



Appeal Decision

Hearing held on 23 and 24 March 2021

Site visit made on 25 March 2021

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Saturday, 08 May 2021

Appeal Ref: APP/Y0435/W/20/3252373

Blakelands 1, Yeomans Drive, Blakelands, Milton Keynes MK14 5BT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by GUPI 6 Limited against Milton Keynes Council.
- The application Ref: 19/02771/FULMMA is dated 17 October 2019.
- The application sought planning permission for the demolition of existing B8 storage and distribution warehouse, and erection of a new B8 storage and distribution warehouse with ancillary B1 floorspace and associated works without complying with conditions attached to planning permission Ref: 18/02341/FUL, dated 11 April 2019.
- The conditions in dispute are Nos: 1, 12 and 19.
- Condition 1 states that the approved development shall be carried out in accordance with the following drawings/details: Historic Building Record date: April 2018 received on 27th April 2019; Proposed Cycle Shelter 16022_C605 rev A date: 12.07.18 received on 12th February 2019; Storm Water/ SuDS Maintenance Plan T/17/1822 date: 11/09/18 received on 2nd October 2018; Drainage Layout, T/16/1822 CL(19)01 Rev C5 received on 2nd October 2018; Exceedence Flood Route Plan T/16/1822 CL(19)07 Rev P1 received on 2nd October 2018; Section 278 Works General Arrangement, T/16/1822 65-02 Rev P3 date: 12.09.18 received on 18th September 2018; Section 278 Works Site Clearance, T/16/1822 65-03 Rev P3 date: 12.09.18 received on 18th September 2018; Section 278 Works Pavement Composition, T/16/1822 65-05 Rev P3 date: 12.09.18 received on 18th September 2018; Section 278 Works Topographical Survey, T/16/1822 65-01 Rev P2 date: 07.09.18 received on 12th September 2018; Section 278 Works Risk Management, T/16/1822 65-07 Rev P2 date: 07.09.18 received on 12th September 2018; Section 278 Works Construction Details, T/16/1822 65-06 Rev P1 date: 06.09.18 received on 12th September 2018; Ground Investigation Report T161882GIR Issue 1.0 date: 28/06/18 received on 21st September 2018; Planning Site Entrance Arrangement T/16/1822 PLHW01 Rev P1 date: 30.08.16 received on 20th September 2018; Planting Plan 2594 201 rev C date: 19.10.18 received on 29th October 2018; Landscape Layout 2594 101 rev C date: 19.10.18 received on 29th October 2018; Biodiversity Management Plan R-3757-01 date: 18.10.18 received on 19th October 2018; Ground Gas Risk Assessment T161822GRAL01 date: 21.08.2018 received on 19 October 2018; Preliminary Tree Survey and Arboricultural Impact Assessment R-2649-01.2 inc. appendices date: 18.10.18 received on 19th October 2018; Preliminary Ecological Appraisal R-2649-02.2 date: 27.09.18 received on 26th September 2018 Location Plan 16022_PL01 date: 23.09.16 received on 20th September 2018; Proposed Site Plan 16022_PL05 Rev B date: 10.03.17 received on 20th September 2018; Proposed Warehouse Plan and Roof Plan 16022_PL06 date: 27.09.16 received on 20th September 2018; Proposed Gatehouse 16022_PL12 date: 28.09.16 received on 21st September 2018; Proposed Elevations 16022_PL09 date: 26.09.16 received on 21st September 2018; Proposed Sections 16022_PL10 Rev A date: 27.09.16 received on 21st September 2018; Proposed Office Plans 16022_PL07 date:

27.09.16 received on 20th September 2018; Proposed External Works 16022_PL13 date: 27.09.16 received on 20th September 2018; Proposed Site Sections 16022_PL14 date: 06.01.17 received on 21st September 2018; Flood Risk Assessment T/16/1822/FRA Issue 1.0 date: 12/08/2016 received on 21st September 2018; Noise Impact Assessment NIA/6850/16/6743 v2 date: 22nd Sept 2016 received on 21st September 2016 received on 21st September 2018.

