
Appeal Decision

Hearing (Virtual) held on 8 March 2022

Site visit made on 9 March 2022

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th March 2022

Appeal Ref: APP/X1545/W/21/3276774

**Land to South Of Beckingham Business Park, Beckingham Street,
Tolleshunt Major, CM9 8LZ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr J Baker of Beckingham Business Park Developments Limited against the decision of Maldon District Council.
 - The application Ref FUL/MAL/20/00493, dated 12 June 2020, was refused by notice dated 18 December 2020.
 - The development proposed is erection of 13 No. 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.
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Decision

1. The appeal is allowed and planning permission is granted for Erection of 13 No. Business & General Industrial Units (Use Classes E(g)(ii) and E(g)(iii) and B2), Office Block (Use Class E(g)(i)) and Cafe (Use Class E(b)), complete with related infrastructure including road, parking spaces, drainage, landscaping and ecological area at Land to the South Of Beckingham Business Park , Tolleshunt Major, CM9 8LZ in accordance with the terms of the application, Ref FUL/MAL/20/00493, dated 12 June 2020, and the plans submitted with it, subject to the attached schedule of conditions.

Applications for costs

2. An application for costs was made by Beckingham Business Park Developments Limited against the decision of Maldon District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The application was submitted prior to the publication on 1 September 2020 of The Town and Country Planning (Use Class) (Amendment) (England) Regulations 2020 (UCR) and under the transitional arrangements in place until 31 July 2021 the use classes were to be read as applied on 31 August 2020.
4. Following the end of the transitional arrangements Classes A1, A2, A3, B1, D1 and D2 are replaced by Class E in Part A of Schedule 2 of the UCR and therefore in my formal decision I have removed reference to Use Classes B1 and A3 and replaced these with the relevant parts of Class E.

5. Following the Council's decision, the National Planning Policy Framework (the Framework) was revised on 20 July 2021. The Council and appellant have had an opportunity to comment on the implications of these changes through their submissions.
6. The appellant has submitted a planning obligation under section 106 of the Town and Country Planning Act 1990 which I have taken into account. It provides for a Travel Plan Monitoring Fee to Essex County Council and I have contemplated this further later in my decision.

Main Issues

7. The Councils delegated report sets out a number of concerns relating to the impact of the development on the Little Totham Water Recycling Centre and I consider that this matter is significant and the appellant has provided a response to this area of concern within their appeal statement. Therefore, I am content that no one would be prejudiced by my taking this matter into consideration in the determination of the appeal.
8. In light of the above the main issues are:
 - the effect of the development, including its design, scale and appearance, on the character and appearance of the area.
 - the effect of the development on the Little Totham Water Recycling Centre

Reasons

Policy Context

9. Part of the appeal site is allocated under Policy E1 (a) of the Maldon District Approved Development Plan 2014-2029 (DP) for employment. Policy E1 states that new proposals for employment uses will generally be directed to the designated employment areas and that the Council will encourage employment generating developments. This will be achieved through the regeneration, modernisation and expansion of existing employment sites.
10. The allocated part of the site lies within the defined settlement boundary for Tolleshunt Major, a smaller village, where policy S8 states that the Council will support sustainable developments.
11. Policy D1 sets out the requirements for design quality and the built environment. In particular, the policy requires development to respect and enhance the character and local context and make a positive contribution in terms of architectural style; height, size, scale, form, massing and proportion; landscape setting and layout, orientation and density. Development should also contribute to and enhance the local distinctiveness.

Character and appearance

12. Beckingham Business Park (BBP) is located within the village of Tolleshunt Major which is a small settlement located within a predominately rural area. The site is accessed off Beckingham Street leading to the spine road of the existing industrial estate and the appeal site is located at the end of the existing spine road.

