



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

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to  
**SOUTH EASTERN AREA PLANNING COMMITTEE  
9 NOVEMBER 2022**

<b>Application Number</b>	<b>22/00681/FUL</b>
<b>Location</b>	King George V Playing Field, Station Road, Southminster, CM0 7EW
<b>Proposal</b>	Construction of a new multi-use community pavilion and clubhouse to replace existing dilapidated modular buildings, including associated car parking, soft landscaping and services infrastructure.
<b>Applicant</b>	Mr John Anderson - Southminster Parish Council
<b>Agent</b>	Mr Simon Brown - Barker Associates (Essex) Limited
<b>Target Decision Date</b>	23.08.2022 EoT 11.11.2022
<b>Case Officer</b>	Jonathan Doe
<b>Parish</b>	<b>SOUTHMINSTER</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call in by Councillor A S Fluker in relation to Policy D1

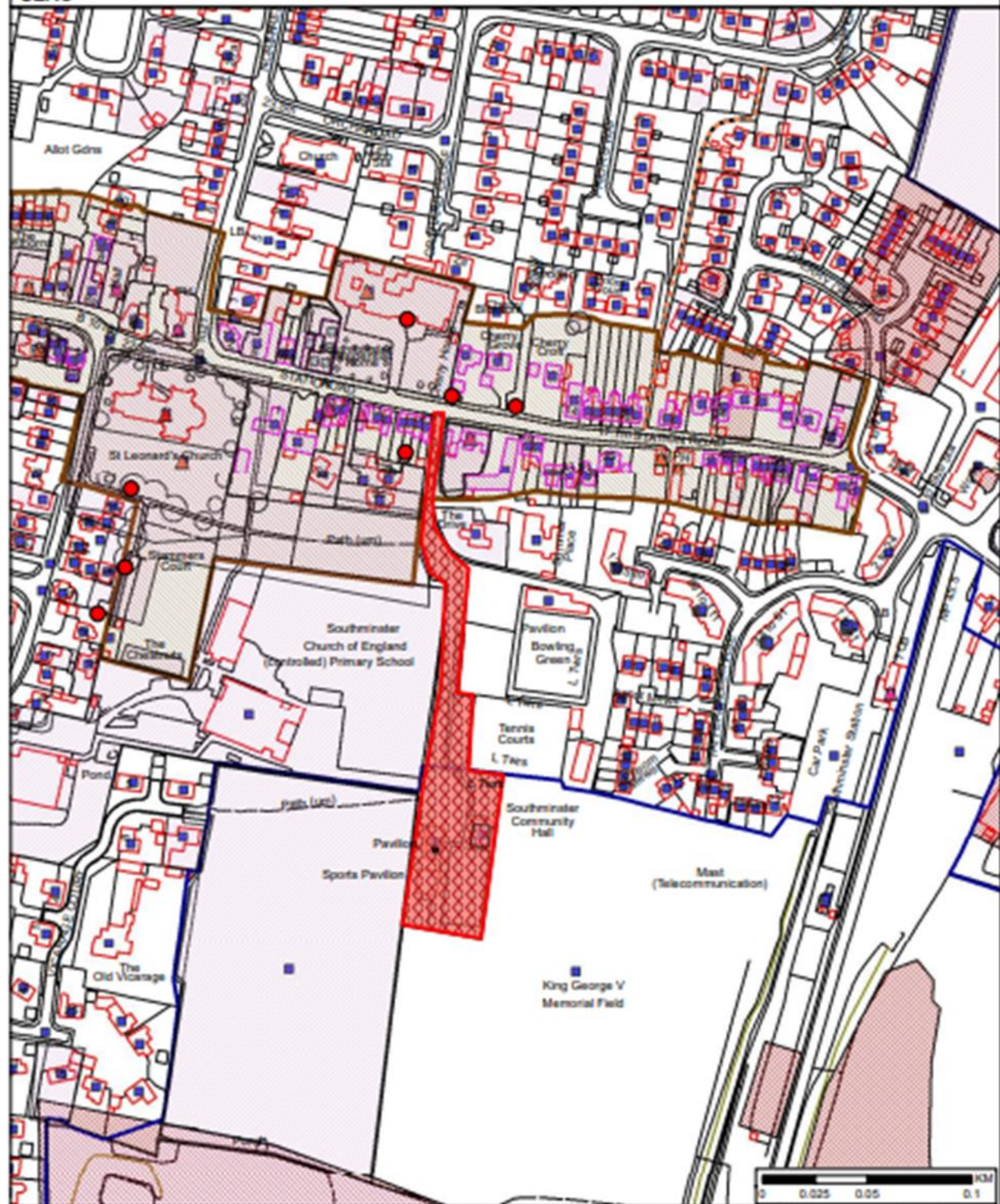
**1. RECOMMENDATION**

**APPROVE** subject to the conditions (as detailed in Section 8 of this report).

**2. SITE MAP**

Please see below.

22/00681/FUL  
SEAC



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Maldon District Council 100018588 2014

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Scale: 1:2,500

Organisation: Maldon District Council

Department: Department

Comments:

Date: 31/10/2022

MSA Number: 100018588



HALDON DISTRICT  
COUNCIL

### **3. SUMMARY**

#### **3.1 Proposal / brief overview, including any relevant background information**

- 3.1.1 This application relates to a proposed building for a combined community hall with sports club house. The proposal is to erect a two-storey building to accommodate changing rooms and a number of other facilities. The ground floor would consist essentially of changing rooms and a facility room interconnected with a kitchen; a “village hall” type arrangement. The first floor would have a function room with a kitchen off and a very small bar. The upstairs function room would lead onto a terrace, a fairly deep balcony area. The first floor would also accommodate further changing rooms, a gymnasium and a room for dance space, a dance studio room.
- 3.1.2 The building would have a gable roof at a shallow pitch with the roof broken into two elements. A PV panel array would be set on the southern roof slope.