- Condition 12 states that there shall be no heavy goods vehicles, entering, exiting or operating within the site outside of the hours of 07:00 to 21:00 Monday to Friday and 10:00 to 16:00 on Saturdays, Sundays and Bank Holidays.
 - Condition 19 states that prior to the installation of any external lighting, details of external lighting including security lighting shall be submitted to and approved in writing by the local planning authority. The plans shall show lighting proposed in accordance with BS5489 standards. The development shall thereafter be carried out in accordance with the approved details.
 - The reasons given for the conditions are: (1) for the avoidance of doubt and in accordance with the requirements of The Town and Country Planning (General Development Procedure) (England) Order 2015; (12) To protect the amenity of adjacent residential properties from adverse noise pollution; and (19) to ensure that the development does not detract from residential amenity and appearance of the locality.
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Decision

1. The appeal is allowed, and planning permission is granted for the demolition of the existing B8 storage and distribution warehouse, and erection of a new B8 storage and distribution warehouse with ancillary B1 floorspace and associated works at Blakelands 1, Yeomans Drive, Blakelands, Milton Keynes MK14 5BT in accordance with the application Ref: 19/02771/FULMMA dated 6 February 2020, without compliance with conditions number 1 and 19 previously imposed on planning permission Ref: 18/02341/FUL dated 11 April 2019, but subject to the attached schedule of conditions.
2. The appeal is dismissed insofar as it relates to the proposed variation of Condition 12 of planning permission Ref: 18/02341/FUL.

Procedural Matters

3. The Council's decision notice, in the first reason for refusal, cites Policy D4 of Plan:MK 2016-2030 (2019) (Plan:MK). It has subsequently been confirmed to me that this is a typographical error and that the correct policy that should have been listed is Policy D5 of Plan:MK. The Council also confirmed that its first reason for refusal omitted references to Policy NE6 of Plan:MK. As both policies have been referenced within the submissions of the appellant and Council, and were discussed at the hearing, it would not cause prejudice to any party to assess this appeal with reference to these policies.
4. There is a typographical error in the plans listed on the decision notice, as an incorrect drawing number is listed. However, the Statement of Common Ground (SoCG) sets out the correct plan number. Therefore, I have proceeded with reference to the corrected plan number.

Background and Main Issues

5. Planning permission was originally granted (reference: 16/03023/FUL, dated 17 January 2018) for a warehouse on the site. Works to implement this permission commenced. However, it became apparent that some of the conditions considered necessary by the Council were not listed on the decision

notice. Therefore, the appellant reapplied for planning permission (reference: 18/02341/FUL). This was approved, subject to all of the intended conditions. The approval was also subject to a legal agreement, which required the developer to cease implementation of the 2016 permission, in addition to making financial contributions towards carbon neutrality and public art.

6. The conditions in dispute therefore relate to planning permission 18/02341/FUL. Due to the legal agreement, planning permission 16/03023/FUL is a material consideration of very limited weight.
7. The appellant subsequently applied to the Council to vary conditions imposed on application 18/02341/FUL pertaining to the times that the development could be serviced by Heavy Goods Vehicles (HGVs), the approved plans and lighting. In brief, the Council refused the application due to concerns regarding the noise levels associated with the increased operation of HGVs and the lack of a legal agreement pertaining to public art and carbon neutrality.
8. In the case of the latter point, the appellant questions whether this would be in conformity with the statutory tests. This is relevant as should the appeal succeed; a new planning permission would be created. Accordingly, from the evidence before me, the main issues in this appeal are:
 - the effects of the proposed amendment in operating times of HGVs on the living conditions of the occupiers of the neighbouring residential properties;
 - whether the effects of the proposed development are such that a financial contribution towards carbon neutrality and public art would be required;
 - the effects of the proposed amendments to the plans on the character and appearance of surrounding area and the living conditions of the occupiers of the neighbouring properties; and
 - the effects of the proposed amendments to the lighting scheme on the living conditions of the occupiers of neighbouring residential properties.

