents and users with regards to noise, vibration, smell, loss of light, overbearing and overlooking. Policy SPL3 dictates that developers should which employs reasonable measures/techniques to minimise and mitigate disturbance to the wider community during the construction phase.

The site is bounded by existing commercial premises with no residential properties located close to the development. It is therefore concluded that no adverse impact on residential amenity will occur to ensure compliance with Policy SP7.

However, consideration must be given to the amenities of the hotel clientele. Two new air conditioning condenser compounds are included in the proposals, one on the northern side of the existing southern wing and one on the eastern end of the proposed extension. As such, a Noise Impact Assessment accompanies the application. This confirms that plant noise would be classified as "low impact". The Noise Impact Assessment (NIA) Rev 00 (Scotch Partners, May 2024) sets out recommendations (within Section 5.2) for construction techniques including external walls and window specifications to minimise external noise intrusion into bedrooms within the proposed extension. A condition will be imposed to ensure compliance with the NIA and recommendations.

Furthermore, a condition will be imposed to secure the submission and approval of a Construction Method Statement to minimise any potential nuisance caused by construction works.

7. Flood Risk, Foul Sewage Disposal & Sustainable Drainage

Paragraph 170 b) of the NPPF states that, when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. It goes on to say that developments should incorporate sustainable drainage systems. The systems used should, amongst other things, take account of advice from the lead local flood authority and have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.

TDLP1 Policy SP7 sets the strategic objective of ensuring schemes provide appropriate flood mitigation measures. TDLP2 Policy PPL5 requires that all new development must make adequate provision for drainage and sewage treatment and should include sustainable drainage systems (SuDS). TDLP2 Policy SPL3, Part B criterion g), requires that development reduces flood risk and integrates sustainable drainage within development.

The application is accompanied by a Drainage Statement Report. The site is within Flood Zone 1, the lowest risk of flooding. The site is located within the NCOL_009 Highwoods Critical Drainage Area (CDA).

There is existing surface water drainage infrastructure below the area of the proposed extension. This would be removed and relocated as part of these proposals. Surface water runoff from the 2014 extension, a portion of the access road to the north, the western and southern parts of the roof areas and northern roof area of the proposed extension would be controlled to a flow less than existing with excess flows stored and attenuated in a below-ground geocellular attenuation tank located in the soft landscaping to the east of the proposed extension.

Runoff from the portion of the access road to the north of the proposed extension would be connected upstream of the proposed bypass separator.

Consultation has been carried out with Anglian Water Services (AWS) and the Local Lead Flood Authority (LLFA SuDS).

Following initial holding objections and follow up objections, a revised Flood Risk Assessment & Drainage Strategy Rev 3 dated 13.09.24 has been provided.

The foul drainage from this development is in the catchment of Colchester Water Recycling Centre that will have available capacity for these flows. Based on the above assessment Colchester WRC is within the acceptance parameters and can accommodate the flows from the proposed growth. Anglian Water has reviewed the submitted and confirm that these are acceptable at the maximum proposed rate of 2l/s.

In conclusion, the amended application now demonstrates that the development will not increase the level of food risk to the site or neighbouring properties. The proposal would therefore comply with Policies PPL1 and PPL5, and the provisions of the NPPF.

8. Habitats, Protected Species and Biodiversity Mitigation and Enhancement

General Duty on Local Authorities

Natural Environment and Rural Communities Act 2006 amended by the Environment Act 2021 provides under Section 40 the general duty to conserve and enhance biodiversity. Section 40 A1 states "For the purposes of this section "the general biodiversity objective" is the conservation and enhancement of biodiversity in England through the exercise of functions in relation to England".

The duty to conserve and enhance biodiversity is placed on public authorities with functions exercisable in relation to England, this includes local authorities, which encompass local planning authorities. Section 40 provides authorities must consider what actions they can take to further the general biodiversity objective and, after consideration, determine policies and specific objectives to achieve this goal. The actions mentioned include conserving, restoring, or enhancing populations of particular species and habitats. While the Section doesn't explicitly state that planning decisions must contribute to biodiversity conservation, it's essential to consider the broader context of planning functions within the authority. Typically, local planning authorities play a crucial role in land use decisions, and decisions related to development and land management can have significant implications for biodiversity. In conclusion for decision making, it is considered that the LPA must be satisfied that the development would conserve and enhance.