- 3.1.3 The proposed building would be positioned to the south of tennis courts at the playing fields site. The position of the proposed building would be outside the settlement boundary for Southminster.
- 3.1.4 The proposed building would be 30m deep, north to south, with a maximum width of some 13m, west to east. The main entrance would be on the northern elevation. The building would have a maximum height of some 8.5m, 5m to the eaves. From ground level to the cills of the first-floor windows, the external walls would be of brickwork. External walls above the cills would be of horizontal weatherboarding of a dark grey colour. The roof would be of fibre cement slates. A fire escape stair, by the southwest corner, would be enclosed by galvanised weldmesh.
- 3.1.5 The proposed building would replace three single-storey buildings and a storage container at the site in approximately the same position. The site as a whole has a number of facilities, including a bowling green, three tennis courts and a children’s playground. These are at the northern end of the site, nearer the vehicular access and are defined as being within the settlement boundary. The playing fields, and the existing pavilion and sports pavilion are to the south of the site, outside the settlement boundary.
- 3.1.6 The site has a vehicular access to Station Road though the site is set back behind properties which front Station Road. The site has a relatively narrow access in proportion to the extensive area of the site. The vehicular access to the site is to a part of Station Road within the Southminster Conservation Area, the access is set between two Listed Buildings, a terrace of houses to one side of the site entrance and a detached house to the other side. The vehicular access to Station Road is effectively shared with two dwellings in a backland position behind development fronting Station Road.
- 3.1.7 The site is a designated sport and playing pitch under the Local Development Plan (LDP) and comprises three tennis courts, football pitches, a multi-use games area, a bowls green, a scout hut, playground and car park. There is a school to the northwest, 13 recently constructed dwellings to the west, and a Local Wildlife Site to the south. The wider surrounding area consists of residential dwellings, with Southminster railway station to the northeast of the site.
- 3.1.8 The site is in Flood Zone 1, the zone designated with the lowest likelihood of flooding.