Reasons

Effect of the proposed amendment to operating times

9. The appeal site contains a warehouse, which is yet to be occupied. The development features loading bays that are located to one side of the building. Adjacent to the loading bays are areas for lorry trailers to be parked, as well as manoeuvring areas. To the rear of the site is an overflow car park.
10. Beyond the rear boundary of the appeal site is residential accommodation. The closest streets are Bessemer Court and Telford Way. In addition, the surrounding area features several commercial activities. The uses can be broadly summarised as storage, light industry, and offices.
11. Policy NE6 of Plan:MK is of relevance to this appeal. This policy, amongst other matters, states that developments that result in intrusive noise which would have an adverse effect on human health should be refused. This is unless the need or benefits outweigh this harm, and that mitigation has been fully implemented. This policy is consistent with the National Planning Policy Framework (the Framework).

12. The Framework, in Paragraph 180, states that planning decision should mitigate and reduce to a minimum, potential adverse effects arising from a new development. In addition, Policy D5 of Plan:MK states that developments should result in a good standard of amenity for the surrounding area.
13. Whilst the cited policies are clear that adverse effects arising from noise should be avoided unless the harm is outweighed, it does not provide guidance as to how this effect should be assessed. I have therefore been directed by the Council and appellant towards both British Standard 4142 (BS4142) and British Standard 8233 (BS8233) as material considerations that can help inform this assessment.
14. In respect of BS8233, this standard applies to the design of new and refurbished buildings undergoing a change of use. It does not provide explicit guidance on assessing the effect of changes in the external noise levels to occupants of an existing building. Given that this main issue relates to the effects of an amendment in the hours that HGVs can operate at the site, the standard is not directly relevant. In consequence, this standard is of limited weight in my assessment.
15. In contrast, BS4142 provides methods for rating and assessing industrial and commercial noise. This directly relates to the type of existing development and the potential activities that would emanate from amending Condition 12 in the way proposed. In result, this carries great weight in my considerations.
16. Both the appellant and the Council have submitted noise surveys that sought to demonstrate the existing noise conditions. The Council's was carried out over a limited number of nights during the second Covid-19 related national lockdown. Noise readings were taken at five-minute intervals, rather than the minimum 15-minute period specified in BS4142.
17. Conversely, the appellant's survey was carried out over a greater number of days and took measurements over the minimum 15-minute period as specified by BS4142. The appellant also discounted the time leading up to the first Covid-19 related national lockdown, when transport activities were not representative of the normally anticipated patterns. Therefore, I find that the existing noise survey as carried out by the appellant to be a more compelling representation of the noise environment around the site.
18. There is agreement between the Council and appellant regarding the anticipated noise levels arising from the proposed amendment to HGV operating hours. The figures listed in the SoCG (up to 45 $L_{Aeq, 15min}$, dB) represent a worst-case scenario and would require all of the relevant loading bays to be used simultaneously, in addition to a total of 21 vehicle movements on the site all taking place within the same 15 minute period at night.
19. However, there are a significant number of residential properties to the rear of the appeal site with, in some cases, limited space between the appeal site and the elevations of the dwellings. Some of these elevations include windows that serve bedrooms. In result, the residential properties are of a great sensitivity to change and, accordingly, it is appropriate to apply the worst-case scenario.
20. The worst-case predicted noise levels would be lower than the background noise level as established through the appellant's noise survey. However, with reference to BS4142, it is necessary to consider whether noise penalties should