This development is subject to the general duty outlined in the Natural Environment and Rural Communities Act 2006, as amended by the Environment Act 2021 and is designed to actively contribute to the enhancement and conservation of local ecosystems. Under the same Act

(Environment Act 2021) mandatory Biodiversity Net Gain came into force for minor applications submitted on or after 12th April 2024.

Policy Considerations

Paragraph 186 of the NPPF states that, when making planning decisions local planning authorities need to assess whether significant harm to biodiversity could result from the development. The NPPF goes on to state the hierarchy that should be applied to mitigate any harm to ecology that is identified. Paragraph 180 of the NPPF requires that Local Planning Authorities contribute to and enhance sites of biodiversity or geological value whilst Paragraph 179 requires local planning authorities to safeguard components of local wildlife-rich habitats.

Policy SP7 of the Local Plan requires that development proposals incorporate biodiversity creation and enhancement measures. Policy PPL4 states that proposals for new development should be supported by appropriate ecological assessments and, where relevant, provide appropriate mitigation and biodiversity enhancements to ensure a net gain. Policy SPL3 requires that the design and layout of schemes should maintain or enhance existing site features of ecological value. Furthermore, Policy EP of the emerging Neighbourhood Plan, outlines that there should be no less of green quality landscape features (including trees, hedges, and shrubs), with all new green landscape features of an appropriate local or native species.

Biodiversity Net Gain

This application was submitted on 23.05.2024 and mandatory BNG is applicable in this instance.

However, this development is subject to the 'De Minimus' exemption. The development site consists of existing buildings and areas of hardstanding. The development therefore falls below the threshold (NPPG Biodiversity net gain: exempt developments) being;

A development that does not impact a priority habitat and impacts less than:

- 25 square metres (5m by 5m) of on-site habitat
- 5 metres of on-site linear habitats such as hedgerows

The development will not decrease the biodiversity value of the site.

Nevertheless, the application demonstrates scope to enhance biodiversity, for example through the proposed soft landscaping enhancements. However, there is scope to further enhance the biodiversity credentials of the site using techniques such as bee bricks, bird boxes etc. A biodiversity enhancement strategy condition will be included to ensure full compliance with the above-mentioned legislation, policies and guidance.

European designated sites – Recreational Disturbance Mitigation (RAMS)

This application involves an extension to the existing hotel / tourism offer at the existing site. The development will result in a net increase in 16 bedrooms (2 bedspaces per room).

The development lies within the Zone of Influence and the Essex Coast RAMS is therefore applicable due to the increase in visitors that will result from the proposal.

The site is not within or directly adjacent to one of the European designated sites but is approximately 7.4 km from the Stour and Orwell Estuaries Ramsar Site; 8.7 km from the Colne Estuary (Mid-Essex Coast Phase 2) Ramsar Site and Essex Estuaries Special Area of Conservation (SAC); and 9.2 km from Abberton Reservoir Ramsar site. In accordance with Natural England's advice, there is no requirement to consult them due to the specified agreed mitigation of a proportionate financial contribution.

In this instance, (in consultation with Essex County Council Place Services Ecology) the tariff is calculated per 6 bedspaces created and can be secured via a legal agreement (Unilateral Undertaking) through the imposition of an appropriately worded condition attached to any grant of planning permission. This will deliver visitor management measures at the designated sites and mitigate for predicted recreational impacts in combination with other plans and projects and avoid adverse effect on the integrity of the designated habitats sites.

Conclusion

For the reasons set out above, and subject to conditions, the LPA are satisfied that the application can deliver a development in compliance with the above duties and aims.

9. Environmental Protection

Policy SPL3 states that the health, safety or amenity of any occupants or users of the proposed development should not be materially harmed by any pollution from an existing or committed use.

As explained above, two new air conditioning condenser compounds are included in the proposals, one on the northern side of the existing southern wing and one on the eastern end of the proposed extension. As such, a Noise Impact Assessment accompanies the application. This confirms that plant noise would be classified as “low impact”.

