



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

to  
**NORTH WESTERN AREA PLANNING COMMITTEE  
16 DECEMBER 2020**

<b>Application Number</b>	<b>20/00493/FUL</b>
<b>Location</b>	Land South Of, Beckingham Business Park, Beckingham Street, Tolleshunt Major
<b>Proposal</b>	Erection of 13No. Business & General Industrial Units (Use Classes B1b, B1c and B2), Office Block (Use Class B1a) and Cafe (Use Class A3), complete with related infrastructure including road, parking spaces, drainage, landscaping and ecological area
<b>Applicant</b>	Mr J. Baker - Beckingham Business Park Developments Limited
<b>Agent</b>	Mr Chris Loon - Springfields Planning And Development
<b>Target Decision Date</b>	11.09.2020 EOT 25.11.2020
<b>Case Officer</b>	Julia Sargeant
<b>Parish</b>	<b>TOLLESHUNT MAJOR</b>
<b>Reason for Referral to the Committee / Council</b>	Major Application Member Call in by Councillor R H Siddall – reasons for call-in: S1 sustainable development, D1 its scale and design, S8 settlement boundary, and the impact on highways and transport

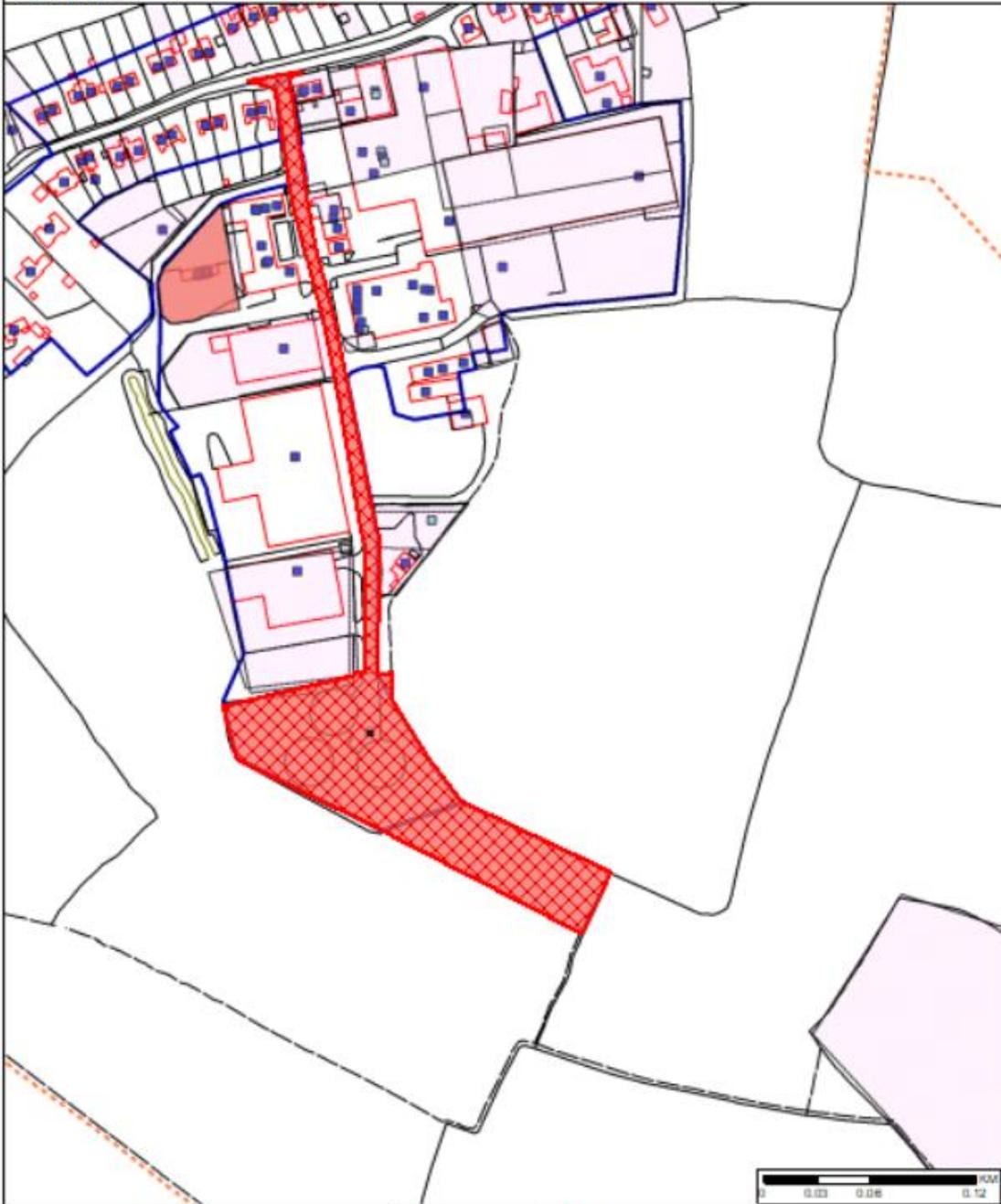
**1. RECOMMENDATION**

**APPROVE** subject to the applicant entering into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the planning obligations and subject to conditions as detailed in Section 8.

**2. SITE MAP**

Please see overleaf.

**Land South of Beckingham Business Park, Beckingham Street, Tolleshunt Major**  
 20/00493/FUL



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	<p>www.maldon.gov.uk</p>	<p>Organisation: Maldon District Council</p> <p>Department: Department</p> <p>Comments: Not Set</p> <p>Date: 01/12/2020</p> <p>MSA Number: 100018588</p>

### **3. SUMMARY**

#### **3.1 Site Description**

- 3.1.1 The application site relates to a parcel of land measuring 1.35 ha located at the southern end of the existing Beckingham Business Park. The application site comprises the spine road through Beckingham Business Park, a parcel of land upon which previously stood three large fruit washing drums (concrete bases still in place) and is now used partially for storage purposes, as well as a section of an agricultural field. The application site is therefore bounded by the existing Beckingham Business Park to the north and by agricultural land to the east, south and west.
- 3.1.2 Beckingham Business Park is a designated employment site (reference E1(a)) within the approved Local Development Plan (LDP) policy E1. The area where the new industrial units and associated infrastructure is proposed is also allocated employment land under policy E1 as well as being located within the development boundary for Tolleshunt Major.

#### **3.2 Proposal**

- 3.2.1 Planning permission is sought for the erection of 13No. business and general industrial units (use classes B1b, B1c and B2), an office block (use class B1a) and a cafe (use class A3), complete with related infrastructure including road, parking spaces, drainage, landscaping and ecological area. The proposed industrial units, office block and café with all associated parking and infrastructure would be located within the designated employment site E1(a) with an area for drainage mitigation and ecological improvement located outside of the designated employment site on part of an agricultural field.
- 3.2.2 It should be noted that at the time this application was submitted the Use Classes referred to within the description of development, and the paragraph above, were correct. Whilst the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 came into effect from 1<sup>st</sup> September 2020 the guidance in relation to this states that:
- “If prior to the commencement of the material period, a relevant planning application was submitted, or was deemed to be submitted, to the local planning authority which referred to uses or use classes which applied in relation to England and were specified in the Schedule to the Use Classes Order on 31st August 2020, that application must be determined by reference to those uses or use classes.”*
- 3.2.3 This application will therefore be determined having reference to the use classes referred to within the description of development in accordance with the above guidance.
- 3.2.4 The application relates to the expansion of the existing Beckingham Business Park. The proposed additional units would be accessed via the existing spine road which serves Beckingham Business Park which would continue south into the application site. The section of the application site which would form the expansion of the Business Park is an irregular shaped parcel of land. Five industrial units would be positioned in a line to the east of the access road, and eight to the west and south. The

proposed office block would be located to the immediate south of the access road. The proposed new industrial units and office block would form an almost U shape of built form around a central triangle in the centre of the site which would contain a small café, parking and some soft landscaping. The access road would circle around this central point in the development with additional parking to the front of each unit as well as to the northern and eastern site boundaries.

- 3.2.5 To the south west of this main section of the application site an area for ecological mitigation and drainage is proposed which will include an attenuation pond as well as a new wild flower and wildlife meadow and the formation of new indigenous tree copses. The land whilst owned by the applicant is currently rented to a local farmer, and forms part of the connection between the two arable fields on the east and west of the application site. This access will be maintained via a 4m field track which will join up via a new gate to the existing bridge over the ditch in the east and a new gate in the west. This will allow farming procedures to continue and the two fields will still be linked together for the purposes of agricultural production.
- 3.2.6 The proposed industrial units have been designed with asymmetrical pitched roofs and would be located in two blocks, one to the east of the access road which would contain 5 units (Block A) and one to the west and south of the access road which would contain 8 units (Block B). There would be a variation in terms of the width of the industrial units to offer a variety of unit sizes. Within Block A four units would measure 8 metres wide and one would measure 16 metres wide, the height to eaves of the block would be 3.5 metres to the front and 5.4 metres to the rear with an asymmetrical pitched roof reaching a maximum ridge height of 7.7 metres. The overall depth of the block would be 10 metres with the overall width measuring 48 metres.
- 3.2.7 Block B wraps around the south western corner of the application site and would measure a maximum of 62 metres along the southern boundary and 31 metres along the western boundary with six units measuring 9 metres wide and two measuring 11.4 metres wide at their frontages. The height to eaves of the block would be 3.5 metres to the front and 5.4 metres to the rear with an asymmetrical pitched roof reaching a maximum ridge height of 7.7 metres.
- 3.2.8 Each industrial unit would contain an open plan workshop space at ground floor level along with secure cycle parking, unisex disabled WC and a smaller office space at first floor level with a further WC.
- 3.2.9 The proposed office block would be located to the south of the access road and would act as a visual stop to the development. It would have a square plan form measuring 16 metres wide by 16 metres deep with an eaves height of 5.6 metres and a pitched roof reaching a maximum height of 7.5 metres. It should be noted that the pitched roof would be a type of dummy pitched roof with the main section of the roof comprising a lower flat roof which would not be visible. Internally the office block would contain open plan office space along with toilet facilities.
- 3.2.10 All of the proposed industrial units as well as the office block will have a red brick plinth with silver grey aluminium cladding to the walls and light grey colour coated aluminium sheeting with standing seam for the roofs. The windows will be dark grey aluminium double glazed with all external doors to be of varying individual colours.

3.2.11 A small café is also proposed as part of the development which would be located centrally within the site. The café would be roughly rectangular in form, although the rear northern wall would extend beyond the internal floor area with an external canopy roof to create a covered seating area. The building measurements would be approximately 9 metres wide by 4.5 metres deep with a pitched roof reaching a maximum height of 3.6 metres and an eaves height of 2.4 metres. The rear northern wall of the café would extend to 15.6 metres in length to give some protection for the outdoor seating area. The café would be built of red brick with the same colour coated aluminium sheeting with standing seam in light grey to the roof. The windows would be dark grey aluminium with the external door an individual colour and shown purple on the submitted plans.

### **3.3 Conclusion**

3.3.1 The Beckingham Business Park is a designated employment site (reference E1(a)) within approved LDP policy E1. The area where the new industrial units and office block with associated infrastructure is proposed is also allocated employment land under policy E1 as well as being located within the development boundary for Tolleshunt Major where there is no objection in principle to new development. Furthermore, the provision of an area for ecological mitigation and drainage is supported by Policy N2 which states that: *‘All developments should seek to deliver net biodiversity and geodiversity gain where possible.’* It is therefore considered that the principle of the development is accepted.