- be applied to the predicted noise levels. This is so that features of the future level of noise (such as impulsivity and intermittency) that would be readily distinctive against the background acoustic environment are taken into account.
21. Owing to the type of development, the likely sources of noise include activities such as engines revving; doors being opened and closed; and brakes being applied. In addition, given that the warehouse could be used on a more intensive basis should the proposed amendment proceed, there is also a likelihood that similar activities could occur in the car park to the rear of the building. At the hearing, there was some discussion regarding fork-lift trucks operating and reversing sirens. However, I am satisfied that this matter could, if needed, be addressed through a condition.
 22. These sources of noise would generally be intermittent and impulsive. Furthermore, although the surrounding area features some commercial activity, the predominant existing noise characteristic is one dominated by road traffic. This is a more continuous and constant noise, which would result in intermittent and impulsive noise having a greater and more noticeable impact.
 23. In result, it is appropriate to apply penalties to the predicted noise levels. Given that intermittency and impulsivity have differing characteristics, applying these penalties arithmetically is a suitable methodology. The evidence before me, in the form of BS4142, is indicative that the minimum penalty that can be applied for both intermittency and impulsivity is a total of six decibels.
 24. Due to the increase in rated noise levels (established by applying the penalty to the projected noise level), consideration needs to be given to the times that the increase in activity would occur and the surrounding land uses.
 25. The result of this is that the rated noise level arising from the proposed development would exceed the existing background noise level. Therefore, it is likely nearby residents would be able to clearly perceive the noise activity at the site. Furthermore, the increase in noise would occur during the night-time period, where residents would reasonably expect a greater level of peace and quiet.
 26. In consequence, the proposed increase in the operating times of the development is likely to disrupt sleep patterns. This is likely to result in disturbance, such as a difficulty for residents in getting to sleep, premature awakening, and difficulty in getting back to sleep. This would create conditions that could adversely affect the health of residents.
 27. In addition, the effects of the development would require residents to undertake behavioural changes, such as keeping windows closed during night-time periods to overcome the increased noise levels. This would be particularly concerning during warmer times of the year and should the dwellings not feature any alternative form of ventilation. The evidence presented at the hearing was that some of the neighbouring dwellings feature bedrooms that face the appeal site. I was able to view some of these arrangements on my site visit.
 28. Therefore, the increase in noise levels during night-time periods would result in behavioural changes and the possibility of adverse health effects. In result, the

- proposed amendment to operating times would give rise to significant adverse effects during those hours.
29. At the hearing, there was some debate regarding the level of the lowest observed adverse effect level (LOAEL), which is referred to in the Noise Policy Statement for England (2010) (the NPSE) as being the level above which adverse effects on health and quality of life can be detected.
 30. The appellant suggests that the LOAEL should be the existing background level. The Council disagreed with this approach but did not suggest a level. In the absence of compelling evidence to the contrary and given the approach used in the appellant's survey methodology, I find that the background noise level would be the LOAEL. Due to the noise levels that would be generated, the LOAEL would be exceeded.
 31. The significant observed adverse effect level (SOAEL) is also relevant. The NPSE states that the SOEAL is the level above which significant adverse effects on health and quality of life would occur. There is not a defined noise level at which the SOAEL exists. However, due to the previously identified effects, the SOAEL would be exceeded. The National Planning Practice Guidance includes a Noise Exposure Hierarchy table (paragraph: 005; Reference ID: 30-005-20190722). This states that noise that exceeds the SOAEL should be avoided.
 32. It is necessary to consider whether it is possible to avoid the adverse effects through planning conditions. The worst-case future noise level would occur despite the physical mitigation which has been installed on site and allowing for the proposed further works. Therefore, in the absence of any further additional physical mitigation, the only means by which the adverse effects of the development could be mitigated and reduced to a minimum is through reducing the hours in which HGVs can operate, as set out in Condition 12, so that the noise activity does not take place during the more sensitive weekend, evening and night time hours. With Condition 12 in place, the proposal would not result in harmful noise impacts.
 33. At the hearing, the appellant submitted a plan which, if made the subject of a condition, would prevent some areas of the site being used during the night. Whilst such a condition would reduce activity and therefore potentially noise, in the absence of analysis regarding the effects on noise levels it is not possible to establish if this reduction is sufficient to overcome the previously identified adverse effects. Therefore, I do not have certainty that a condition would be effective in mitigating the harm.
 34. The proposed amendment would aid efforts to finding an occupier for the warehouse, which would offer some economic benefits. This carries some weight in favour of the proposed amendment. However, such benefits would be outweighed by the previously identified adverse effects, to which I ascribe significant weight.
 35. The Council's reason for refusal cites Policy D3 of Plan:MK. However, this policy pertains to the design of new buildings. Therefore, I do not believe, that in this specific instance, it can be given a significant amount of weight as the appeal relates to the manner in which the development operates rather than its specific design.

36. I therefore conclude that the proposed amendment would have an adverse effect upon the living conditions of the occupiers of nearby residential properties. This would conflict with the requirements of Policies NE6 and D5 of Plan:MK; and the Framework. As a result, Condition 12 is both necessary and reasonable in order to mitigate the adverse noise impacts resulting from the development.