Consultation has been undertaken with the Council's Environmental Protection Team (EPT). EPT confirm that the methodology and recommendations contained within the accompanying Noise Impact Assessment Rev 00 (Scotch Partners, May 2024) is satisfactory subject to a condition securing compliance with the report. EPT also recommend a condition securing a Construction Method Statement.

These matters can be suitably controlled by appropriately worded conditions to ensure compliance with the above requirements thus following the aims of Policy SPL3.

10. Representations and Objections

No comments have been received from Ardleigh Parish Council.

No individual letters of representation or objection have been received from residents or interested third parties.

11. Conclusions and Recommendation

Given the character of the area, the established use on site and the proximity to transport links, the development proposal is considered compliant with the aims and aspirations of the relevant national and local plan policies addressed above. The development is considered to represent sustainable development and will support tourism and economic growth in the District. The application demonstrates an acceptable layout, scale and detailed design and will not result in any visual harm or harm to residential amenities.

In the absence of any material harm resulting from the development, the application is recommended for approval subject to conditions, as necessary.

9. Recommendation

Approval - Full

10. Conditions

1. COMPLIANCE: TIME LIMIT

CONDITION: 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. COMPLIANCE: APPROVED PLANS AND DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below 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.

- 6133-P-001 B Site Plan
- 6133-P-111 A Proposed First Floor Plan
- 6133-P-112 Proposed Roof Plan
- 6133-P-119 Proposed Lower Ground Floor Plan
- 6133-P-210 Proposed Elevations
- 6133-P-211 Proposed Elevations - External Plant Enclosure
- 6133-P-010 D Amended Proposed Block Plan
- 6133-P-110 B Amended Proposed Ground Floor Plan
- 2024/7896/TS01 Transport Statement (RGP May 2024)
- 2024/7896/001 P2 Swept Path Analysis
- P23-1228 Issue 3 Amended Flood Risk Assessment and Drainage Strategy
- 6133 - P - 010 – B Arboricultural Impact Assessment – External Plant Enclosure
- 1132-MP-01 Landscape Masterplan
- 1132-ST-01 Landscape Proposals Information
- Arboricultural Method Statement (Arbtech Consulting Limited May 2024)
- Arbtech TPP 01 Rev a Tree Protection Plan
- Noise Impact Assessment Rev 00 (Scotch Partners, May 2024)
- Sustainability Statement (Whitbread Group PLV, May 2024)
- Planning Statement (Walsingham Planning May 2024)
- C88882-TLP-00-XX-XX-BP-100 P01 Energy Strategy

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

3. COMPLIANCE: IN ACCORDANCE WITH AMS

CONDITION: The development hereby approved shall be carried out in strict accordance with the Arboricultural Method Statement (AMS) (Arbtech Consulting Limited, May 2024) and accompanying appendices. The tree protection measures detailed on drawing number Arbtech TPP 01 Rev a Tree Protection Plan, shall be erected prior to commencement of development, shall remain unaltered and in situ, unless otherwise specified, for the entire duration of the construction.

No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the local planning authority.

REASON: To ensure existing trees, shrubs and hedges that are identified as being retained are not removed and are protected appropriately during the development, as they are considered essential to enhance the character of the development and contribute positively to the appearance of the area.

4. COMPLIANCE: IMPLEMENTATION OF LANDSCAPING SCHEME

CONDITION: All changes in ground levels and soft/hard landscaping shown on the approved landscaping details:

- 1132-MP-01 Landscape Masterplan
- 1132-ST-01 Landscape Proposals Information

shall be carried out in full during the first planting and seeding season (October - March inclusive) following the commencement of the development, or in such other phased arrangement as may be approved, in writing, by the local planning authority up to the first use/first occupation of the development. Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 10 years of being planted, or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and same species unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the approved landscaping scheme is implemented in accordance with the approved scheme and has sufficient time to establish, in the interests of visual amenity and the quality of the development.

5. COMPLIANCE: NOISE ASSESSMENT METHODOLOGY & RECOMMENDATIONS

CONDITION: The development hereby approved shall be carried out in strict accordance with the methodology set out within the accompanying Noise Impact Assessment (NIA) Rev 00 (Scotch Partners, May 2024), and shall be constructed in accordance with the recommendations set out within Section 5.2 of the NIA, unless otherwise agreed in writing by the local planning authority.