3.3.2 LDP policy E1 states that ‘The Council will encourage employment generating developments and investment in the District to support the long term growth vision outlined in the Council’s Economic Prosperity Strategy (EPS). A minimum of 2,000 net additional jobs will be created in the District by 2029.’ Policy E1 goes on to state that this will be achieved partly through the regeneration and expansion of existing employment sites. Furthermore, the EPS has identified a set of strategic interventions for the District which includes increasing the supply of high-quality business premises which this proposal will do. The proposal would therefore result in economic benefits to the locality and provide new high quality employment units and generate jobs in line with LDP policy E1 as well as the guidance contained within the National Planning Policy Framework (NPPF).

3.3.3 In terms of design and visual impact the proposed built development, whilst including variation in form and detailing, would be of a similar architectural style and design which is considered to reflect the existing industrial park as well as creating a cohesive and well thought out extension to the business park. Whilst the proposed built form will be visible from the surrounding roads and footpaths and will have an impact upon the wider countryside, it would be viewed in the context of the existing business park, which will form a backdrop to the development. Furthermore, a comprehensive soft landscaping scheme which includes the use of native species is proposed which will soften the impact of the proposal.

3.3.4 A number of concerns have been raised in relation to the proposal from Parish Councils as well as local residents. A main objection to the proposal relates to traffic generation and impact upon the local road network. However, Essex County Council (ECC) Highways Authority have been consulted on the application and advise that

from a highway and transportation perspective, the impact of the proposals is acceptable subject to conditions. The site already benefits from a safe and suitable access onto the highway and the Highways Authority is satisfied that the number of trips generated by the proposals is not expected to have a significant impact on the local highway network. Furthermore, the proposed development would accord with the adopted Vehicle Parking Standards (VPS) and whilst the site is not located in a settlement that benefits from good public transport links a framework travel plan is to be secured through a legal agreement to minimise single occupancy vehicle movements as much as practicable. On this basis the proposal is considered to be acceptable from a highway and transportation perspective.

- 3.3.5 During the consultation period it was noted that the local Little Totham Water Recycling Centre (WRC) does not currently have capacity to deal with any flows from the proposed development. However, it must be noted that neither Anglian Water nor the Environment Agency (EA) are objecting to the development. The EA have requested a condition to restrict occupancy of the development until there is confirmed permitted capacity at the WRC. On this basis the development is considered to be acceptable as the condition would prevent any occupation or use of the development (when wastewater would need to be dealt with) until any necessary upgrade works had taken place which would prevent damage to the water quality downstream. This approach is consistent with appropriate caselaw and appeal decisions.
- 3.3.6 Overall and having regard to the Framework's definition of sustainable development it is considered that the proposed development would represent sustainable development and accords with the policies within the approved Maldon District Local Development Plan (MDLDP) as well as the guidance within the NPPF.

#### **4. MAIN RELEVANT POLICIES**

Members' attention is drawn to the list of background papers attached to the agenda.

##### **4.1 National Planning Policy Framework 2019 including paragraphs:**

- 7 Sustainable Development
- 8 Three objectives of sustainable development
- 10-12 Presumption in favour of sustainable development
- 38 Decision-making
- 47-50 Determining applications
- 54-57 Planning Conditions and Obligations
- 80-82 Building a strong competitive economy
- 91-94 Promoting healthy and safe communities
- 102-111 Promoting sustainable transport
- 117-123 Making effective use of land
- 124-132 Achieving well-designed places
- 148-169 Meeting the challenge of climate change, flooding and coastal change
- 170-183 Conserving and enhancing the natural environment

#### **4.2 Maldon District Local Development Plan 2014 – 2029 approved by the Secretary of State:**

- S1 Sustainable Development
- S2 Strategic Growth
- S7 Prosperous Rural Communities
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and the Built Environment
- D2 Climate Change & Environmental Impact of New Development
- D5 Flood Risk and Coastal Management
- E1 Employment
- H4 Effective Use of Land
- T1 Sustainable Transport
- T2 Accessibility
- N1 Green Infrastructure Network
- N2 Natural Environment and Biodiversity

#### **4.3 Relevant Planning Guidance / Documents:**

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Maldon District Design Guide SPD (MDDG) (2017)
- Maldon District Vehicle Parking Standards (VPS) SPD (2018)

#### **4.4 Necessary Associated Infrastructure Improvements Required**

- Submission of an updated workplace travel plan accompanied by a monitoring fee of £5,000.

### **5. MAIN CONSIDERATIONS**

#### **5.1 Principle of Development**

5.1.1 The Council is required to determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) and Section 70(2) of the Town and Country Planning Act 1990 (TCPA1990)).

5.1.2 The NPPF is clear that sustainable development is at the heart of the planning system. The Framework's definition of sustainable development has three interdependent objectives that are mutually dependent upon each other and need to be balanced. These are the economic, social and environmental objectives. This requirement is carried through to local policies via policy S1 of the approved LDP which emphasises the need for sustainable development.

5.1.3 Policies S1, S2 and S8 of the approved MDLDP seek to support sustainable developments within the defined settlement boundaries. This is to ensure that the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty.

5.1.4 The Beckingham Business Park is a designated employment site (reference E1(a)) within approved LDP policy E1. The area where the new industrial units and office block with associated infrastructure is proposed is also allocated employment land

under policy E1 as well as being located within the development boundary for Tolleshunt Major where there is no objection in principle to new development. The section of the application site proposed to be used for ecological mitigation and drainage comprises part of an agricultural field and is located outside of the development boundary for Tolleshunt Major.

- 5.1.5 Policy E1 is clear in its designation of the application site as employment land which LDP policy E1 states are to be retained and protected for Class B Uses as specified and Sui Generis uses of an employment nature. Policy E1 also states that the Council will encourage employment generating development and investment in the District to support the long term growth vision outlined in the Council's Economic Prosperity Strategy (EPS). The Council's EPS seeks (amongst other things) the regeneration and improvement of existing industrial zones in viable locations and the Maldon District Employment Land Review (May 2015) outlines the existing Beckingham Business Park as one of the largest employment sites in the District.
- 5.1.6 As the proposed new employment units and associated infrastructure are all proposed on land that is allocated within the approved LDP for employment uses there is no objection to the principle of the development. It is noted that LDP Policy E1 states that *'Proposals to develop vacant employment sites and buildings, or to modernise or redevelop existing employment sites and buildings will be viewed favourably...'* In this case the proposal is to develop designated employment land that is currently vacant and underused and is therefore compliant with LDP Policy E1.
- 5.1.7 Furthermore, the land where the proposed new employment units and associated infrastructure are proposed is considered to represent brownfield land in that it has previously been used as part of the larger previous use of the whole site as a processing plant for Goldhanger Fruit Farms. The application site was used as part of a fruit canning plant and the application site was the position of the three large fruit washing drums and the three large concrete bases of the washing drums can still be seen on site from aerial views.
- 5.1.8 The proposal also includes a small café which falls within an A3 use which is not an employment use specified with Policy E1 as appropriate for the Beckingham Business Park. However, Policy E1 does state that *'Complementary and supporting uses may be considered acceptable where they serve an essential ancillary function to the employment area and will not result in a material change of the area's Class B character and function.'* It is considered that the café proposed is of a small scale (approx. 32m<sup>2</sup> internal floor area) and would be considered a complementary and supporting use that would not result in a material change in the area's Class B character and function. Given the small scale of the proposed café and its location to the very south of the Beckingham Business Park it is considered that the café would not be a destination café and would not directly compete with the public house located in Tolleshunt Major.
- 5.1.9 In relation to the area for ecological mitigation and drainage this area of the site is located outside of the development boundary for Tolleshunt Major and relates to agricultural land. Policy S8 states that outside settlement boundaries 'planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon' and provided it is for a development within a prescribed list as set out within the policy. Therefore, there are

special circumstances where planning permission for development outside of the defined settlement boundaries, Garden Suburbs and Strategic Allocations may be granted provided that the intrinsic character and beauty of the countryside is not adversely impacted upon. One of the exceptions set out within Policy S8 for acceptable uses in the countryside, is ‘*b) Employment generating proposals (in accordance with Policy E1)*’ and a further exception is ‘*j) Green infrastructure, open space and sports facilities (in accordance with policies N1, N2 and N3)*’.

5.1.10 As detailed above the proposal is considered to be compliant with Policy E1 and the provision of an area for ecological mitigation is supported by Policy N2 which states that: ‘*All developments should seek to deliver net biodiversity and geodiversity gain where possible.*’ It is therefore considered that the principle of the development is accepted. It is however still necessary to consider all other material considerations in relation to the development, including the impact of the proposal upon the character and beauty of the countryside, which will be assessed in detail below.

## 5.2 Employment

5.2.1 The District’s economy comprises employment in high quality manufacturing, construction, business and light and general industry, as well as employment in sectors such as education, health, retail and tourism. All these sectors have a positive contribution to the local, regional and national economy.

5.2.2. As detailed above the section of the application site where the new employment uses are proposed is designated employment land under policy E1 and therefore there is no objection to the principle of the development. The proposal includes a range of employment uses of varying sizes to offer a range of units to meet differing business needs. The proposed accommodation is as follows:

	Number of Units	Area per unit (m2)	Total Area (m2)	Grand Total (m2)
<b>Block A</b> – to east of access road				
Type 1	4	99	396	
Type 2	1	200	200	
<b>Block B</b> – to west and south of access road				
Type 3	5	186	930	
Type 4	1	387	387	
Type 5	2	237	474	
			<b>2387</b>	<b>2387</b>
<b>Office</b>				
Ground floor		234	234	
First floor		270	270	
			<b>504</b>	<b>504</b>
<b>Cafe</b>				

Ground floor			32	32
				<b>2923</b>

- 5.2.3 The Planning Statement submitted in support of the application states that Blocks A and B would comprise 13 individual units within Use Classes B1(b), B1(c) and B2 with the range of sizes proposed to give commercial flexibility within the development and widen its appeal. Whilst these units incorporate a small mezzanine office area, this would not be the primary use. Block C is an office building for use class B1(a). The café would be considered as an ancillary use within the main employment allocation as detailed above.
- 5.2.4 The supporting information estimates that once the units are fully occupied there could be between 112 – 122 people employed at the site. This is considered to weigh heavily in favour of the development which is on allocated employment land. The NPPF states at paragraph 80 that *‘Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.’* This is echoed in LDP policy E1 which states that *‘The Council will encourage employment generating developments and investment in the District to support the long term growth vision outlined in the Council’s Economic Prosperity Strategy (EPS). A minimum of 2,000 net additional jobs will be created in the District by 2029.’* Policy E1 goes on to state that this will be achieved partly through the regeneration and expansion of existing employment sites. Furthermore, the EPS has identified a set of strategic interventions for the District which includes increasing the supply of high-quality business premises which this proposal will do.
- 5.2.5 Additional information submitted in support of this application relates to the need for the proposed development and includes letters from commercial agents which support the proposal and advise that there is strong demand for the proposal with limited stock currently available. Whilst this information demonstrates that there is demand for the proposal it should be noted that the proposed employment units are all to be located on allocated employment land and there is no requirement within the LDP for any further need to be established.
- 5.2.6 It is therefore considered that the proposal would result in economic benefits to the locality and provide new high quality employment units and generate jobs in line with LDP policy E1 as well as the guidance contained within the NPPF.

### **5.3 Layout, Scale, Design and Impact on the Character of the Area**

- 5.3.1 Part of the environmental role of sustainable development as referred to in the NPPF, is that the planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high-quality built environment for all types of development. It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF.