Necessity of contributions towards carbon neutrality and public art

37. The appeal site is located within a commercial area and near to residential properties. In the vicinity of the appeal site are significant areas of landscaping, which creates a distinctive character.

38. Policy SC1 of Plan:MK seeks to ensure that new developments achieve a 19% carbon reduction improvement over building regulations. Subsequently, developments should also provide on-site renewable energy generation or a connection to a low carbon community energy scheme. Following both objectives, the policy states that financial contributions to the Council's carbon offset fund should be secured.

39. Therefore, whilst the development would achieve the 19% carbon reduction, the policy does not state that this should be treated as an alternative to other requirements. Therefore, without a financial contribution the development would breach this policy.

40. This is a concern given that the proposed development would increase vehicle movements within the vicinity of the appeal site. This would result in an increase in carbon emissions, which would not contribute to a positive effect on the environment. Therefore, harm would arise from the breach of policy. The financial contribution towards offsetting sought by the Council is therefore necessary to make the development acceptable and directly related to the impacts of the proposal. It would also be fair and reasonable in scale to the development as it is based on a published methodology.

41. At this stage, the Council is unable to categorically state how the financial contribution towards carbon offsetting would be spent. However, at the hearing it was confirmed that there is an on-going programme of works to promote carbon neutrality within the surrounding area. This gives me adequate assurances that the contribution would be utilised for its intended purpose. The building has been constructed to BREEAM 'Excellent' standard. However, the increase in operating times could potentially result in an increase in vehicle movements and an increase in carbon emissions.

42. The warehouse building has a functional design, although the surrounding area has a distinctive landscaped character. In result, the effects of the functional design could be mitigated through a financial contribution to provide public art, which would support the creation of a distinctive character within the surrounding area.

43. Although the Council has not identified a specific piece of artwork that would be funded through the obligation, it is appropriate that this would be identified following a period of public consultation. Therefore, I do not find that the absence of an identified project to be unreasonable at this stage.

44. Therefore, I find that the proposed financial obligations towards public art to be necessary to make the development acceptable in planning terms; directly

related to the development; and fairly and reasonably related in scale and kind to the development. A completed Unilateral Undertaking was submitted as part of the appeal process and it has been confirmed by the Council that this document is legally sound, and I have no reason to disagree.

45. In result, I conclude that the development would provide the necessary contributions towards carbon neutrality and the provision of public art. The financial contribution would therefore conform with Policies SC1 and CC1 of Plan:MK; and Policy NP14B of the Great Linford North Neighbourhood Plan. Amongst other matters, these seek to ensure that developments include public art that enhances the appearance of the development and its surroundings.

The effects of the proposed amendments to the plans

46. The proposed amended plans include the provision of additional acoustic screens and screening of some of the loading bays, which would be attached to the warehouse building. These screens are necessary to achieve the predicted noise levels discussed previously.
47. These amendments are relatively small additions given the scale of the existing warehouse buildings. Furthermore, they are similar in the design of the building. Given these factors, the amendments would not cause harm to the character and appearance of the surrounding area.
48. Furthermore, the additional structures would be located away from the boundaries of the site. Some screening would also be provided from the site's boundary treatment. This would ensure that, in this specific regard, the living conditions of the occupiers of the nearby residential properties would not be eroded.
49. I therefore conclude that the proposed amendments to the plans would not cause harm to the character and appearance of the surrounding area, nor the living conditions of the occupiers of neighbouring properties. In this regard, this amendment would be in conformity with Policy D3 of Plan:MK. Amongst other matters, this seeks to ensure that the appearance of buildings contribute to a positive character and that extensions relate well to the existing building.

The effects of the proposed amendments to the lighting scheme

50. The 2018 planning permission included a condition that required the agreement of a light scheme by the Council. I understand that this took place and that the lighting scheme has been installed on site. The proposal seeks to amend this condition to ensure that the development operates in compliance with the previously agreed details.
51. At the Hearing, the Council confirmed that, as part of the agreement of details reserved by conditions, it has considered and approved a lighting scheme. The proposed revision to the condition would amend the wording from requiring further details to be submitted in respect of lighting to complying with the previously agreed details.
52. In result, the evidence before me indicates that the proposed amendment would not result in a greater amount of lighting being installed, or this operating at more intrusive levels. I have no reason to disagree with this.