13. Beckingham Street provides the main route through the village which is characterised by ribbon development consisting of small and medium sized dwellings providing a mixed character. BBP is a medium sized light industrial and employment area and includes a mix of larger and smaller sized units.
14. The wider area is characterised by the extensive arable farmland with groups of trees and hedgerow lined narrow country lanes. Arable fields border the site to the east, south and west. The local farmland has a distinctive rural character within the gently undulating countryside and its field patterns and hedgerow boundaries, but this is strongly influenced by the BBP which projects into the countryside.
15. The appeal site comprises an irregular shaped area, which the parties agree is previously developed land, having been used in the past for fruit washing, with the circular concrete pads still being present on the site. The site is currently being used for the storage of materials.
16. The Council agreed that the current use of the site for storage does not contribute positively to the character and appearance of the wider area but that this storage is low level and its lack of permeance means that any impact would be subject to a degree of change over time.
17. The appellants Landscape and Visual Impact Assessment (LVIA) sets out that the value of the landscape receptor and its sensitivity to change is moderate. It goes on to consider that the magnitude of effect is therefore low. Although the LVIA concludes that the magnitude of effect arising from the proposals is low, the LVIA states that from viewpoint 6 the overall magnitude of the visual effects would be medium. Also, that from viewpoint 1 whilst the overall effect is considered to be low it accepts that there is a moderate sensitivity to change and that landscape mitigation is relied upon in reaching a view that the magnitude would be low.
18. The existing industrial estate already has an impact on the character and appearance of the countryside, as do a number of large buildings which are also visible beyond the appeal site. The existing scale and quantum of development is such that this appearance is stark against the rural landscape when viewed from the adjacent footpaths. There is clearly a change from the wider rural character to the industrial appearance of the buildings of BBP, which become visible as you walk along the existing public footpath located to the east of the appeal site. Therefore, from localised viewpoints the introduction of further development would in fact be noticeable but this would be viewed in the context of the existing development.
19. The existing storage on the site is also visible when walking along the footpath, however this is low level and at present predominately contains materials which blend into the landscape. However, I have not been provided with any evidence to indicate that the height of any storage on the site is restricted. Therefore, I consider that whilst the current use does have limited impact on wider views, there is uncertainty that this would remain so if the use of the site for storage were to intensify in the future.
20. The appellants view is that as the site is allocated for employment use a degree of landscape change is accepted. As a result of the size and position of the site, which projects in an irregular pattern from the existing BBP, I agree that any development of the site which extends into the countryside, would introduce

built form into the landscape and result in a change to the character and appearance of the area. However, the allocation does not place any requirements in terms of amount of floor space to be provided or the scale, height or number of units and therefore consideration needs to be given to the quantum of development proposed and whether this is sympathetic to the local context.

21. The buildings proposed are of a similar scale and appearance to those which currently exist on the industrial estate and as such would continue to be viewed within the context of the existing industrial buildings. The design of the buildings, rather than being of limited architectural merit, do provide elements of interest with the variation in the form and detailing that is included. In addition the position of Block C, which is located to the south of the access road, will provide a terminus to the development which will act as a visual stop.
22. It has been put to me by the Council that the proposed development, as a result of its siting on the boundary, would be a harsh feature which fails to create a soft transition into the countryside beyond, with any landscaping on the boundary taking time to establish. The appellant's architect set out during the hearing that the buildings have been placed on the boundary of the site in order to enable the servicing requirements to be centrally located rather than on the outer edges of the site.
23. It was evident from views from along the footpath to the east that the parking of cars and lorries on the boundary of BBP were a visible feature. Therefore, I accept that there is some merit in the architects' approach of designing the layout of the buildings to act as a screen to the inner workings of the estate. This would give a more defined boundary to the development and avoid that more cluttered appearance which is currently evident. Therefore, I am satisfied that this design approach would not be detrimental to the overall character and appearance of the area.
24. The scheme involves all of the parking and internal road network being located within the centre of the site, framed by the proposed buildings. This does result in a considerable amount of hardstanding within the centre of the site. However, this will be softened to some extent by the proposed landscaping of the central triangle which includes the café. Having regard to the commercial use of the site and the need for appropriate parking and turning I do not consider that the level of hardstanding is excessive. Furthermore, as a result of the proposed layout these areas will be screened and not lead to an adverse impact on the wider character and appearance of the area. It would also be similar to the level of hardstanding within the existing BBP and therefore not be incongruous when viewed from within the site.
25. It was agreed by the parties that the proposed landscaping on the boundary of the site was not there to act as a screen. But that the planting would instead be used to break up the form of the building. The width of the planting does vary and there are incidences where this does narrow considerably as a result of the proximity of the buildings to the site boundary. However, the proposal does allow for a native scrub mix to be provided, which the landscape consultant set out would include some emergent trees and would begin to mature within 5-10 years. Therefore, I am satisfied that the layout of the proposed buildings would enable sufficient landscaping to be provided which would help to soften views of the buildings from longer view points.