- 5.3.2 The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context. Furthermore, part of the application site lies outside of the defined settlement boundary and according to policies S1 and S8 of the LDP, the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. The policies stipulate that outside of the defined settlement boundaries, the garden Suburbs and the Strategic Allocations planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided the development is for proposals that are in compliance with policies within the LDP, neighbourhood plans and other local planning guidance.
- 5.3.3 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG (2017).
- 5.3.4 The application site is located to the south of the existing Beckingham Business Park with agricultural land to the east, south and west. The application site falls within landscape type Coastal Farmed Landscape (E1 – Tolleshunt Coastal Farmland). This coastal farmland is the hinterland to the North Blackwater Estuary. The Landscape Character Assessment (2006) describes the overall character as *‘It is a gently sloping landscape of mainly arable crops, with some horse pasture near settlements. Fields are semi regular and large. Tall remnant elm hedgerows bound the fields, and coniferous windbreaks can be seen in some places. Extensive hedgerow loss in many places gives the appearance of a large-scale field pattern.’*
- 5.3.5 The proposed development would result in an increase in built form on the application site, extending the existing built form at Beckingham Business Park further south. The proposed industrial units have been designed with asymmetrical pitched roofs and would be located in two blocks, one to the east of the access road which would contain 5 units (Block A) and one to the west and south of the access road which would contain 8 units (Block B). There would be a variation in terms of the width of the industrial units to offer a variety of unit sizes. The height to eaves of the block would be 3.5 metres to the front and 5.4 metres to the rear with an asymmetrical pitched roof reaching a maximum ridge height of 7.7 metres.
- 5.3.6 The proposed office block would be located to the south of the access road and would act as a visual stop to the development. It would have a square plan form measuring 16 metres wide by 16 metres deep with an eaves height of 5.6 metres and a pitched roof reaching a maximum height of 7.5 metres. The small café proposed in the centre of the development would also feature an asymmetrical pitched roof design, incorporating a canopy area.
- 5.3.7 All of the proposed built development, whilst including variation in form and detailing would be of a similar architectural style and design which is considered to reflect the existing industrial park as well as creating a cohesive and well thought out extension to the business park. The built form would create an internal courtyard area which would feature the ancillary café as well as parking and soft landscaping. The use of asymmetrical roofs has enabled the pitch and eaves of the buildings to be kept lower, reducing their bulk and visual impact. The use of the same external materials across the development will ensure that the extension to the business park has a sense of place and a distinct character whilst still referencing the form and character of the

existing business park. Whilst all external materials are the same the external doors are to be of varying individual colours which will add interest to the development.

- 5.3.8 The proposed built form will be visible from the surrounding roads and footpaths and will have an impact upon the wider countryside. However, the proposed development would be viewed in the context of the existing business park, which will form a backdrop to the development. A Landscape and Visual Appraisal has been submitted in support of the proposal. This report concludes that *“The value of the surrounding character areas has been assessed as moderate. The sensitivity of the local landscape in relation to the surrounding farmland and wider landscape area is also moderate. The magnitude of impact has been assessed as low, and with suitable mitigation in the form of screening through native planting, the magnitude of impact could be reduced even further.”*
- 5.3.9 The proposed development would be visible from nearby public footpaths as well as some roads such as Church Road to the east or Little Totham Road to the west. Mitigation in the form of introducing new native scrub and tree planting along the western/ south western boundary and within the south-eastern part of the site in the form of a landscape buffer as well as new native tree planting to the north will over time help screen the proposed development or filter views and reduce visual impact. Full soft landscaping plans have been submitted in support of this application, alongside detailed specifications for the soft landscape works and a 5 year management plan. It must be remembered that the section of the application site where the employment uses are proposed is allocated for employment uses and therefore, at the time of allocation the Council accepted that there would be a fundamental change in the character and appearance of the area through the provision of new built form on the site. It is considered that the units are well designed, and combined with the mitigation in terms of soft landscaping the proposal is considered to comply with LDP policies as well as the NPPF in terms of the requirement for development to be well designed. The new built form would be viewed within the context of the existing business park and the proposal is considered to accord with LDP policies D1 and S8 and would not result in any harm to the intrinsic character and beauty of the countryside.

#### **5.4 Impact on Residential Amenity**

- 5.4.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the MDDG. Similarly, policy D2 of the approved LDP requires all development to minimize all forms of possible pollution including air, land, water, odour, noise and light. Any detrimental impacts and potential risks to the human and natural environment will need to be adequately addressed by appropriate avoidance, alleviation and mitigation measures. Policy H4 also requires consideration of the effect of development on neighbouring amenity and safety.
- 5.4.2 There are no residential dwellings immediately adjoining the application site. The nearest residential properties to the application site are located along Beckingham Street which is the main road though Tolleshunt Major and located approximately 240 metres from the northern section of the application site where the employment units are proposed. Given the distance between the proposed built development and the

nearest neighbouring dwellings it is considered that the proposed built form would not have any materially harmful impacts upon neighbouring residents.

5.4.3 In relation to noise it is acknowledged that business units can generate more noise than residential, particularly B2 which is general industrial. The application has been supported by a noise impact assessment which concludes that:

*‘The assessment has identified:*

- *The increase in road traffic at the site and on surrounding roads will result in a negligible increase in noise levels, when assessed in line with the DMRB semantic scale, and should therefore be acceptable.*
- *Activity noise at the site is likely to be significantly below the existing ambient and background noise levels at the nearest noise sensitive receptor. In consideration of the context of the noise source, the activities would not be expected to cause any adverse impacts on the health or quality of life of the nearest noise sensitive receptors.’*

5.4.4 Environmental Health have been consulted on this application and have raised no objections subject to conditions. Conditions in relation to the operation of machinery, and deliveries and collections times are proposed to ensure that the proposed development would not result in any materially harmful impacts to neighbouring residents through noise and disturbance. Furthermore, details of all external illumination would be controlled through a condition to ensure that the surrounding area and residential dwellings would not be subject to light pollution. It is therefore considered that the development is acceptable in terms of amenity and noise pollution. A number of objections have been received in relation to traffic and implications for residents which are considered in detail in the below section of this report.

## **5.5 Access, Parking and Highway Safety**

5.5.1 Policy T1 of the approved LDP seeks to create additional sustainable transport opportunities. Policy T2 aims to create and maintain an accessible environment, requiring development proposals, inter alia, to provide sufficient parking facilities having regard to the Council’s adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council’s adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.

5.5.2 The Council’s adopted VPS SPD contains the parking standards which are expressed as minimum standards. This takes into account Government guidance which recognises that car usage will not be reduced by arbitrarily restricting off street parking spaces. Therefore, whilst the Council maintains an emphasis of promoting sustainable modes of transport and widening the choice, it is recognised that the Maldon District is predominantly rural in nature and there is a higher than average car ownership. Therefore, the minimum parking standards seek to reduce the negative impact unplanned on-street parking can have on the townscape and safety and take into account the availability of public transport and residents’ reliance on the car for accessing, employment, everyday services and leisure. The key objectives of the standards are to help create functional developments, whilst maximising opportunities for use of sustainable modes of transport. This will enable people to sustainably and easily carry out their daily travel requirements without an unacceptable detrimental

impact on the local road network, or the visual appearance of the development, from excessive and inconsiderate on street parking.

- 5.5.3 The proposed development would utilise the existing main access road serving Beckingham Business Park. The application has been supported by a Transport Assessment. As part of this assessment the proposal has been considered with respect to the likely level of trips that could be generated and the impact they would have on the local highway network. The assessment concludes that the total trip generation potential is as follows:

	AM Peak (08:00 – 09:00)		PM Peak (17:00 – 18:00)	
	Arrivals	Departures	Arrivals	Departures
Total Trips	24	7	4	21

- 5.5.4 The report then goes on to assess the impact of the potential development upon nearby junctions, including the Business park access junction and the Beckingham Street/School Road junction. The assessment concludes that the projected increase in traffic associated with the proposals will not have a significant or material impact on the local road network and can be accommodated by that network.
- 5.5.5 ECC Highways have been consulted on the application and advise that from a highway and transportation perspective, the impact of the proposals is acceptable to the Highway Authority subject to conditions covering submission of a construction management plan, securing the provision of vehicle parking, including for cycle/powered two wheelers, and the provision of a updated framework travel plan (which shall be accompanied by a monitoring fee of £5,000 (plus the relevant sustainable travel indexation) to be paid before occupation to cover the 5 year period.). These can all be dealt with through conditions, except for the updated workplace travel plan and monitoring fee which should be dealt with through a S106 legal agreement as it relates to the payment of monies.
- 5.5.6 ECC Highways advise that the site already benefits from a safe and suitable access onto the highway. The Highway Authority is satisfied that the number of trips generated by the proposals is not expected to have a significant impact on the local highway network. To confirm this, local junction assessments have been checked and no highway capacity issues are identified even at peak periods. The existing Business Park also benefits from an established, signposted route for larger goods vehicles serving the site in order to protect the smaller roads and lanes nearby. The impact of the proposed development cannot therefore be described as severe, which is the criteria required by NPPF to recommend refusal of the application. Consequently, from a highway and transportation perspective, the impact of the proposals is acceptable to the Highway Authority subject to the requirements detailed above.
- 5.5.7 It is noted that a number of objections have been received in relation to this application, the majority of which raise concerns over traffic. One key concern that a number of residents, as well as the Parish Councils, have raised is the reliability of the trip generation data that has been submitted in support of the application. Concerns centred around the lack of public transport and number of jobs that the development is said to potentially generate. It has been raised that the development is likely to lead to more trips than the submitted Transport Assessment suggests (as detailed in paragraph

5.5.3 above). Further clarification was sought from ECC Highways in relation to these concerns and they have advised that: *“the trip generation has been calculated from a TRICS database interrogation based on gross floor area, which is normal. The TRICS database is a bit limited in terms of rural sites but is the only mechanism we have for predicting trip generation. Whilst it is therefore possible that the site could attract a slightly higher number of trips than advertised, it is nothing that would cause concern given the level of spare capacity demonstrated in the junction assessments.”* Therefore, whilst the proposal may result in more trips than those anticipated in the transport assessment ECC Highways have confirmed that there is capacity in the network to accommodate this.

5.5.8 A further concern which has been raised through the consultation period relates to the junction assessment undertaken in the submitted transport assessment. Within the assessment the main Business park access junction and the Beckingham Street/School Road junction were assessed, but not the Beckingham Street/Witham Road junction. This concern has also been raised with ECC Highways who have advised that *“The signposted route was the subject of the capacity assessments. Traffic surveys confirm that this is the more popular route to/from the site currently and the assessments showed a significant level of spare capacity. So even if the proposed development attracts a greater percentage of traffic from Witham Road direction, the traffic flow figures are such that we would not expect any capacity concerns.”* The junction assessment undertaken in therefore considered to be acceptable.

5.5.9 During the lifetime of this application the Framework Travel Plan (also known as a Workplace Travel Plan) which was submitted as part of the transport assessment has been updated. The aim of the Framework Travel Plan is to reduce single occupancy car use by promoting car sharing, cycling, walking and public transport where possible and reduce the number of vehicle movements associated with the development and thereby reduce the environmental impact of the travel associated with a development.

5.5.10 The updated Framework Travel Plan was consulted on as part of the application process. The Framework Travel Plan aims for a 12% reduction in single occupancy car use within the first 5 years of development, through encouraging cycling, walking to work where possible and car share. ECC’s Sustainable Travel Team have advised that further information should be included within the framework travel plan, which are:

- Incentives should be provided to join car share schemes, e.g. priority parking spaces, coffee mornings etc.
- A Car Parking Strategy could be implemented based on need, i.e. distance travelled, access to other transport modes etc.
- The Business Park can be used for events such as Dr Bike during national campaigns, walking challenges and gamification challenges like Love to Ride: Essex – Cycle September or Winter Wheelers.
- Consideration must be given to how the monitoring surveys will be promoted and communicated to staff, to ensure a good take up of responses each year, and to ensure the results are comparable.