REASON: To minimise external noise intrusion into bedrooms within the proposed extension and ensure a satisfactory development in terms of noise pollution.

6. FURTHER APPROVAL: CONSTRUCTION MANAGEMENT TO BE AGREED

CONDITION: Prior to the commencement of development details of the construction methodology and timetable shall be submitted to and approved, in writing, by the Local Planning Authority. This shall incorporate the following information: -

- a) Confirmation of the hours of operation on the site. 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.
- b) Details of the loading/unloading/storage of construction materials on site, including details of their siting and maximum storage height.
- c) Details of how construction and worker traffic and parking shall be managed. This shall include routing of all traffic and any directional signs to be installed and where.
- d) Details of wheel and underbody washing facilities to be provided and used at the site.
- e) Details of any protection measures for footpaths and trees surrounding the site.
- f) Details of any means of access to the site during construction.
- g) Details of the scheduled timing/phasing of development for the overall construction period.
- h) Details of measures to control the emission of dust and dirt during construction and including details of any wheel washing to be undertaken, management and location it is intended to take place.
- i) Details of the siting of any on site compounds and portaloos.
- j) Details of the method of any demolition to take place, including the recycling and disposal of said materials resulting from demolition.
- k) Site waste management plan (that shall include reuse and recycling of materials) and the prohibition of the burning of materials on the site.

- l) Scheme for sustainable construction management to ensure effective water and energy use.
- m) A scheme to control noise and vibration during the construction phase, including details of any piling operations. If piling is to be carried out on the site a rationale for the piling method chosen and details of the techniques to be employed which minimise noise and vibration to nearby residents shall be provided.
- n) Scheme of review of complaints from neighbours.
- o) Registration and details of a Considerate Constructors Scheme.

The said methodology as may be approved shall be implemented in its entirety and shall operate as may be approved at all times during construction.

REASON: To minimise detriment to nearby residential and general amenity by controlling the construction process to achieve the approved development. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, by reason of the location and scale of development may result in adverse harm to neighbouring residents' amenities and the amenities of existing hotel users.

7. COMPLIANCE: PARKING PROVIDED PRIOR TO OCCUPATION

CONDITION: The extension hereby approved shall not be occupied until such time as the revised vehicle parking area, powered two-wheeler/cycle parking facilities 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.

8. COMPLIANCE: TURNING AREA PROVIDED PRIOR TO OCCUPATION

CONDITION: Prior to occupation of the extension hereby approved the revised vehicular turning facility, shall be provided and constructed in accordance with approved drawing no. 6133 - P-010 Rev. C, and maintained free from obstruction within the site at all times for that sole purpose.

REASON: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

9. ACTION REQUIRED: IN THE EVENT OF UNEXPECTED GROUND CONDITIONS

CONDITION: The Local Planning Authority shall be contacted in the event of unexpected ground conditions being encountered during construction and the below minimum precautions shall be undertaken immediately.

Minimum requirements for dealing with unexpected ground conditions being encountered during construction.

1. All site works at the position of the suspected contamination will stop and the Local Planning Authority and Environmental Health Department will be notified as a matter of urgency.
2. A suitably trained geo-environmental engineer should assess the visual and olfactory observations of the ground and the extent of contamination and the Client and the Local Authority should be informed of the discovery.
3. The suspected contaminated material will be investigated and tested appropriately in accordance with assessed risks. The investigation works will be carried out in the presence of a suitably qualified geo-environmental engineer. The investigation works will involve the