26. I therefore conclude that the proposed development would not harm the character and appearance of the existing site or the wider area. It would not conflict with policies E1, S8 or D1 of the DP as set out above.

Little Totham Water Recycling Centre (WRC)

27. The Environment Agency (EA) have set out that there have already been incidents of exceedance of the existing permit at the WRC, however no evidence has been provided to demonstrate that this has led to any detriment to water quality. However, nor is there any evidence to suggest that it has not. Anglian Water (AW) have indicated that they review capacity issues on an annual basis and that there are a range of solutions available to them, including applying for new permits from the EA.
28. I have had regard to the representations from both AW and the EA with regard to the capacity of the existing treatment works at the WRC. The evidence before me indicates that there is currently a risk to the water environment arising from a lack of capacity at the WRC and that this needs to be resolved in order to prevent a deterioration in river water quality downstream.
29. The Planning Practice Guidance (PPG)¹ suggests that where there is inadequate wastewater infrastructure the Council may wish to consider how development can be phased. The Council's position is that a condition is required to ensure sufficient capacity exists at the WRC prior to the occupation of any of the units.
30. The PPG sets out when conditions can be used relating to land not in control of the applicant². This sets out that 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, it may be possible to achieve a similar result using a condition worded in a negative form, a Grampian condition. Such conditions should not be used where there are no prospects at all of the action in question being performed within the time-limit imposed by the permission.
31. AW have set out in their planning consultation response that they are obligated to accept the foul flows from the development and would take the necessary steps to ensure that there is sufficient treatment capacity should planning permission be granted. I have also been provided with details of the investment process which is undertaken for the WRC and this demonstrates that there is an annual review of capacity, which includes forecasted growth and a review of compliance against the permit.
32. AW have confirmed that the process of reviewing capacity is only triggered once a site has gained planning permission. The appellant has indicated that following a grant of planning permission they consider it would take 12 months to build out any part of the site in advance of occupation.
33. Therefore, in order to mitigate any harm arising from the increased requirements for water treatment arising from the development a condition is necessary to ensure that sufficient capacity is available to accept the increased flows and that this is required prior to the occupation of the development.