5.5.11 ECC Highways have therefore recommended any permission be conditional that a further updated Framework Travel Plan (which shall be accompanied by a monitoring fee of £5,000 (plus the relevant sustainable travel indexation) to be paid before

occupation to cover the 5 year period.) be provided. The updates/amendments sought (as detailed above) are not fundamental and can be dealt with through a Section 106 agreement. It is acknowledged that the application site is located within a rural village with no access to public transport. Therefore, for most journeys, the only practical option will be to use a private vehicle. The securing of the Framework Travel Plan will reduce the use of single occupancy vehicles as much as practicable. The application site is allocated for employment use, and therefore the principle of this development in this location is accepted. A key consideration for any development is to ensure that the objectives of sustainable development are met and reducing unnecessary and single occupancy car travel as much as practicable will assist in this.

- 5.5.12 It must also be noted that when allocating the site, through the LDP process, the impact on the highway safety and the need to ensure the free flow of traffic would have been a consideration. At this time no fundamental issues were raised, and it was not considered that there was a need for mitigation as if this had been the case it would have been included within the LDP. Whilst it is accepted that the proposal would increase the number of vehicular movements to and from the site, this alone does not automatically mean that there is a demonstrable or real level of harm and in this instance it is considered that there is capacity within the highway network to accommodate the increased number of vehicles.
- 5.5.13 In relation to parking provision the Maldon District adopted VPS SPD requires the following in respect of employment uses:
- B1b, B1c and B2- 1 space per 50m<sup>2</sup>
  - B1a – 1 space per 20m<sup>2</sup>
- 5.5.14 In accordance with the above standards the 2,387m<sup>2</sup> floorspace of mixed B1b, B1c and B2 uses proposed requires 48 parking spaces and the 504m<sup>2</sup> of B1a office space proposed requires 26 parking spaces which in total results in a need for 74 spaces. As part of the development 75 vehicle parking spaces are proposed which include 4 disabled user spaces and 8 electric vehicle charging points. It is noted that no specific parking is proposed for the ancillary café use and whilst it is accepted that the café will primarily be used by those already working at or already visiting the Beckingham business park in terms of deliveries a parking space for an employee would be expected. As the proposal is one space over in terms of the employment uses this is considered to be acceptable in this instance as it will allow for parking for an employee at the café.
- 5.5.15 Secure cycle storage is also proposed as part of the development with 9 spaces for the office element of the development, which is above the adopted standards, which would require 7. Furthermore, each business unit would contain space within the unit for secure cycle storage. A total of 4 powered two wheeler spaces are also proposed in line with the adopted standards.
- 5.5.16 Overall the proposed development would accord with the adopted VPS.

## **5.6 Flood Risk, Surface Water Drainage and Foul Drainage**

- 5.6.1 The application site is located within Flood Zone 1, however as the proposal represents major development the application has been supported by a Flood Risk Assessment (FRA).
- 5.6.2 Policy D5 of the LDP states that the Council's approach is to direct strategic growth towards lower flood risk areas, such as Flood Zone 1 as identified by the Environment Agency (EA). Where development is not located in Flood Zone 1 and in order to minimise the risk of flooding, it should be demonstrated that the Sequential and Exception Tests, where necessary, have been satisfactorily undertaken in accordance with national planning policy.
- 5.6.3 The application site is located within Flood Zone 1 and is allocated for employment-based development. There is therefore no objection to the principle of the development on flood risk grounds.
- 5.6.4 In relation to surface water the submitted FRA identifies that there is a very low surface water flood risk across the site, and a low to high risk along the adjacent access road at the northern frontage of the site. The data indicates that the depth along the adjacent access road would be below 0.3m during all events. Therefore, the hazard to people accessing/egressing the site would therefore be very low. This postcode area is not identified to be at risk of sewer flooding.
- 5.6.5 An assessment of the practical use of sustainable drainage techniques has been carried out and found that the soil types beneath the site possess little infiltration capacity and are not considered sufficient for the practical use of infiltration devices such as soakaways or permeable surfaces. As soil types will not support the effective use of infiltration devices, it is proposed that surface water is attenuated through the use of an attenuation basin prior to discharge into the local ditch system to the eastern boundary of the site which then runs towards the River Blackwater. Discharge rates will be controlled, and pollution control measures included within the scheme such as a petrol interceptor and the use of an aquatic bench (e.g. reed beds).
- 5.6.6 The Lead Local Flood Authority have been consulted on this application and advise that they have no objection to the granting of planning permission subject to conditions in relation to the submission of a detailed SuDS scheme and the long term management and maintenance of the surface water drainage system.
- 5.6.7 Overall, subject to conditions, it is considered that the proposed development is acceptable in terms of flood risk and surface water drainage.
- 5.6.8 In relation to foul drainage the submitted information states that a link to the foul sewer which runs along the business park spine road will be made and foul water will then connect and drain into the public sewer which runs along Beckingham Street, aided by a proposed on site pumping station which would be located under the access road within the application site. The EA initially raised a holding objection to the proposed development due to lack of information relating to foul water disposal. Concerns were raised due to current capacity issues at the Little Totham Water Recycling Centre (WRC) which for the past two years has been operating at, or over, the conditions on its current flow permit. Whilst this development is for employment

use foul wastewater flows will be generated at this site, and therefore foul drainage needs to be considered.

- 5.6.9 In response to the EA's initial holding objection the agent submitted additional information advising of the foul water disposal for the site, which is proposed to be to the public sewer. Anglian Water have been consulted on the proposal and have raised no objection to the development subject to conditions.
- 5.6.10 Anglian Water advise that *"The foul drainage from this development is in the catchment of Lt Totham Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission."* And that *"Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development."* The response also goes on to state that an application for trade effluent may also be required, which is dealt with outside of the planning legislation.
- 5.6.11 Following the receipt of the additional information in relation to foul drainage the EA were re-consulted, and they removed their holding objection subject to a pre-occupation condition requiring confirmation has been provided that upgrades/improvements at Little Totham WRC has been completed (or a new permit has been applied for) in line with development timescales, and ahead of occupation. This would prevent use of the development prior to the necessary upgrade works taking place. The EA still raised a number of concerns over the lack of detail regarding a timeframe for the necessary upgrades and how this would fit with the commercial developments timescales as well as how the necessary upgrades of the WRC would fit with Anglian Waters long term plan or funding.
- 5.6.12 Further clarity has been sought from Anglian Water who have advised that *"The additional flow into Little Totham WRC will be monitored. If we identify a risk to compliance with our permit then we will take the appropriate measures to address this. We would expect that any risk to water quality will be highlighted by the Environment Agency and addressed through the next Water Industry National Environment Programme."* And that *"upgrades for WRCs are funded and managed by ourselves in consultation with the Environment Agency. However, this application also includes business use, which may, require Trade Effluent consent. This is a consent to discharge waste water as a result of an activity carried out at a trade premises (this does not include offices). The applicant, therefore, may have to fund upgrade costs at the WRC to enable the flow generated from the trade premises to be treated. However, this is something that is governed through the Water Industry Act 1991 and sits outside of the planning realm."*
- 5.6.13 The further information received from Anglian Water was sent to the EA for further comment who have advised that the WRC is actually currently flow non-compliant. They have also stated that whilst it is encouraging that Anglian Water Services have contacted the applicant to discuss them undertaking a pre planning assessment with us so they understand any potential costs, the EA's primary concern is the risk of harm to the waters into which the WRC discharges which can reasonably be expected to have

a detrimental effect by discharging volumes that are greater than that for which it is permitted. The point of the EA's concern is not to use a planning issue to control the activity of the water undertaker, which is subject to separate regulatory control, but rather to prevent harm to the waterbody which is likely to occur and which cannot be prevented by any other statutory instrument. The EA further advised that they cannot condone a knowing exceedance which would hamper efforts to achieve Water Framework Directive (WFD) 'good ecological potential' and, NPPF 170(e) which exists to prevent unacceptable risk or adverse effects to the environment.

5.6.14 However, the EA are no longer objecting to the development subject to a condition restricting occupancy until there is confirmation of capacity at the WRC. The agent has expressed concerns over the wording of this condition as these works and their timing are entirely out of the applicant's control (being the responsibility of the statutory undertaker) and in this respect such condition will not meet the legal tests if it is unreasonable.

5.6.15 The NPPG offers guidance in relation to development where there is inadequate wastewater infrastructure and states that: "*The timescales for works to be carried out by the sewerage company do not always fit with development needs. In such cases, local planning authorities will want to consider how new development can be phased, for example so it is not occupied until any necessary improvements to the public sewage system have been carried out.*"

5.6.16 It is the view of Officer's that a condition restricting occupation of the commercial units until the necessary improvements to the public sewage system have been carried out would accord with this guidance. Conditions requiring works on land that is not controlled by the applicant, or that requires the consent or authorisation of another person or body often fail the tests of reasonableness and enforceability, however the condition would be worded in a negative form as a Grampian condition and it is designed to prevent occupation until there is confirmation of available permitted capacity in the network and at the treatment works (linked to the provision of supporting infrastructure which is one common use of a Grampian condition). If there was no such control over occupation (when wastewater would need to be dealt with) then there would be nothing to prevent the units being occupied before any necessary upgrade works had taken place which would potentially result in damage to the water quality downstream. This is the approach that has been taken on other sites where there have been capacity issues at WRC.

5.6.17 Overall it is considered that subject to an appropriately worded condition there is no objection to the proposal in relation to foul drainage.

## **5.7 Ecology**

5.7.1 Paragraph 170 of the NPPF states that '*Planning policies and decisions should contribute to and enhance the natural and local environment by; (amongst other things) minimising impacts on and providing net gains for biodiversity.*'

5.7.2 Strategic LDP policy S1 includes a requirement to conserve and enhance the natural environment, by providing protection and increasing local biodiversity and geodiversity, and effective management of the District's green infrastructure network.

- 5.7.3 Policy N2 of the LDP which states that *“All development should seek to deliver net biodiversity and geodiversity gain where possible. Any development which could have an adverse effect on sites with designated features, priority habitats and / or protected or priority species, either individually or cumulatively, will require an assessment as required by the relevant legislation or national planning guidance.”*
- 5.7.4 The application has been supported by a Preliminary Ecological Appraisal which identifies that the site comprises a section of made ground and a narrow strip of arable land situated adjacent to an existing operational business park and bounded by arable agriculture on three sides. As such, the site is subject to disturbance/activity as would be reasonably expected in such a land use context.
- 5.7.5 The proposal would not result in the loss of any significant potential roosting or commuting/foraging habitat. Whilst bats may commute and forage in the wider area, given absence of any significant trees or lengths of hedgerow, the actual site is unlikely to provide or form a constituent part of a wider commuting/foraging network given the absence of suitable features. It is not considered that the proposal would have any adverse impact upon the local bat population. However, through planting of trees and hedgerows as part of the proposal both within the site and on-site boundaries in addition to provision of an attenuation pond, it is considered that the site could be enhanced to provide commuting/foraging opportunities over and above the existing condition of the site.
- 5.7.6 No active or inactive badger setts were found, with no evidence of badger activity identified in the areas affected by development proposals. However, appropriate precautions have been advised for the construction phase. Appropriate recommendations in respect of due diligence relating to nesting birds and ecological enhancements have also been made.
- 5.7.7 Essex Place Services have been consulted in relation to ecology and have advised that they are satisfied that there is sufficient ecological information available for determination. The mitigation measures identified in the submitted Preliminary Ecological Appraisal should be secured and implemented in full. Place Services also support the proposed reasonable biodiversity enhancements, which have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 170d of the NPPF 2019. This includes the planting of native species of tree and shrub, additional habitat creation through inclusion of bird and bat boxes (integral & external) and the provision of an attenuation pond.
- 5.7.8 It is further recommended that the ongoing management of the new native/and or wildlife friendly planting should be secured as a condition of any consent, following the details contained in the Specification for Soft Landscape Works and 5 Year Management Plan (Open Spaces Landscape & Arboricultural Consultants Limited, April 2020). This will ensure establishment of these biodiversity enhancements.