## 3.2 Conclusion

- 3.2.1 Although outside the settlement boundary, the site is not in open countryside as the term is normally envisaged and the proposed two-storey building would replace single storey buildings and other built form with a piecemeal and somewhat uninspiring appearance. Vehicular access is poor but, due to heritage assets and arrangement of the site, cannot be improved. It is considered that, on balance, the benefit of a community hub for Southminster outweighs the deficiency of the vehicular access.

## 4. MAIN RELEVANT POLICIES

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

### 4.1 National Planning Policy Framework revised July 2021 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
- 55 – 58 Planning conditions and obligations
- 111-112 Highway safety and cumulative highway impact
- 126 – 136 Achieving well-designed places
- 174 – 188 Conserving and enhancing the natural environment

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

- S1 Sustainable Development
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D2 Climate Change & Environmental Impact of New Development
- D5 Flood Risk and Coastal Management
- E3 Community Services and Facilities
- N1 Green Infrastructure Network
- N3 Open Space, Sport and Leisure
- T2 Accessibility
- I1 Infrastructure and Services
- I2 Health and Wellbeing

### 4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- Maldon District Design Guide (2017) (MDDG)
- Maldon District Vehicle Parking Standards Supplementary Planning Document (SPD) (2018)

## **5. MAIN CONSIDERATIONS**

### **5.1 Principle of Development**

- 5.1.1 The Council is required to determine planning applications in accordance with its Local 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)) and paragraph 47 of the NPPF.
- 5.1.2 The application site lies outside of any defined development boundary. 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.
- 5.1.3 The proposed building would not be highly visible from the main road to the north as it is set behind buildings however it would be visible from views within the surrounding area, including Vicarage Court, Tattersalls Chase and from trains going to and from Southminster Station.
- 5.1.4 The proposed building would be sited in a similar location to the existing demountable units which are currently used as part of the sports pitch. Therefore, its location is considered to be suitable. Whilst it would have a large footprint, it would be replacing the existing temporary structures on the site and the construction of a permanent building in place of those structures would improve the overall visual appearance of the site.
- 5.1.5 The site is a park and playing pitch, as designated within the LDP. There will be a presumption against any development which may lead to the loss, degradation, fragmentation and/or isolation of existing or proposed green infrastructure. Where there is no adverse impact or the adverse impact can be mitigated without loss in value, development proposals which promote the use and enjoyment of the natural environment will be encouraged.
- 5.1.6 Policy E3 states that the Council will seek to retain and enhance the provision of community services and facilities. Development proposals which will help to improve the provision of and accessibility to community services and facilities in a local area will be encouraged including the re-located, co-location, modernisation and expansion of existing services. The proposal would align with the aims of this policy.
- 5.1.7 Policy N1 aims to preserve and enhance a multifunctional green infrastructure network and therefore all development should:
- 1) Maximise opportunities for the restoration, enhancement and connection of the District's green infrastructure network throughout the lifetime of the development, both on-site and for the wider community;
  - 2) Maximise opportunities to integrate green infrastructure with other types of land uses and/or design measures to maximise the collective social, economic and environmental benefits;

- 3) Seek to meet local standards and address any deficiencies as identified in the Maldon District Green Infrastructure Study and future strategies adopted by the Council; and
- 4) Where appropriate, be accompanied by a viable, long term management plan to the Council's satisfaction.

5.1.8 The development would be used as part of and in relation to the use of the site as a sports field and therefore there is no objection in principle in relation to Policy N1.

5.1.9 Other uses would be involved though it is considered that these are the subject of Policy E3, Community Services and Facilities. Part of the text of this policy states that the Council will seek to enhance the provision of community services and facilities within the District, particularly where they are essential to the local community. The text of the policy also states: Development proposals and other measures which will help to improve the provision of, and accessibility to, community services and facilities in a local area will be encouraged, including the relocation, co-location, modernisation and expansion of existing services.