53. In result, if I were minded to dismiss the appeal in respect of this variation, the operator could continue to use the previously installed lighting. Therefore, this amendment would not result in a greater effect upon the occupiers of neighbouring properties, or the character of the surrounding area.
54. I therefore conclude that the proposed amendments to the lighting condition would not result in an adverse effect upon the living conditions of the occupiers of neighbouring residential properties. In this regard, this amendment would be in conformity with Policy NE6 of Plan:MK. Amongst other matters, this seeks to ensure that lighting schemes do not affect the amenity of residential areas.

Conditions

55. The effect of allowing some of the conditions to be varied is that a new planning permission would be created. Therefore, it is necessary to consider whether the previously imposed conditions need to be re-imposed.
56. A condition setting out the approved plans is necessary in the interests of precision. To ensure that the development does not affect highway safety, it is necessary to impose conditions relating to access, service roads, turning areas and car parking. However, I have amended some of these conditions to include a retention clause and to specify a plan.
57. To ensure the development does not adversely affect the highway system, it is necessary to reimpose the condition pertaining to a traffic management plan. To provide certainty that the development would not erode living conditions of neighbouring properties or the environment, it is necessary to impose conditions relating to lighting, landscaping and biodiversity. This includes re-imposing Condition 12.
58. The suggested wording of the noise management condition includes a mechanism to agree amendments to the scheme. This, amongst other alternatives, was discussed at the Hearing. However, I am not satisfied that it is possible to draft such a mechanism with sufficient precision to comply with the statutory tests. In result, I have omitted this mechanism from the condition.
59. The SoCG suggests a condition pertaining to reversing sirens. At the hearing, it was suggested that this be amended to provide clarity that tonal reversing sirens should not be used on site. I have used this amendment to provide greater clarity and to maintain living conditions. The SoCG also includes a condition regarding the noise level of plant and equipment. Whilst amendments to this condition were discussed at the hearing, I have used the wording in the SoCG as this wording conforms with the statutory tests.
60. Owing to my findings in respect of the first main issue, I have retained the wording of Condition 12 in its original form, albeit this now has a different number.
61. The SoCG includes a condition requiring the provision of noise barriers. I have amended this condition to reference the submitted plan as the works comprise different elements.
62. In order to secure a satisfactory standard of development, it is necessary to reimpose conditions pertaining to contamination and drainage, although where appropriate, I have removed 'tail-pieces' by which different details could be

agreed. In order to promote trips other than by motor vehicles, the provision of cycle storage is necessary.

Conclusion

63. I have concluded that the effect of the proposed development generates the need for a financial contribution towards carbon neutrality and public art. However, there is an appropriate mechanism by which it might be secured.
64. In respect of this, and as the amendments to Conditions 1 and 19 would not generate harm, the appeal in respect of these two conditions should be allowed.
65. However, the proposed amendment to the operating hours would result in an adverse effect upon the living conditions of the occupiers of neighbouring properties. Therefore, for the preceding reasons, the appeal in respect of Condition 12 should be dismissed.

Benjamin Clarke

INSPECTOR

APPEARANCES

For the appellant:

Trevor Ivory	DLA Piper
Clive Bentley	Sharps Redmore
Bob Fletcher	Fletcher Rae Architects
Mark Harris	Freeths
Bruce Bailey	GUPI 6

For the Local Planning Authority:

Emmaline Lambert	of Counsel
Paul Keen	Milton Keynes Council
Sam Bryant	Cass Allen

Interested Parties

Jennifer Smith	Smith Jenkins Planning, of behalf of Great Linford Parish Council
Davina Scholefield	Local Resident
Jane Poole	Local Resident
Joseph Rowe	Local Resident
David Stabler	Public Arts Trust Milton Keynes