## **5.8 Contamination**

- 5.8.1 Given the nature of the former use of the site as part of processing plant for Goldhanger Fruit Farms the potential of land contamination should be considered. The application has been supported by a Phase 1 Desk Study. This study found that residual contamination could be present from the former fruit washing facility and imported soils. Human end-users are considered to be at a low/moderate risk from direct contact, inhalation or ingestion of soil and soil dust, and construction workers are considered to be at a very low risk. The risk should be quantified through shallow soil sampling and generic quantitative assessment.
- 5.8.2 Overall the site is considered to be generally suitable for the proposed development although the risk to human health, water supply pipes and buried concrete should be quantified through soil sampling and chemical analysis. Investigation should also establish the presence of degradable materials if deep made ground is encountered and, where necessary, the organic matter content of the material to allow an assessment of the risk from ground gas generation.
- 5.8.3 Environmental Health have raised no objection to the proposal on contamination grounds and recommend conditions. Furthermore, the EA have raised no objection on contamination grounds. It is therefore considered that subject to condition requiring remediation the proposal is acceptable in relation to contamination.

## **5.9 Trees and Landscaping**

- 5.9.1 The application site at present is relatively open with few trees. An Arboricultural Impact Assessment has been submitted to support the application. This assessment details that three trees will be removed to facilitate the development, T3 and G1 which are a hawthorn and two ash trees growing in close proximity with co-dominant stems. Tree protection plans are submitted in relation to the remainder of the trees on site. In terms of mitigation a significant number of new trees and soft landscaping is proposed as part of the development.
- 5.9.2 The Tree Consultant has been consulted on this application and advises that tree report to suitably demonstrate how the trees to be retained will be protected. Furthermore the soft landscaping scheme is considered acceptable, and the species chosen will complement the surrounding landscape and help enhance wildlife habitat potential.

## **5.10 Pre-Commencement Conditions**

- 5.10.1 Four pre-commencement conditions have been recommended, which are conditions No's 10, 11, 12 and 14. Condition 10 relates to a construction management plan and is required to minimise disruption during works taking place, it is the starting of work and commencement of development which could result in disruption and therefore the construction management plan needs to be agreed prior to work starting. Conditions 11 and 12 relate to contamination and require the site to be remediated prior to any work commencing. Ground contamination is often disturbed by any ground works and can cause damage to the environment as well as pose a potential health risk. It is therefore important to have any remediation work required undertaken prior to work commencing. The last pre-commencement condition relates to surface water drainage

and a detailed surface water drainage scheme is required prior to the commencement of works to ensure that any system installed is sufficient to deal with surface water occurring during rainfall events to ensure that there is no increase in flood risk or pollution hazard from the site. The starting of works onsite could result in an increase in hardstanding or increase the flood risk and therefore the details of the proposed surface water drainage scheme are required before works start. Furthermore, the surface water drainage system often has to be installed alongside the development taking place. The agent has agreed to the imposition of these pre-commencement conditions.

## 5.11 Other Considerations

- 5.11.1 A number of letters of representation received have queried the hours of use and operating practices of the existing business park units. Any potential breaches of planning control and/or other legislation are not material considerations for this current application and would be a matter for the planning enforcement team where they relate to potential breaches of planning control.

## 6. ANY RELEVANT SITE HISTORY

None in relation to this section of Beckingham Business Park.

## 7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

### 7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Tolleshunt Major Parish Council	<p><b><u>First Response</u></b></p> <p>Object to this application.</p> <p><u>Local Development Plan</u> The footprint of the proposed development extends beyond that shown for Beckingham Business Park within the approved Local Development Plan (LDP). We can see from the application plans that the area which is currently arable land is identified for a wild life meadow and run off pond. Policy S8 allows for development within the countryside because “.....some land uses or activities may be more suitable in the countryside rather than within defined settlement boundaries.” However, we contend that the usage set out in this application does not meet this requirement. The business units</p>	<p>The section of the application site where the employment units are proposed is within the development boundary and allocated for employment uses. Whilst the area for ecological mitigation and drainage is located outside of the development boundary for Tolleshunt Major this is not considered to conflict with policy S8. Please refer to section 5.1 of this report.</p>

<b>Name of Parish / Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
	<p>proposed are not more suited to the countryside than the town and we cannot therefore see the justification for extending beyond the settlement boundary.</p> <p>Concerned that this sets a precedent for further expansion of the Business Park.</p> <p><u>Transport Assessment and Travel Plan</u> Do not consider that the Transport Assessment and Travel Plan, submitted with the application, demonstrate that the necessary transport sustainability requirements specified in the NPPF, the Essex Transport Plan and Policy T1 of the LDP would be met.</p> <p>Much of the Transport Assessment focuses on the condition and situation of the road in the immediate vicinity of the access to the Business Park. Given that motorised vehicles are the primary mode of transport to reach the Business Park, the impact on and condition of, the wider road network needs to be considered.</p> <p><u>Existing Information</u> The nearest major road (the A12) cannot be reached without passing through other towns and villages (Little Totham, Great Totham, Tiptree or Witham). An increase in traffic resulting from this development would have an impact on the wider rural road network and not just Tolleshunt Major.</p> <p><u>Baseline Transport Data</u> The assessment maintains that the roads in the vicinity of the Business Park are in good condition. Many vehicles, including large lorries, come into the village from the Witham Road end. From the junction with Bakers Lane the road narrows, there are no street lights and no footpaths and the road here is in</p>	<p>The location for the employment units is designated employment land.</p> <p>ECC Highways have raised no objections to the proposed development subject to conditions. They have carried out a site visit and note that the site already benefits from a safe and suitable access onto the highway.</p> <p>ECC Highways note that the existing Business Park also benefits from an established, signposted route for larger goods vehicles serving the site in order to protect the smaller roads and lanes nearby.</p>

<b>Name of Parish / Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
	<p>extremely poor condition.</p> <p><u>Public Transport Accessibility</u> Tolleshunt Major has no bus service, train station or other form of community transport. This means that both residents and users of the Business Park are reliant on cars (or other motorised transport) to travel to and from the village.</p> <p><u>Safety Considerations</u> Since offices opened at the front of the Business Park in 2018, some employees park every day along Beckingham Street rather than in the parking spaces provided within the Business Park. This means that visibility for vehicles exiting the Business Park is obscured and that as vehicles approach the entrance they are on the wrong side of the road. There are also a number of residents' driveways that exit onto Beckingham Street directly opposite. This raises safety concerns that would only be exacerbated by additional traffic.</p> <p><u>Walking and Cycling Assessment</u> Tolleshunt Major itself has a pub but no shop or other facilities. Even given the very small amount of facilities in the area, any provision within the Business Park itself would take away trade from local businesses. We are aware that a previous cafe on site, closed down.</p> <p>There are few pavements and no designated cycle paths in the local area. Cyclists and walkers must use the same roads as cars, vans and lorries so any increase in vehicles in the village or on surrounding roads makes it less safe for walkers and cyclists.</p> <p><u>Trip Generation</u> The proposed application states that it anticipates generation of an additional 112 - 122 jobs. As set out above, at</p>	<p>Noted and covered in section 5.5 of report.</p> <p>The proposed development is located at the opposite end of the Business Park from Beckingham Street and proposes sufficient vehicle parking spaces to meet the adopted vehicle parking standards. The junction and access has been deemed acceptable by ECC Highways.</p> <p>Noted and covered in section 5.1</p> <p>The Highway Authority is satisfied that the number of trips</p>

<b>Name of Parish / Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
	<p>present, most, if not all, employees would get to the Business Park by car. This means that if each of those people were to drive to work that is over a hundred additional cars coming in and out of the village each day. The figures of trip generation shown in table 4.1 of the Transport Assessment are far below this but we cannot understand how this could be the case. Raises questions over some of the parameters used to calculate the trips. Furthermore, the assessment does not specify what sort of vehicle would be undertaking these trips. Clearly, there would be increased car trips but, as some of the units are for light and general industrial use, it is likely that there will also be an increase in vans, trucks and possibly lorries.</p> <p>It is not clear in the Travel Assessment how the conclusion is drawn that additional trips will not be material for the purposes of traffic capacity or highway safety. On what basis is this conclusion made. This assessment is fundamental in supporting the application so we ask that the Local Planning Authority (LPA) satisfies itself that appropriate data has been used in the assessment and that the conclusion about materiality is made taking into account the local setting. What, for example, is not material for an edge of town development may be material for a small village.</p> <p><u>Vehicle Parking</u> We note that the proposed number of parking spaces is in accordance with the Maldon Vehicle Parking Standards. However, paragraph 4.6.1 of those standards states that for non-residential development which meets certain criteria the expectation is that there will be sufficient parking provision on site. This proposed development meets those</p>	<p>generated by the proposals is not expected to have a significant impact on the local highway network. To confirm this, local junction assessments have been checked and no highway capacity issues are identified even at peak periods. The impact of the proposed development cannot therefore be described as severe, which is the criteria required by NPPF to recommend refusal of the application. Consequently, from a highway and transportation perspective, the impact of the proposals is acceptable to the Highway Authority</p> <p>Concerns over the trip generation figures is covered in section 5.5 of the report.</p> <p>The proposed development meets the adopted vehicle parking standards as set out in the report.</p>

<b>Name of Parish / Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
	<p>criteria. If there were to be around 100 employees and they need to drive to reach the site but there are only 75 car parking spaces then that is a potential shortfall of around 25 spaces. Where will they park?</p> <p><u>Framework Travel Plan</u> In section 5.3, the report sets out some sub-objectives to address the overall aim of maximising sustainable travel. Whilst these are all well founded points there are no developed plans or actions on how these could be achieved.</p> <p>We therefore consider that the Travel Plan is weak. We do not consider that the proposal for a detailed Travel Plan to be part of the planning permission is acceptable and the applicant should provide a full Travel Plan as part of the application.</p> <p><u>Summary and Conclusions</u> The report concludes, in paragraph 6.8, that the travel and traffic associated with the development would not be contrary to the aims of sustainable transport as most of the workforce employed would be local to the area. The assessment claims to meet the objectives of complying with sustainable transport policies based on this single point. Surely a more comprehensive compliance with a wider range of objectives is required for the policies to be met.</p> <p><u>Noise Assessment</u> We note that the DMRB semantic scale has been used to make the assessment on the level of traffic noise. Clearly we have no expertise in noise assessment but the Standards for Highways website says that the DMRB "contains information about current standards relating to the design, assessment and</p>	<p>Addressed in section 5.5 of the report.</p> <p>The Parish Council's comments were passed to the EH team who advised there is not a standard assessment procedure for measuring the impact of changes to road traffic noise from non-</p>

<b>Name of Parish / Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
	<p>operation of motorway and all-purpose trunk roads in the United Kingdom." Volume 11, section 3, part 7 provides guidance on the impacts road projects may have on levels of noise and vibration. The applicants whole case for saying that the noise from additional traffic would be negligible is based on this assessment so we would ask the LPA to assure themselves that this is an appropriate scale to use for the assessment of the impact of noise from this proposed development. Clearly this is not a road building project and the tolerance levels for traffic noise on a motorway or trunk road will be far higher than for traffic in a small village.</p> <p><u>Impact on the Local Area</u> Tolleshunt Major is designated in the LDP as a small village and we therefore believe that it should retain the character of a small village. People choose to live here because they want the peace and tranquility that rural living brings. We consider that the amount and type of traffic that we experience is already beyond what would be expected for a small village. This is evidenced in paragraph 5.62 of the Planning Statement where mention is made of the Environmental Health Officer reference to the large volume of complaints received on this subject. The increased traffic flow which would arise from agreement of this proposal, with</p>	<p>road projects. The use of DMRB LA111 is probably the most suitable method.</p> <p>DMRB GG 101 Introduction to the Design Manual for Roads and Bridges does say that DMRB requirements can be applied to other roads with the approval of the specific highway or local authority and where requirements are applied to other roads, the specific highway or local road authority acting as the Overseeing Organisation should decide on the extent to which the requirements are appropriate in any given situation.</p> <p>Vehicle movements on the site have been factored into the BS4142 assessment.</p> <p>The comments of the Parish Council are noted, however this land is allocated for employment purposes and ECC Highways have confirmed that they are satisfied that the number of trips generated by the proposals is not expected to have a significant impact on</p>