5.1.10 Accordingly, the proposal is supported in principle by Policy E3.

5.1.11 The Strategy Theme Lead, Community supports the application. The Strategy Team comment that Southminster Parish is in the bottom 20% of all Wards in England in relation to acute community need (source: Essex Community Needs Index, Essex County Council (ECC), 2022). This means the community have limited access to transportation and physical community assets which leads to a lack of community cohesion and enabling communities to come together. The application supports the key priorities in the approved Community Strategy and approved Corporate Plan 2021-23 Outcomes for delivery of community infrastructure to support health and wellbeing in the District. The Strategy Team points out that Policies E3 Community Services and Facilities and N3 Open Space, Sport and Leisure, LDP, support the application.

5.1.12 In conclusion with regard to the principle of the development, the circumstances of the site and its setting are such that it is acceptable with regard to Policies S1, S8 and N1 and is supported by Policy E3.

## 5.2 Design and Impact on the Character of the Area

5.2.1 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.

5.2.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The NPPF states that:

*“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.*

*“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way*

*it functions, taking into account any local design standards or style guides in plans or supplementary planning documents”.*

- 5.2.3 The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution in terms of:
- Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;
  - Height, size, scale, form, massing and proportion;
  - Landscape setting, townscape setting and skylines;
  - Layout, orientation, and density;
  - Historic environment particularly in relation to designated and non-designated heritage assets;
  - Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
  - Energy and resource efficiency.
- 5.2.4 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the Maldon District Design Guide (2017).
- 5.2.5 The proposed building is considered to be of a simple but interesting design. The southern elevation, the front of the building, would have a clear entrance via a centrally placed pair of doors with glazing to both sides. Nearly all of the first floor on the northern elevation would be glazed and the gable would essentially consist of an aluminum curtain wall which would include integrated louvres. This arrangement would give the entrance elevation, the first elevation of the building to be seen when approaching from the road, some presence despite the building being deeper than wide. The gable roof would project from the footprint of building somewhat thereby giving visual interest to the side elevations and a certain distinctiveness to the building as a whole. The building would have a modern style but in a modest way whereby the simplicity to its appearance could achieve some degree of elegance.
- 5.2.6 The building would have a deep form but the western elevation would be visually broken into three elements; the front part of brick or weatherboarded walls with a slate effect roof, a middle section of vertical weatherboarding wall and roof, and an end section with a slate effect roof. The eastern elevation would have something of a horizontal emphasis though have visual interest principally by the balcony area within a void beneath the roof and the roof form appearing as three elements.
- 5.2.7 The Design and Access Statement forming part of the application documentation refers to how the proposals are predicated on offering full access to all members of the community regardless of abilities. New accessible parking spaces would be provided adjacent to the primary entrance, used by all visitors to the building. All external doors onto surrounding paving at ground floor and onto the first-floor terrace would facilitate level access at all entry and exit points. Power-assisted doors at the primary entrance, with associated door guards and button operation would offer un-hindered access for unassisted wheelchair users. Dedicated wheelchair accessible WC, shower and changing facilities would be provided in both right and left-handed configurations. Access to the first floor via a Part-M compliant (building control standard for accessible buildings) platform lift would ensure that all areas of the building would be available to visitors of all abilities.

5.2.8 The design is considered to be of a good quality and there would be no adverse impact to the character of the area.

### **5.3 Impact on Residential Amenity**

5.3.1 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 Maldon District Design Guide (2017).

5.3.2 There are residential properties to the northeast at Epsom Mews and Ascot Mews off Tattersalls Chase, part of the Glebe Meadow development. Further away, on the far side of a field to the west, are residential properties on Vicarage Close which links to Burnham Road.

5.3.3 The design of the proposed building includes a balcony, a first-floor level terrace, with views to the south across the football pitches to the Oak Lakes Fisheries. The terrace would also have a limited, 5.7m long, extent with a view to the east. Due to the position of the building and the built form set back from the terrace, there would be no view to the northeast; properties on Epsom Mews and Ascot Mews would not be overlooked. The detailed design of the building would include a staircase enclosed by walling of mesh. The staircase would be at the southwest corner of the building thereby obscuring views to the west from the terrace. The design and arrangement of the position of the building would be such that no residential property would be overlooked.