- collection of solid samples for testing and, using visual and olfactory observations of the ground, delineate the area over which contaminated materials are present.
4. The unexpected, contaminated material will either be left in situ or be stockpiled (except if suspected to be asbestos) whilst testing is carried out and suitable assessments completed to determine whether the material can be re-used on site or requires disposal as appropriate.
 5. The testing suite will be determined by the independent geo-environmental specialist based on visual and olfactory observations.
 6. Test results will be compared against current assessment criteria suitable for the future use of the area of the site affected.
 7. Where the material is left in situ awaiting results, it will either be reburied or covered with plastic sheeting.
 8. Where the potentially contaminated material is to be temporarily stockpiled, it will be placed either on a prepared surface of clay, or on 2000-gauge Visqueen sheeting (or other impermeable surface) and covered to prevent dust and odour emissions.
 9. Any areas where unexpected visual or olfactory ground contamination is identified will be surveyed and testing results incorporated into a Verification Report.
 10. A photographic record will be made of relevant observations.
 11. The results of the investigation and testing of any suspect unexpected contamination will be used to determine the relevant actions.
 12. After consultation with the Local Planning Authority, materials should either be: re-used in areas where test results indicate that it meets compliance targets so it can be re-used without treatment; or treatment of material on site to meet compliance targets so it can be re-used; or removal from site to a suitably licensed landfill or permitted treatment facility.
 13. A Verification Report shall be submitted to and approved in writing by the Local Planning Authority before development can proceed.

REASON: It is the responsibility of the developer to ensure the safe development of the site and to carry out any appropriate land contamination investigation and remediation works. The condition is to ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

10. FURTHER APPROVAL: ENERGY EFFICIENCY & SUSTAINABLE CONSTRUCTION

CONDITION: No above slab level works shall commence until a detailed scheme for the provision and implementation of water, energy and other resource efficiency measures for the lifetime of the development shall be submitted to and approved, in writing, by the local planning authority. The scheme shall accord with the findings and recommendations of the accompanying Sustainability Statement (Whitbread Group PLV, May 2024) and Energy Strategy C88882-TLP-00-XX-XX-BP-100 P01 and shall include, but not be limited to:

- Details of, including the location of vehicle charging points
- Details of, including the location of a water resource efficiency measures
- Details of, including the location of any solar panels or other solar renewable energy measures
- Agreement of heating of the building hereby approved
- Agreement of scheme for waste reduction

The scheme shall be fully implemented prior to the first occupancy of the development unless otherwise agreed in writing by the local planning authority. The scheme shall be constructed, and the measures provided and made available for use as may be agreed and thereafter shall be maintained.

REASON: To enhance the sustainability of the development through reduce need, better use or savings in the use of water, energy and resources; reduce harm to the environment; and result in wider public benefit in accordance with the NPPF.

11. FURTHER APPROVAL: MITIGATION TO BE AGREED - RAMS

CONDITION: Prior to the commencement of any works to the development hereby approved, detailed proposals addressing the mitigation of the development's impact on protected Essex Habitats Sites have been submitted to and received written approval from the Local Planning Authority. Such proposals must provide for mitigation in accordance with the joint Habitats Regulations Assessment Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) or demonstrate mitigation measures of an equivalent effectiveness.

These proposals may require on site or off-site mitigation, but in either case must include evidence of the completion of a necessary legal agreement to secure the proposed mitigation and/or contribution towards mitigation. Please note a legal agreement will include legal fees and may require obligations to secure monitoring and associated fees. For any on site mitigation proposals approved, it shall be carried out in full and thereafter shall be maintained as approved.

REASON: In order to safeguard protected wildlife species and their habitats in accordance with the NPPF and Habitats Regulations. Failure to achieve satisfactory mitigation would result in harm by new residents due to the development's impact on protected sites.

NOTE/S FOR CONDITION:

This condition establishes the necessity to ensure the implementation of appropriate mitigation measures due to the impact of the approved development. Such mitigation may be required on-site, off-site, or a combination of both.

Typically, a contribution towards visitor management measures at the protected Habitats Site(s) is the preferred and simplest approach to fulfil the requirements of this condition. To fulfil this requirement, you can contribute funds towards a range of mitigation projects in the protected areas. It is essential to secure this provision through a legal agreement between the Council, Developer/Applicant, and site owners before occupation. If this is the approach to fulfilling this condition you wish to take, you are strongly advised to finalise the legal agreement with the Council before submitting any request to discharge this condition. Failure to conclude the agreement within the discharge of condition application time frame may lead to the refusal to discharge the condition.

LEGAL AGREEMENT REQUIRED

As per the relevant condition above, this application requires mitigation against recreational impact in accordance with The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) and Regulation 63 of the Conservation of Habitat and Species Regulations 2017. To satisfy a RAMS condition and allow a condition to be formally discharged, a completed UU must be submitted with a Discharge of Condition application.