Name of Parish / Town Council	Comment	Officer Response
	<p>the associated noise, emissions, disturbance and nuisance would cause demonstrable harm to the local area, the village and the residents who live here. In addition to the harm caused by increased traffic, we consider that the additional security lighting required for these units would increase light pollution.</p> <p>We therefore consider that approval of this application would be contrary to policy S1 (12) – to maintain the rural character of the District without compromising the identify of its individual settlements.</p> <p><u>Conclusion</u> We accept that the site in question is designated for employment land and that many of the policies in the LDP are founded on the principle of economic development and providing jobs. However, there are already empty units within the Business Park and it is possible that other units may become vacant in the current economic climate. Should not the focus therefore be on filling these units before more are built.</p> <p>We believe that the proposal as it stands is not acceptable as it goes outside of the designated Business Park footprint in the LDP, it does not meet the national and local policies for sustainable transport and the associated traffic, noise, emissions and disturbance would be fundamentally detrimental to the character of the village and the quality of the local area.</p> <p><b><u>Second Response – in relation to Framework Travel Plan</u></b></p> <p>Objects to the development.</p> <p>Our fundamental concerns about the impact on Tolleshunt Major of the</p>	<p>the local highway network. Furthermore, Environmental Health have raised no objections to the proposal. Lighting details would be controlled through a condition.</p> <p>Covered in sections 5.1 and 5.2 of this report.</p>

<b>Name of Parish / Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
	<p>additional traffic that would result from agreement of this development remain unchanged. The nature and location of the Business Park means that:-</p> <ul style="list-style-type: none"> <li>• it cannot be reached by public transport;</li> <li>• walking is only feasible from within the village itself or Little Totham;</li> <li>• although cycling is possible the rural lanes mentioned must be reached from busier local roads and there are no dedicated cycle lanes / paths.</li> </ul> <p>The private car remains the most viable option to reach the Business Park. The proposals around car sharing could therefore have an impact but the target of a 10% reduction in car use over five years equates to a reduction of between just 2 to 3 cars per year (based on a stated workforce of 112 - 120 employees). There would still be around 90 to 100 additional cars coming in and out of the village each day. The car park provision is not sufficient and experience from the last development shows that a reduction in spaces does not encourage people to move to other transport methods. It just means they park in the roads in the village instead.</p> <p>The Framework Travel Plan that was included with the original application included amongst its objectives “reduce the number of road freight movements during traditional highway peak periods” and “minimise the impact of the proposals on local communities by encouraging freight traffic to avoid the use of local roads for journeys or parking”. No mention of freight traffic is included in the latest Travel Plan nor are there any proposals around reducing traffic related to visitors, services, deliveries etc.</p> <p>In relation to the success of the Travel Plan it seems to us that, if the targets</p>	<p>Noted and addressed in section 5.5 of the report.</p>

<b>Name of Parish / Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
	<p>were not met, the nature of the Business Park's location would preclude any alternative options. Tolleshunt Major would then just be stuck with the additional traffic.</p> <p>We still object to the application and remain of the view that the size of this development is not suitable for the village and is contrary to Local Plan Policy S1 (12) and NPPF para 122 as detailed in our original response.</p>	
<p>Little Totham Parish Council</p>	<p>Oppose the application on the following grounds:</p> <p>S8 – The development is outside the settlement boundary and contrary to the LDP. The development will have impact on the character of the area and is on green belt land. This is not brownfield development.</p> <p>N2 and D1- impact and scale of the design. The buildings are imposing and will have a negative impact on the natural environment. The design of the buildings are incongruous and do not fit with the surroundings. The buildings will have a visible impact on the landscape and countryside, due to the nature of the spur design of the layout.</p> <p>The density and layout of the development does not fit with plans, with insufficient parking spaces for the number of units.</p> <p>The development will do nothing for the vitality and life of the villages.</p> <p>T1 There are no sustainable transport modes, with existing roads already unsafe and unsuitable. This will create a residual and a cumulative impact on both Tolleshunt Major and Little Totham. There is no</p>	<p>The section of the application site where the employment units are proposed is within the development boundary and allocated for employment uses. The district does not contain any green belt land.</p> <p>Design considerations and impact upon the wider landscape is considered in section 5.3 of this report.</p> <p>The proposed buildings are all located on allocated employment land. The proposed parking meets with the adopted vehicle parking standards.</p> <p>The proposal will result in the generation of more jobs which could benefit local residents.</p>

<b>Name of Parish / Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
	<p>public transport to the village.</p> <p>There is no pedestrian access possible, with Tolleshunt Major, Tolleshunt D'Arcy and Little Totham, all small villages. There are no pathways linking the villages and it would be impossible to walk to the site from either Tiptree or Maldon, the nearest larger settlements.</p> <p>It will generate a significant amount of traffic and the roads in the vicinity have not been upgraded. This site is already an unsuitable location for a business park and this development with just exacerbate the situation. It is not a sustainable location.</p> <p>Recent traffic surveys conducted in Little Totham have proven that over 1400 vehicles a day travel through the villages, 400 of those vehicles are commercial. The number of units being proposed, will increase the pressure on the roads even further.</p> <p>The roads leading to the A12 via Great Braxted are already congested and dangerous. There have been numerous accidents at the junctions of Braxted Park Road, Colchester Road (B1022) and Loamy Hill Road.</p> <p>In the transport plan, there is no proof of how they will encourage multiple occupancy. There is no large population on the doorstep, so inevitably employees will be traveling from a wide geographical area, which discourages multioccupancy. The transport plan is vague and unenforceable.</p>	<p>Comments noted and covered in section 5.5. Furthermore, ECC Highways have raised no objections to the proposal and have advised that they are satisfied that the number of trips generated by the proposals is not expected to have a significant impact on the local highway network.</p>
<p>Tolleshunt D'Arcy Parish Council</p>	<p>recommend refusal of the Planning Application for the following reason:</p> <ul style="list-style-type: none"> <li>• Very concerned about the impact of increased traffic through Tolleshunt D'Arcy where there is already a traffic</li> </ul>	<p>Noted and highways issues are covered in section 5.5.</p>

Name of Parish / Town Council	Comment	Officer Response
	problem.	

## 7.2 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Anglian water	<p><b><u>First Response</u></b></p> <p><u>Wastewater Treatment</u> The foul drainage from this development is in the catchment of Lt Totham Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.</p> <p><u>Used Water Network</u> Development may lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. Whilst the proposed strategy is acceptable in principle, the Foul drainage statement makes reference to drawing number 1625-04 and a pumped conveyance to the public foul sewer. In order to perform an accurate capacity</p>	<p>Noted and covered in section 5.6</p> <p>Noted and covered through conditions.</p>



<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
	<p>Effluent consent. This is a consent to discharge waste water as a result of an activity carried out at a trade premises (this does not include offices). The applicant, therefore, may have to fund upgrade costs at the WRC to enable the flow generated from the trade premises to be treated. However, this is something that is governed through the Water Industry Act 1991 and sits outside of the planning realm.</p>	<p>Noted.</p>
<p>Environment Agency</p>	<p><b><u>First Response</u></b></p> <p>Raised a holding objection due to lack of information relating to foul water disposal.</p> <p><b><u>Foul Water Drainage and Water Quality</u></b> require written documentation outlining the developer's intentions for foul drainage and documented evidence that initial discussions have been held with AWS regarding this development.</p> <p><b><u>Surface Water Drainage and Water Quality</u></b> We have reviewed the application and have no objection however surface water drainage could pose an environmental risk without the inclusion of the measures described below.</p> <p>An environmental risk still remains from accidental spills entering surface water drainage and being</p>	<p>Noted and covered in section 5.6</p> <p>Addressed through submission of further information and the EA have revised their response as below.</p>

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
	<p>discharged to the environment. Inclusion of penstock valves in the design of the surface water drainage system would provide a means of containing accidental spills. This will enable the system to be isolated in the event of an incident such as a leak or spill. A pollutant could then be contained in the drainage system while contractors are engaged and clean-up arrangements put in place; mitigating the risk of environmental pollution. We expect to see these installed within the surface water drainage system.</p> <p><u>Ground Contamination and Dewatering</u></p> <p>There is no information available to indicate specific issues with ground contamination.</p> <p><u>Second response</u></p> <p>Remove holding objection, subject to a pre-occupation condition in relation to foul drainage is appended to any grant of permission.</p> <p>The proposed development will be acceptable if the following measures, relating to water quality, are implemented and secured by way of a planning condition.</p> <p><u>Water Quality</u></p> <p>There remains very little information in the documents submitted. We are</p>	<p>Noted and addressed through condition requiring surface water drainage scheme to be submitted – including the inclusion of penstock valves.</p> <p>Noted and contamination conditions recommended.</p> <p>Noted and addressed in section 5.6</p>

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
	<p>encouraged by the developers initial liaison with Anglia Water Services (AWS) regarding a strategy for foul effluent generated from the site and AWS acknowledge the capacity issues at Little Totham WRC. However, it is disappointing to see that there is still a lack of detailed information regarding, how AWS will ensure that there will be capacity at Little Totham to receive the foul water flows.</p> <p>No information has been provided regarding:</p> <ul style="list-style-type: none"> <li>• A timeframe for upgrades to take place and how this will fit in with the commercial development's timescales e.g. ensuring necessary upgrades are undertaken prior to occupation/use of commercial development.</li> <li>• Details of how necessary upgrades to Little Totham WRC will fit in with AWS Long Term Plan or AMP funding – how and when will the upgrades be funded and delivered.</li> <li>• Assessment or acknowledgement of the potential impact of additional foul effluent from the development site on the water environment, especially the receiving watercourse of Pennys Brook and ultimately the Blackwater River.</li> </ul> <p>We acknowledge that this application relates to a commercial development site;</p>	<p>Noted and additional information has been received from AWS which has been sent to the EA – further comments below.</p>

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
	<p>as opposed to residential. However, occupation of this commercial development will generate foul effluent, and put additional pressure on the already strained Little Totham WRC, which is currently discharging at, and sometimes above, its maximum permitted capacity. We should stress that our concern is with water quality and not necessarily permit compliance: A degree of detail is required from AWS in a statement describing how damage to the receiving watercourse will be avoided.</p> <p><u>Condition</u> The commercial development shall not be occupied until, confirmation has been provided that upgrades/improvements at Little Totham WRC has been completed (or a new permit has been applied for) in line with development timescales, and ahead of occupation.</p> <p><u>Third response</u></p> <p>checked data again and the WRC (Water Recycling Centre) is actually currently flow non-compliant. In order to not hold up the application, we requested the no occupation condition. This will ensure that there will be no occupation until the WRC is compliant with the existing permit.</p>	<p>Noted and condition recommended.</p> <p>Noted and covered in section 5.6</p>

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
	<p>Note Anglian Waters (AWS) comments, however, the Environment Agency would still request and recommend the condition as stated above as no plans have been identified to address the existing permit exceedance and resulting permit exceedance that would be caused by this development. It is however encouraging that AWS have contacted the applicant to discuss them undertaking a pre planning assessment with us so they understand any potential costs.</p> <p>The Environment Agency’s primary concern is the risk of harm to the waters into which the WRC discharges which can reasonably be expected to have a detrimental effect by discharging volumes that are greater than that for which it is permitted. The point of our concern is not to use a planning issue to control the activity of the water undertaker, which is subject to separate regulatory control, but rather to prevent harm to the waterbody which is likely to occur and which cannot be prevented by any other statutory instrument.</p> <p>Our stance is that we cannot condone a knowing exceedance which would hamper efforts to achieve WFD ‘good ecological potential’ and, NPPF 170(e) which exists to prevent unacceptable risk or adverse effects to the environment.</p>	

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
ECC SuDS – Lead Local Flood Authority	Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission subject to conditions relating to submission of a detailed surface water drainage scheme along with maintenance and management of the surface water drainage scheme.	Noted and referred to in paragraph 5.6.6
ECC Highways	The site already benefits from a safe and suitable access onto the highway. The Highway Authority is satisfied that the number of trips generated by the proposals is not expected to have a significant impact on the local highway network. To confirm this, local junction assessments have been checked and no highway capacity issues are identified even at peak periods. The existing Business Park also benefits from an established, signposted route for larger goods vehicles serving the site in order to protect the smaller roads and lanes nearby. The impact of the proposed development cannot therefore be described as severe, which is the criteria required by NPPF to recommend refusal of the application. Consequently, from a highway and transportation perspective, the impact of the proposals is acceptable to the Highway Authority subject to the following requirements:	Noted and referred to in section 5.5

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
	<ul style="list-style-type: none"> <li>- Provision of a construction management plan</li> <li>- Securing the provision of vehicle parking</li> <li>- Securing cycle/powered two wheeler parking</li> <li>- An updated workplace travel plan and monitoring fee.</li> </ul>	
Essex County Fire and Rescue Service	Access for Fire Service purposes has been considered in accordance with the Essex Act 1987 - Section 13. More detailed observations on access and facilities for the Fire Service will be considered at Building Regulation consultation stage.	Noted.
Natural England	Natural England has no comments to make on this application.	Noted.