5.3.4 The proposal would appear likely to lead to an intensification of the use of the site, the building could be used for functions with catering facilities and a limited bar facility for hire for social and sporting occasions including wedding receptions, business seminars and presentations. Given this and the terrace being open to the rear, noise, particularly in the evening, should be considered.

5.3.5 With regard to light, existing tennis courts to the west of Tattersalls Chase have external illumination. The football pitches to the south of the position of the proposed building are not illuminated. It is considered that the football pitches and a field to the west would provide an isolation space sufficient such that there would be no material adverse impact to the occupiers of neighbouring properties with regard to light and external illumination.

5.3.6 It is noted that planning permission 11/00249/FUL, for a multi-purpose community use pavilion at the site, was subject to a number of conditions, three of which were for noise insulation (condition 3), hours of use being 8:00 to 23:30 Monday to Saturday and 9:00 to 21:00 Sundays and Bank Holidays (condition 4) and that no amplified sound be audible outside the building (condition 5). Subject to the imposition of conditions in line with the previous planning permission at the site, 11/00249/FUL, the proposal is considered acceptable with regard to residential amenity.

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

5.4.1 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.



5.4.2 A Transport Statement has been submitted as part of the application documentation. This considers that any additional trips which would be generated would visit during weekends. Given that the weekend traffic flows are low, when compared to the current weekday levels, it is concluded in the Transport Statement that the combined additional and current weekend trips would not exceed the weekday trips. Furthermore, it has been established within the report that the existing site access operates without issue, i.e., there has not been any recorded accidents at the site access in the last 22 years.

5.4.3 The Design and Access Statement illustrates parking provision, to the north and to the west of the proposed building, with 45 spaces.

## 5.5 **Flooding and Drainage**

5.5.1 Policy D5 is concerned with Flood Risk and Coastal Management and sets out a number of requirements of new development including that it be demonstrated how it would maximise opportunities to reduce the causes and impacts of flooding.

5.5.2 A Flood Risk Assessment forms part of the application documentation. This refers to there being no formal regime for management of surface water run-off. In the light of comments made by Anglian Water and by Environmental Health, and in the interest of pursuing sustainable development, it is considered reasonable and necessary to impose conditions regarding drainage.

## 5.6 **Biodiversity**

5.6.1 A Local Wildlife Site lies to the south, to the south of the playing fields, the Goldsands Road Pits and Lakes.

5.6.2 Policy N2 is concerned with the natural environment and biodiversity and requires, amongst other matters, that wherever possible, all development proposals should incorporate ecologically sensitive design and features. Where appropriate, development proposals near any watercourses or water bodies should provide a sufficient buffer which will be beneficial from the perspective of minimising the encroachment of development, providing ecological enhancements, and preventing pollution.

5.6.3 It is considered that the isolation space of the sports pitches to be retained to the south of the proposed building would provide such a buffer. The Design and Access Statement refers to biodiversity measures and it is considered appropriate that a condition to ensure net biodiversity gain is necessary to accord with Policy N2 and the requirements of Government guidance.

5.6.4 Place Services' ecological advice service has confirmed in writing that it has no objection subject to securing biodiversity mitigation and enhancement measures.

## 6. **ANY RELEVANT SITE HISTORY**

- **11/00249/FUL** - Erection of multi purpose community use pavilion – Approved 11.05.2011.
- **20/03129/PREAPP** - Proposed sports clubhouse – It was concluded that a clubhouse building could be supported in principle, with the caveat that evening events could be a cause for concern.

- **21/03216/PREAPP** - Change of use of community hall D1 to a community building (Class E) – This was a detailed enquiry relating to the exact use of the existing community building.