Documents Submitted at the hearing

BS4142
BS8233
16022_SK43 – Plan showing Proposed Area of Exclusion (in night-time hours)

Schedule of Conditions

1. The approved development shall be carried out in accordance with the following drawings/details: Proposed Site Plan (drawing reference 16022_PL05 G); Proposed Warehouse Plan and Roof Plan (drawing reference 16022_PL06 C); Proposed Elevations (drawing reference 16022_PL09 B); Proposed Sections (drawing reference 16022_PL10 C); Proposed External Works (drawing reference 16022_PL13 B); Proposed Site Sections (drawing reference 16022_PL14 B); Acoustic Screens & Enclosure Details (drawing reference 16022_PL17 A); Landscape Layout (drawing reference 2594 101 E); Planting Plan (drawing reference 2594 201 E); Dock Acoustic Enclosure M&E Services (drawing reference ESC1332-Z-100 P2) Drainage Layout (drawing reference T/16/1822 CL(19)01 C6); Exceedance Flood Route Plan (drawing reference T/16/1822 CL(19)07 P2); Tracking Layout (drawing reference T/16/1822 CL(94)10 P2); and External Lighting Layout (drawing reference ESC 1332 E 005 P3).
2. Within one calendar month of the new access being brought into use all other existing access points not incorporated in the development hereby permitted shall be stopped up in accordance with the details shown on drawing 16022_PL05 G.
3. Prior to the initial occupation of the development the turning area shown on drawing 16022_PL05 G shall be provided and that area shall not be used for any other purpose thereafter.
4. Prior to the first occupation of the development hereby permitted details of the proposed bicycle parking shall be submitted to and approved in writing by the Local Planning Authority and the scheme approved shall be provided and be retained thereafter prior to first occupation or bringing into use of the building.
5. Prior to the occupation of the development hereby permitted the car parking area shown on drawing 16022_PL05 G shall be constructed, surfaced and permanently marked out. The car parking area so provided shall be retained as a permanent ancillary to the development and shall be used for no other purpose thereafter.
6. The development shall be carried out in accordance with the mitigation and remedial works as set out in the submitted Environmental Review and Ground Investigation Report, carried out by Tier Consult (ref: T161822GIR) dated 28 June 2018.

Should any unforeseen contamination be encountered the Local Planning Authority shall be informed immediately. Any additional site investigation and remedial work that is required as a result of unforeseen contamination will also be carried out to the written satisfaction of the Local Planning Authority.
7. Tonal reversing alarms shall not be used on the site at any time.

8. Any plant and/or air handling units which are roof mounted shall be directed away from residential properties or suitably screened, to limit operation noise to 5dB below background levels at the nearest noise sensitive receiver.
9. The proposed noise mitigation measures, as shown on drawing 16022_PL05 G shall be installed prior to the occupation of the warehouse and shall thereafter be retained.
10. There shall be no heavy goods vehicles, entering, exiting, or operating within the site outside of the hours of 07:00 to 21:00 Monday to Friday and 10:00 to 16:00 on Saturdays, Sundays and Bank Holidays.
11. No part of the development shall be occupied until the industrial access road(s) have been laid out and constructed in accordance with the approved details. The access road(s) so laid out shall be retained thereafter.
12. No hard-standing areas to be constructed until the drainage works have been carried out in accordance with the surface water strategy so approved.
13. All planting in accordance with the landscape scheme shall be carried out in accordance with the approved details within the first planting season following completion of development. Any trees or shrubs removed, dying, severely damaged or diseased within two years of planting shall be replaced in the next planting season with trees or shrubs of such size and species as approved.
14. The Biodiversity Enhancement Scheme shall be implemented prior to the occupation of the building hereby permitted.
15. Prior to occupation, a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Noise Management Plan shall be fully implemented in accordance with the approved details and adhered to thereafter.
16. Prior to occupation, a Traffic Management Plan shall be submitted to and approved in writing by the Local Plan Authority. The site shall thereafter be managed in accordance with the approved details.
17. Prior to occupation, the external lighting scheme shall be carried out in accordance with External Lighting Layout (drawing reference ESC 1332 E 005 P3). The lighting scheme shall be maintained in accordance with the approved details