### 7.3 Internal Consultees

<b>Name of Internal Consultee</b>	<b>Comment</b>	<b>Officer Response</b>
Environmental Health	No objection to the principle of the development. Should planning permission be granted conditions are recommended in relation to foul drainage, a construction management plan, contamination and remediation, operating a delivery hours, and external illumination.	Noted and referred to within paragraphs 5.4.4 and 5.8.3
Planning Policy	The proposed development appears within site E1a and in line with the appropriate use classes. Presently the area looks like a storage or turning area and the proposed landscaping would be beneficial.	Noted.

Name of Internal Consultee	Comment	Officer Response
	<p>Certainly, it is significant in its scale but with no near neighbours I have no critique.</p> <p>The development would appear to offer capacity for increased employment and business growth and so is supported under Policy E1.</p>	
Place Services - Ecology	<p>We are satisfied that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority Species &amp; Habitats and, with appropriate mitigation measures secured, the development can be made acceptable.</p> <p>The mitigation measures identified in the submitted Preliminary Ecological Appraisal (Open Spaces Landscape &amp; Arboricultural Consultants Limited, October 2019) should be secured and implemented in full. This is necessary to conserve protected and Priority Species.</p> <p>We also support the proposed reasonable biodiversity enhancements, which have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 170d of the National Planning Policy Framework 2019.</p>	Noted and referred to in section 5.7
Tree Consultant	<p>Considers the tree report to suitably demonstrate how the trees to be retained will be protected.</p> <p>The soft landscaping scheme</p>	Noted and referred to in section 5.9

Name of Internal Consultee	Comment	Officer Response
	is acceptable, and the species chosen will complement the surrounding landscape and help enhance wildlife habitat potential.	

#### 7.4 Representations received from Interested Parties

7.4.1 **38** letters were received **objecting** to the application and the reasons for objection are summarised as set out in the table below:

Objection Comment	Officer Response
Site is outside the defined settlement boundaries where Policy S8 development will be restricted.	Please refer to section 5.1 of the report.
Given the rural and relatively isolated location of the Business Park cannot believe there is such a demand for units at this site.	Please refer to section 5.2 of the report.
The proposal would not do anything to help the vitality of the village as the Business Park is distinct from it. It would not create any jobs integrated to the fabric of the village.	Please refer to section 5.1 of the report. The proposal would generate employment opportunities which would be available to residents of the village.
If the proposal was for a new business park in this location doubt it would get permission. So any proposal to increase these problems in Tolleshunt Major should not be allowed.	The application has to be assessed as submitted having regard to all material considerations. The proposal is for an extension to the existing Business Park and is considered as such.
There must be better placed industrial parks nearer the A12 which do not have to use weight restricted bridges, single track lanes, small villages to drive through.	The Council has to consider the application before it and not alternatives.
The economic benefits of the proposal would not outweigh the detriment to the local area, countryside and village to such a degree as to justify a development of this size going outside the settlement boundary.	Please refer to the conclusion section of this report.
The density and layout and design, especially blocks A, B and C these buildings are imposing and will have a negative impact on our natural environment. They will be seen from the surrounding countryside as far as Little Totham.	Please refer to section 5.3 of the report.
The proposal will bring many more vehicles into the village along	Please refer to section 5.5 of this report.

<b>Objection Comment</b>	<b>Officer Response</b>
Beckingham Street.	
Beckingham Street and the surrounding roads are already under stress at present, especially the heavy traffic that passes through Little Totham.	Please refer to section 5.5 of this report.
The roads are not built for this level of traffic and residents have already had to put up with the volume of current heavy traffic entering the Business Park.	Please refer to section 5.5 of this report.
The site is not well connected to the A12.	Please refer to section 5.5 of this report.
There is no Public transport to this small village which means that effectively there could be another 100+ vehicles travelling along Beckingham Street and into the Business Park.	Please refer to section 5.5 of this report.
The roads are not safe for cyclists due to the number of lorries and HGVs.	Please refer to section 5.5 of this report.
There is a long term issue with current parking problems in Beckingham Street and after 2 long years this matter has still not been resolved.	In relation to the parking issues along Beckingham Street Essex County Council have advised that plans for parking restrictions on Beckingham Street were taken forward in the past. However, the Traffic Regulation Order (TRO) met with objections from local residents, so they were never introduced.
The parking of cars on Beckingham Street restricts access to houses opposite as well as visibility.	
Bollard placed to protect footpaths have been hit and squashed by commercial vehicles resulting in a dangerous situation.	
Only the western access to the village at Beckingham Street/School Road junction was assessed. No survey was undertaken at eastern access via Witham Road where a considerable amount of vehicles enter from.	Please refer to section 5.5 of this report.
The traffic movement assessment provided in the application is based solely on a single day's data and is therefore very unreliable as a representation of the situation.	Please refer to section 5.5 of this report.
The Beckingham Business Park is already much larger than originally anticipated and we believe that extending it would not be a sensible option.	Please refer to section 5.1 of this report.
Over the last 33 years the size of lorries visiting the business park have increased to huge juggernauts and arrive at all hours of the day and night disturbing residents sleep, causing damage to	Noted. Impact upon neighbouring residents is considered at section 5.4 of this report.

<b>Objection Comment</b>	<b>Officer Response</b>
roads, and danger to children and walkers.	
Lorries cause great damage to the grass and kerb sides which have to be repaired by the Council.	Noted. Damage to roads is dealt with by Essex County Council.
Lorries to not follow the designated routes from the business park.	Noted.
Where is there a lorry park or even parking facilities for drivers of the HGVs	The application does not seek any B8 use (storage and distribution) and there is no requirement to provide lorry spaces.
There are no pavements except directly outside the business park and it is dangerous for anyone walking in the village. There could be serious accident.	Please refer to section 5.5 of this report. Noted. Essex County Council Highways have raised no objection to this application and have advised that the impact of the proposed development cannot be described as severe, which is the criteria required by NPPF to recommend refusal of the application. On this basis there is no grounds to refuse the proposal on highway safety or capacity reasons.
Almost impossible to just walk to the park in the daytime without concerns for safety or having to go onto someone's driveway because of double way traffic from lorries.	
Some properties have had to install bollards outside their dwellings to stop them being damaged.	
Often find lorries pulling onto the driveways of dwellings to allow another one through due to narrow roads. This can damage residents bins.	
Have had incidents of lorries damaging telephone lines causing residents to be without telephone line and wifi.	
With DW Clarkes huge fleet and Tiptree Jams ever growing fleet traffic is absurd, to increase the business park will bring more problems with traffic.	
Already suffer from cars racing through village to get to work on time at the business park and again at the end of the day.	
The proposal includes 75 parking spaces (an extra 150 trips though the village every day), however predicted number of employees is 112-122 which would be an extra 244 car trips and unacceptable.	Please refer to section 5.5 of this report.
The travel plan does not put forward any credible proposals about how the impact of additional traffic could be mitigated.	Please refer to section 5.5 of this report.
The proposal would produce further noise for local residents which is not acceptable.	Please refer to section 5.4 of this report.

<b>Objection Comment</b>	<b>Officer Response</b>
The business park already omits noise that are at times impactive.	Please refer to section 5.4 of this report.
Can see no logical reason to increase the amount of units to the business park.	Please refer to section 5.1 of this report.
There are currently empty units on the Business Park and no need for any more.	Please refer to section 5.2 of this report.
The café would take business away from our village pub and a local family who provide a food delivery service to the Business Park.	The café is considered to be a small ancillary use to the Business Park and complies with LDP policy E1.
The village supports the business park but to increase its size would be detrimental to village life.	Noted.
Proposal would result in noise, pollution and safety issues for Tolleshunt Major residents and also Little Totham.	Please refer to section 5.4 of this report.
New security lighting will hugely increase the light pollution levels.	A condition is recommended to control the lighting details.
Air quality has noticeably deteriorated.	Please refer to section 5.4 of this report.
A cafe is a very bad idea as it will encourage even more vehicles to the business park as well as generating unwanted and unnecessary smells.	The café is considered to be a small ancillary use to the Business Park and complies with LDP policy E1. It would not be considered as a destination café.
Concerned that the proposal would result in an increase in rubbish and litter.	Noted.
Area is rich with wildlife and agricultural land. An increase in business units would mean higher pollution and be detrimental to the environment.	Please refer to sections 5.4, 5.7 and 5.9 of this report.
Concerned that the wildlife and pond area will set a precedent for further expansion of the Business Park.	This area is not land allocated for employment uses.
Given current pandemic and time of uncertainty do not feel that there is any need to take more green fields to build units, café or parking spaces.	Please refer to section 5.1 of the report which considered the principle of the development.
The safety and health of the residents of Tolleshunt Major should be given first priority over any future developments.	All material considerations have been taken into account in reaching the recommendation and advice sought from all relevant statutory consultees.
Application was not publicised.	The application was publicised in accordance with the Development Management Procedure Order 2010 with site notices erected and a press advert.
Residents have not been given sufficient time to give their views.	Both site notices and the press advert allowed 21 days for any letters of representation to be submitted.