## 7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

### 7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Southminster Parish Council	We recommend the granting of planning permission	Noted

### 7.2 Statutory Consultees and Other Organisations (*summarised*)

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Anglian Water	Detailed comments made. A condition regarding a scheme for on-site foul water drainage works is suggested.	Noted
Highways	Final response awaited	

### 7.3 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objection. Conditions regarding surface water drainage and foul water drainage, a construction management plan and no external illumination are suggested. Informative suggested.	Noted
Strategy Team	The Strategy Theme Lead, Community supports the application.  Southminster Parish is in the Bottom 20% of all Wards in England in relation to acute community need (source: Essex Community Needs Index, ECC, 2022). This means the community have limited access to transportation and physical community	Noted

Name of Internal Consultee	Comment	Officer Response
	<p>assets which leads to a lack of community cohesion and enabling communities to come together.</p> <p>Policies E3 Community Services and Facilities and N3 Open Space, Sport and Leisure, LDP, support the application.</p> <p>The application supports the key priorities in the approved Community Strategy and approved Corporate Plan 2021-23 Outcomes for delivery of community infrastructure to support health and wellbeing in the District.</p>	

#### 7.4 Representations received from Interested Parties (summarised)

7.4.1 One letter was received in support of the application and the reasons for support are summarised as set out in the table below:

Supporting Comment	Officer Response
<p>I strongly support this application for a much needed facility in Southminster area. Any future planning applications approved for developments in the area should be made to donate funding to this facility.</p>	<p>A mechanism for funding, such as Community Infrastructure Levy, is not in place.</p>

## 8. PROPOSED CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:  
 Site location plan and block plan (within Design and Access Statement)  
 BA/P21-602-310 Demountable Block 1 to be demolished Floor Plan and Elevations  
 BA/P21-602-311 Demountable Block 2 to be demolished Plans and Elevations  
 BA/P21-602-312 Container Block 3 to be demolished Plan and Elevations  
 BA/P21-602-313 Demountable Block 4 to be demolished Plan and Elevations  
 BA/P21-602-203 Revision A Proposed Ground Floor Plan  
 BA/P21-602-204 Revision A Proposed First Floor Plan  
 BA/P21-602-205 Revision A Proposed Roof Plan

BA/P21-602-301 Proposed North Elevation  
BA/P21-602-302 Revision A Proposed South Elevation  
BA/P21-602-303 Revision A Proposed East Elevation  
BA/P21-602-304 Revision B Proposed West Elevation  
BA/P21-602-305 Proposed Site Sections  
BA/P21-602-103 Existing Site Sections  
Transport Statement by Parker Planning Services, reference 3088 Revision V2  
Flood Risk Assessment by JPC Environmental Services  
Preliminary Ecological Appraisal by Essex Ecology Services Ltd  
Design and Access Statement

REASON To ensure that the development is carried out in accordance with the details as approved.

- 3 No development works above ground level shall occur until details of a surface water drainage scheme to serve the development 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. The scheme shall ensure that for a minimum: 1) The development should be able to manage water on site for 1 in 100 year events plus 40% climate change allowance. 2) Run-off from a greenfield site for all storm events that have a 100% chance of occurring each year (1 in 1 year event) inclusive of climate change should be no higher than 10/l/s and no lower than 1/l/s. The rate should be restricted to the 1 in 1 greenfield rate or equivalent greenfield rates with long term storage (minimum rate 1l/s) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield). You are advised that in order to satisfy the soakaway condition the following details will be required:- details of the area to be drained, infiltration rate (as determined by BRE Digest 365), proposed length, width and depth of soakaway, groundwater level and whether it will be rubble filled. Where the Local Planning Authority accepts discharge to an adopted sewer network you will be required to provide written confirmation from the statutory undertaker that the discharge will be accepted.
- REASON In the interest of sustainable development in accordance with Policy S1 7), Policy D2 5) and Policy D5 1) and 4) of the Local Plan and the provisions of the National Planning Policy Framework.
- 4 No development works above ground level shall occur until details of the foul drainage scheme to serve the development have been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the first use or occupation of the building hereby permitted.
- REASON In the interests of good planning and public amenity in accordance with Policy T2, Policy S1 6) and 11), Policy D1 4) and Policy D5 6) of the Local Plan.
- 5 Prior to the commencement of the development the applicant shall submit in writing a construction management plan to the Local Planning Authority which shall subsequently have been approved in writing. Within the construction management plan it must consider the following requirements: The applicant should ensure the control of nuisances during construction works to preserve the amenity of the area and avoid nuisances to neighbours and to this effect: a) no waste materials should be burnt on the site, instead being removed by licensed waste contractors; b) no dust emissions should leave the boundary of the site; c) consideration should be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site; d) hours of works: works should only be undertaken between 0730 hours and 1800 hours