Prior to the submission of the Discharge of Condition application, we can prepare the UU for you (to be reviewed by your solicitor) or we can review a draft UU you have provided (drafted by your solicitor). Both services will incur a charge.

Please see the 'Preparation of a UU' guidance on our website at:

<https://www.tendringdc.gov.uk/content/the-s-106-process>

12. FURTHER APPROVAL: SURFACE WATER DRAINAGE SCHEME

CONDITION: No works except demolition shall take place 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:

- Limiting discharge rates to a maximum of 2l/s for all storm events up to and including the 1 in 100 year plus 45% allowance for climate change storm event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 45% climate change critical storm event.
- Final modelling and calculations for all areas of the drainage system.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- Demonstrate that the existing pipes within the extent of the site, which will be used to convey surface water, are cleared of any blockage and are restored to a fully working condition.
- A final SuDS maintenance plan detailing the maintenance arrangements.
- An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.

The scheme shall subsequently be implemented prior to occupation.

REASON:

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment.
- To ensure that drainage system implemented at the site will adequately function and dispose of surface water from the site.
- Failure to carry out the required maintenance before commencement of works and/or provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

13. FURTHER APPROVAL: BIODIVERSITY ENHANCEMENT STRATEGY

CONDITION: Prior to any above ground works, a Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include, but not be limited to, the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) Detailed designs or product descriptions to achieve stated objectives;
- c) Locations, orientations, and heights 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).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.

REASON: To enhance protected and Priority species and habitats.

11. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and securing additional and amended information to address those concerns. As a result, the Local Planning

Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

RAMS Contribution Informative

In accordance with up-to-date guidance provided by Essex County Council Place Services Ecology, the RAMS contribution required the relevant condition above will be based upon the following calculation method: Current LPA tariff (£163.86 at April 2024) x 6 net additional bedspaces as per the formula, being created.

Lead Flood Authority Informatives (SuDS)

We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.

<https://www.essex.gov.uk/protecting-environment>

Please note that where discharge is to a public sewer, consent from the relevant authority will be required. The link can be found below.

<https://www.anglianwater.co.uk/developing/drainage-services/sustainable-drainage-systems/>

We recommend that a covenant should be included within the deed to the land to ensure SUDS features are maintained in the future.

Should you wish us to provide further comment additional information should be supplied to show how SUDS will be implemented on site.

Anglian Water Services Informatives

1. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.
2. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
3. Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
4. Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.
5. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Highway Authority Informatives

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.
4. Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the Essex Climate Action Commission proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the Essex Developers' Group Climate Charter [2022] and to view the advice contained in the Essex Design Guide. Climate Action Advice guides for residents, businesses and schools are also available.

12. Equality Impact Assessment

In making this recommendation/decision regard must be had to the public sector equality duty (PSED) under section 149 of the Equality Act 2010 (as amended). This means that the Council must have due regard to the need in discharging its functions that in summary include A) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act; B. Advance equality of opportunity between people who share a protected characteristic* (See Table) and those who do not; C. Foster good relations between people who share a protected characteristic* and those who do not, including tackling prejudice and promoting understanding.

It is vital to note that the PSED and associated legislation are a significant consideration and material planning consideration in the decision-making process. This is applicable to all planning decisions including prior approvals, outline, full, adverts, listed buildings etc. It does not impose an obligation to achieve the outcomes outlined in Section 149. Section 149 represents just one of several factors to be weighed against other pertinent considerations.

In the present context, it has been carefully evaluated that the recommendation articulated in this report and the consequent decision are not expected to disproportionately affect any protected characteristic* adversely. The PSED has been duly considered and given the necessary regard, as expounded below.

Protected Characteristics *	Analysis	Impact
Age	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Disability	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral

Gender Reassignment	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Marriage or Civil Partnership	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Pregnancy and Maternity	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Race (Including colour, nationality and ethnic or national origin)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sexual Orientation	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sex (gender)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Religion or Belief	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral

13. **Notification of Decision**

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	NO
Are there any third parties to be informed of the decision? If so, please specify:	NO
Has there been a declaration of interest made on this application?	NO