**8. SUBJECT TO A SECTION 106 AGREEMENT AND PROPOSED CONDITIONS**

**HEADS OF TERMS OF ANY SECTION 106 AGREEMENT**

- Submission of an updated workplace travel plan accompanied by a monitoring fee of £5,000 (plus the relevant sustainable travel indexation) to be paid before occupation.
1. The development hereby permitted shall begin no later than three years from the date of this decision.  
REASON: To comply with Section 91(1) of The Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
  2. The development shall be carried out and retained in accordance with the following approved plans and documents: OS 1799-19.1a Rev E, OS 1799-19.1b Rev E, OS 1799-19.2a Rev E, OS 1799-19.2b Rev E, OS1799-19.4-1 Rev B, OS 1799-19.4-2 Rev B, 1625 Loc 01-B Rev A, 1625-02-B Rev A, 1625-05-B, 1625-06-B, 1625-07-B, 1625-04-B Rev E, 1625-09-B, 1625-10-B, 1625-11-B, 1625-12-B, 1625-13-B, 1625-14-C, 1625-15-B.  
REASON: To ensure the development is carried out in accordance with the details as approved.
  3. The materials used in the construction of the development hereby approved shall be as set out within the application form/plans hereby approved  
REASON: In the interest of the character and appearance of the area in accordance with policy D1 of the approved Maldon District Local Development Plan and guidance contained within the National Planning Policy Framework.
  4. Block A and Block B as shown on approved plan reference 1625 04 rev B shall only be used for industrial purposes which are defined within Classes B1 (b), B1 (c) and B2 of the Schedule to the Town & Country Planning Use Classes Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order) and for no other purpose.  
REASON: To protect and ensure the appropriate employment use of the site in accordance with Policy E1 of the approved Maldon District Local Development Plan and guidance contained within the National Planning Policy Framework.
  5. Block C as shown on approved plan reference 1625 04 rev B shall only be used for office purposes as defined within Class B1(a) of the Schedule to the Town & Country Planning Use Classes Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order) and for no other purpose.  
REASON: To protect and ensure the appropriate employment use of the site in accordance with Policy E1 of the approved Maldon District Local Development Plan and guidance contained within the National Planning Policy Framework.
  6. The Café as shown on approved plan reference 1625 04 rev B shall only be used as a café as defined within Class A3 of the Schedule to the Town & Country Planning Use Classes Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order) and for no other purpose.  
REASON: To ensure an appropriate ancillary use on the site in accordance with Policy E1 of the approved Maldon District Local Development Plan and guidance contained within the National Planning Policy Framework.

7. In relation to Block A and Block B as shown on approved plan reference 1625 04 rev B (the industrial units) no machinery shall be operated nor, shall any process be carried out and no deliveries or collections undertaken at the site other than between 07:30 hours and 18:30 hours on weekdays and between 07:30 hours and 13:00 hours on Saturdays and not at any time on Sundays and Public Holidays.  
REASON: In the interests of protecting the amenities of neighbouring occupiers having regard to policies D1 and H4 of the approved Maldon District Local Development Plan.
8. The office use hereby permitted (Block C as shown on approved plan reference 1625 04 rev B) shall only be undertaken between 07:30 hours and 20:30 hours on weekdays and between 07:30 and 13:00 hours on Saturdays and not at any time on Sundays and Public Holidays.  
REASON: In the interests of protecting the amenities of neighbouring occupiers having regard to policies D1 and H4 of the approved Maldon District Local Development Plan.
9. The café use hereby permitted as shown on approved plan reference 1625 04 rev B shall only be undertaken between 07:00 and 18:30 hours on weekdays and between 07:00 and 13:00 hours on Saturdays and not at any time on Sundays and Public Holidays.  
REASON: In the interests of protecting the amenities of neighbouring occupiers having regard to policies D1 and H4 of the approved Maldon District Local Development Plan.
10. No machinery shall be operated and no process shall be undertaken outside of the buildings hereby permitted.  
REASON: In the interests of protecting the amenities of neighbouring occupiers having regard to policies D1 and H4 of the approved Local Development Plan.
11. No goods, materials, plant, machinery, skips, containers, packaging or other similar items shall be stored or kept outside of the buildings hereby permitted.  
REASON: In the interests of visual amenity in accordance with policy D1 of the approved Local Development Plan
12. No development shall take place, including ground works or demolition (unless specifically required in relation contamination, remediation or infiltration testing), until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:
  - i. the parking of vehicles of site operatives and visitors
  - ii. loading and unloading of plant and materials
  - iii. storage of plant and materials used in constructing the development
  - iv. wheel and underbody washing facilities
  - iv. route to be used by construction vehicles to/from the site
  - v. measures to control the emission of dust and dirt during construction
  - vi. a scheme for recycling/disposing of waste resulting from demolition and construction works
  - vii. hours of worksREASON: To ensure that on-street parking of these vehicles in the adjoining streets does not occur, to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and to minimise the impact of the construction of the development upon nearby residents and the environment in accordance with policies D1, D2, and T2 of the approved Maldon District Local Development Plan.

13. No development shall commence, other than where necessary to carry out additional investigation, until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The development hereby permitted shall not commence until the measures set out in the approved scheme have been implemented, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority may give approval for the commencement of development prior to the completion of the remedial measures when it is deemed necessary to do so in order to complete the agreed remediation scheme. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

This must be conducted by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure any contamination on the land is remediated in the interests of the occupiers/workers/visitors to the site as well as neighbouring land uses and the water environment in accordance with policy D2 of the Approved Maldon District Local Development Plan and guidance contained within the National Planning Policy Framework.

14. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced. This must be conducted by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure any contamination on the land is remediated in the interests of the occupiers/workers/visitors to the site as well as neighbouring land uses and the water environment in accordance with policy D2 of the Approved Maldon District Local Development Plan and guidance contained within the National Planning Policy Framework.

15. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to the Local Planning Authority for approval in writing. These approved schemes shall be carried out before the development is

resumed or continued. Following completion of measures identified in the approved remediation scheme, a verification report demonstrating the effectiveness of the remediation scheme carried out must be submitted to the Local Planning Authority for approval in writing.

**REASON:** To ensure any contamination on the land is remediated in the interests of the occupiers/workers/visitors to the site as well as neighbouring land uses and the water environment in accordance with policy D2 of the approved Maldon District Local Development Plan and guidance contained within the National Planning Policy Framework.

16. 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:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
- Limiting discharge rates to 1.46l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change subject to agreement with the relevant third party.
- Demonstrate that all storage features can half empty within 24 hours for the 1:30 plus 40% climate change critical storm event.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- 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.
- Use of penstock valves in the design of the surface water drainage system to provide a means of containing accidental spills.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The development shall then be carried out in accordance with the details as approved.

**REASON:** To prevent flooding by ensuring the satisfactory storage of / disposal of surface water from the site in accordance with policy D5 of the approved Maldon District Local Development Plan, the National Planning Policy Framework and Planning Policy Guidance

17. Prior to the first use of any part of the development hereby permitted a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, shall be submitted to and agreed, in writing, by the Local Planning Authority.

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

**REASON:** To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk in accordance with policy D5 of the approved Maldon District Local Development Plan, the National Planning Policy Framework and Planning Policy Guidance.

18. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan agreed through condition 17 above. These must be available for inspection upon a request by the Local Planning Authority.  
REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk in accordance with policy D5 of the approved Maldon District Local Development Plan, the National Planning Policy Framework and Planning Policy Guidance.
19. Prior to the first use/occupation of the development hereby approved, details of all external illumination of the site including the luminance and spread of light and the design and specification of the light fittings shall be submitted to and approved in writing by the local planning authority. All illumination within the site shall be retained in accordance with the approved details. There shall be no other lighting of the external areas of the site.  
REASON: To minimise light pollution upon nearby property, the adjoining rural countryside and in the interests of biodiversity and ecology in accordance with policies D1, D2 and N2 of the approved Maldon District Local Development Plan.
20. Prior to the first use/occupation of the development hereby approved a scheme for the means of refuse storage including details of any bin stores shall have been submitted to and approved in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development and retained for such purposes at all times thereafter.  
REASON: To ensure adequate refuse facilities are available in accordance with policies D1 and D2 of the approved Maldon District Local Development Plan as well as the Planning and Waste Management Technical Document to Maldon District Design Guide
21. The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.  
REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy T2 of the approved Maldon District Local Development Plan.
22. Prior to the occupation of any part of the development hereby permitted details of the number, location and design of bicycle parking facilities/powering two wheelers shall be submitted to and agreed in writing by the local planning authority. The approved facilities shall be secure, convenient, covered and shall be provided in accordance with the approved scheme before any part of the development hereby approved is occupied and retained as such thereafter.  
REASON: To ensure appropriate cycle / powered two wheeler parking is provided in the interest of highway safety and amenity in accordance with policy T2 of the approved Maldon District Local Development Plan.
23. The development shall be carried out in accordance with all mitigation and enhancement measures contained in the Preliminary Ecological Appraisal (Open Spaces Landscape & Arboricultural Consultants Limited, October 2019) and the Specification for Soft Landscape Works and 5 Year Management Plan (Open Spaces

Landscape & Arboricultural Consultants Limited, April 2020) as submitted with this application.

**REASON:** To conserve and enhance protected and priority species and seek biodiversity enhancements in accordance with policy N2 of the approved Maldon District Local Development Plan.

24. No development works shall occur above ground level until details of the foul drainage scheme to serve the development, including connection point and discharge rate, have been submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development.  
**REASON:** To avoid the risk of water flooding and pollution in accordance with policy D2 of the approved Maldon District Local Development Plan.
25. The development hereby permitted shall not be occupied until, confirmation has been provided that there is permitted capacity at the Little Totham Water Recycling Centre.  
**REASON:** To ensure there is sufficient infrastructure capacity to protect the water environment and prevent deterioration in river water quality downstream of Little Totham Water Recycling Centre, which is at maximum capacity in accordance with policies D2 and H4 of the Maldon District Local Development Plan.
26. The Open Spaces Landscape Architects Arboricultural Impact Assessment including Tree Protection Measures and plans OS 1799-19.4-1 Rev B and OS 1799-19.4-2 rev B submitted in support of the application shall be adhered to in full, subject to the pre-arranged supervision detailed in section 7.17 of the statement.  
**REASON:** To ensure the development is carried out in accordance with the details submitted and to ensure the protection of trees to be retained as part of the development in accordance with policy D1 of the approved Maldon District Local Development Plan.
27. Within the first available planting season (October to March inclusive) following the occupation of the development the landscaping works as shown on approved plans OS 1799-19.1a Rev E and OS 1799-19.1b Rev E and specifications contained within OS 1799-19 Doc3 Rvs A (Specification for Soft Landscape Works and 5 Year Management Plan) which form part of this permission shall be fully implemented. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.  
**REASON:** To ensure the appropriate soft landscaping of the site in in the interest of the visual amenity of the site and wider area in accordance with policies S8 and D1 of the approved Maldon District Local Development Plan.
28. The hard landscaping works shown on approved plans OS 1799-19.2a Rev E and OS 1799-19.2b Rev E which form part of this permission shall be fully implemented prior to the first use of the development hereby permitted.  
**REASON:** To ensure the appropriate hard landscaping of the site in in the interest of the visual amenity of the site and wider area in accordance with policies S8 and D1 of the approved Maldon District Local Development Plan.

## **INFORMATIVES**

1. Essex County Council's Sustainable Travel Team have recommended the following updates / amendments to the submitted Framework Travel Plan;

- Incentives should be provided to join car share schemes, e.g. priority parking spaces, coffee mornings etc.
  - A Car Parking Strategy could be implemented based on need, i.e. distance travelled, access to other transport modes etc.
  - The Business Park can be used for events such as Dr Bike during national campaigns, walking challenges and gamification challenges like Love to Ride: Essex – Cycle September or Winter Wheelers.
  - Consideration must be given to how the monitoring surveys will be promoted and communicated to staff, to ensure a good take up of responses each year, and to ensure the results are comparable.
2. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway.
  3. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.
  4. During the construction phase, dewatering activities should follow the conditions of the Environment Agencies Regulatory Position Statement on temporary dewatering from excavations to surface water which is available at:  
<https://www.gov.uk/government/publications/temporary-dewatering-from-excavations-to-surface-water/temporary-dewatering-from-excavations-to-surface-water>.  
 If these conditions cannot be met, an environmental permit will be required.
  5. Where there is a requirement to obstruct or alter watercourses a consent under section 23 of the Land Drainage Act must be obtained from Essex County Council.
  6. Where any soils that are known to be contaminated are being excavated or exposed a site waste plan must be prepared in order to store treat and dispose of the materials in accordance with the waste duty of care. It is recommended that advice is sought from the Environment Agency on this matter.
  7. Care must be taken to prevent the pollution of ground and surface waters. This will include during works and the location of any hazardous materials including fuel from vehicles and equipment.
  8. An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer. Anglian Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence. Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.”