on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays. If it is known or there is the likelihood that there will be the requirement to work outside of these hours or there will be periods where there will be excessive noise that will significantly impact on sensitive receptors Environmental Health at Maldon District Council must be notified prior to the works as soon as is reasonably practicable. The developer is advised to consult nearby sensitive noise premises and may be advised to apply for a Prior Consent under Section 61 of the Control of Pollution Act 1974. 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. 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. Where there is requirement for dewatering the site the relevant consent must be sought from the Environment Agency 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.

REASON In the interest of public amenity in accordance with Policy D1 4) and Policy D2 6) of the Local Plan.

6 No means of external illumination of the site shall be installed unless otherwise agreed in writing by the Local Planning Authority.

REASON In the interests of public amenity and biodiversity in accordance with Policy D2 6) and Policy N2 of the Local Plan.

7 Prior to construction above damp-proof course a scheme for biodiversity net gain and nature conservation enhancement of the site, along the lines referred to at section 6 of the Design and Access Statement and at 3.6.2 of the Preliminary Ecological Appraisal, shall have been submitted to and approved in writing by the Local Planning Authority.

REASON In the interest of sustainable development in accordance with Policy S1 9), Policy D1 1) f) and Policy N2 and the provisions of the National Planning Policy Framework.

8 Prior to first use of the building hereby permitted the parking spaces as shown at 2.0 of the Design and Access Statement shall be available for use. The parking spaces shall be retained for the sole use of vehicle parking provision for visitors to the King George V playing field site thereafter.

REASON In accordance with Policy T2 of the Local Plan.

9 Prior to the commencement of development details of a scheme of noise insulation for the building hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The agreed insulation works shall be fully implemented, and retained as such, prior to the use of the pavilion.

REASON In the interest of public amenity, to avoid noise pollution in accordance with Policy D1 4) and Policy D2 6) of the Local Plan.

10 The building hereby permitted shall only be used between the hours of 08:00 and 23:30 Monday to Saturday inclusive and between the hours of 09:00 and 21:00 on Sundays and Bank Holidays. Deliveries and collections to and from the building shall only be undertaken between the hours of 08:00 and 18:00 Monday to Saturday inclusive and between the hours of 08:00 and 13:00 on Sundays and Bank Holidays.

REASON In the interest of public amenity, to avoid noise pollution in accordance with Policy D1 4) and Policy D2 6) of the Local Plan.

11 There shall be no amplified sound audible outside of the building.

REASON In the interest of public amenity, to avoid noise pollution in accordance with Policy D1 4) and Policy D2 6) of the Local Plan.

## **INFORMATIVES**

1. Should any land or groundwater contamination be found that was not previously identified or not considered in a scheme agreed in writing with the Local Planning Authority, the site or part thereof should be re-assessed by a competent person in accordance with the Essex Contamination Land Consortium's Land Contamination Technical Guidance For Applicants and Developers and UK best-practice guidance.
2. If the building is known or suspected to contain asbestos an appropriate Asbestos Type survey of the buildings must be undertaken by a competent person.

The applicant ensure that all work is undertaken in accordance with the Control of Asbestos Regulations 2012 and its Approved Code of Practice which is regulated by the Health and Safety Executive. Under this Duty holders must complete a risk assessments and an asbestos management plan prior to the commencement of the works. The risk assessment will determine whether the works are licensed, notifiable non-licensed work or non-licensed. It will also require that prior to demolition a refurbishment/demolition survey will be required to ensure that nobody will be harmed and the works will be undertaken in the correct way. For further information please see the HSE's website.

It is also recommended that the council's Building Control department is notified of any demolition in order that requirements can be made under the Building Act 1984.