¹ Paragraph: 020 Reference ID: 34-020-20140306

² Paragraph: 009 Reference ID: 21a-009-20140306

34. Therefore, I am satisfied that it would be reasonable to impose a condition restricting occupation as the evidence before me indicates that the WRC investment process does have sufficient flexibility, through an adaptive investment programme to work with the EA to resolve any compliance matters. Furthermore, given the likely timescales for build out that sufficient time should be available to enable the parties to confirm that upgrades or improvements have taken place or that a new permit has been applied for, prior to occupation.
35. At the hearing, it was put to me by the appellant that consideration could be given to allowing a limited amount of floorspace to come forward on the site (up to 600 sq m) which would enable Block A or C to be built and occupied, prior to confirmation that any upgrades had taken place at the WRC. This would both accord with the guidance within the PPG for phasing the development and give some flexibility to enable part of the site to be developed. I have considered the condition put forward by the appellant at the hearing, however I am not persuaded that this would prevent harm arising from any increased flows associated with the first phase of the development.
36. The appellant has provided details of other sites within Beckingham Business Park which have been permitted without a condition requiring upgrades to the WRC, however these add to my concern that further development in the locality would add to pressure on the WRC.
37. Whilst it has been put to me that the imposition of a Grampian condition could affect the financing of the development, which could delay any commencement on site, I have not been provided with any substantive evidence to suggest it would. Therefore, this is not a matter which outweighs the importance of ensuring that the development does not contribute to water pollution, as supported by paragraph 174 (e) of the Framework.
38. In conclusion, the effect of the development on the WRC is acceptable, subject to the imposition of a Grampian condition, which prevents occupation of any part of the proposed development prior to additional capacity at the WRC being available, in accordance with paragraph 174(e) of the Framework.

Other Matters

39. I have also taken into account the matters raised both in the representations received and the letter from the MP which was presented orally at the hearing, including issues such as noise and disturbance, inadequate parking, increased traffic and highway safety matters.
40. However, the development would not cause a material increase in noise and disturbance in comparison to the existing situation. The site has adequate space for parking and this would be similar to that which exists for the other business uses along the access road.
41. I note the concerns about existing parking problems along Beckingham Street, and I witnessed a number of vehicles parked alongside the road outside of the existing business premises at the time of my visit. However, the appeal site is located some distance from Beckingham Street and would be served by its own parking arrangements. It is not for this appeal to resolve existing parking problems and there is nothing before me to indicate that the proposed development would increase parking along Beckingham Street.

42. In respect of concerns regarding the increase in traffic and the impact on the village from increased HGV movements, the technical evidence before me in the form of the Transport Assessment, is that there would be no harm in respect of these matters, and no objection has been raised by the Council.
43. Therefore, none of the matters raised provide a compelling reason why planning permission should not be granted.

Planning Obligations

44. The appellant has provided a planning obligation under section 106 of the Town and Country Planning Act 1990, which includes an obligation which would come into effect if planning permission were to be granted. I have considered the obligation in light of the Framework, PPG and the Community Infrastructure Levy Regulations (the CIL Regulations).
45. The S106 facilitates a financial contribution towards travel plan monitoring. I am satisfied that the obligation is necessary to make the development acceptable in planning terms, is directly related to the development and is fairly and reasonably related to it in scale and kind. On this basis, I consider the agreement accords with the criteria of Regulation 122 of the CIL and with paragraph 57 of the Framework. I can therefore reasonably take it into account.

Conditions

46. The Council has suggested 29 conditions. I have considered these in light of the PPG and the tests of the Framework and where necessary amended them for clarity. In addition to the standard implementation condition it is necessary, for the avoidance of doubt, to define the plans with which the scheme should accord.
47. In order to ensure the uses of the buildings remain compatible with the sites allocation as an employment site it is necessary to restrict the buildings purpose. It is also necessary to restrict the hours of operation and the processes which can take place to certain times and places, in order to protect the living conditions of neighbouring residents.
48. In order to protect the character and appearance of the area it is necessary to require the submission of details of external materials and external lighting and to restrict external storage. For the same reason it is also necessary to ensure that the proposed hard and soft landscaping scheme is implemented and that the necessary tree protection measures are put in place.
49. The submission and implementation of a construction management plan is necessary to minimise detrimental effects to the living conditions of neighbouring residents, to protect the natural environment from pollution and ensure highway safety during the construction phase.
50. To ensure that any unexpected contaminants are correctly identified and remediated to ensure that the future users of the site are protected from risks associated with contaminants it is necessary to require an assessment of the risks posed and details of remediation.

51. In order to ensure an appropriate level of on-site parking provision for vehicles and bicycles, I have imposed a condition requiring space to be provided prior to occupation of the development to which it relates and retained for the life of the development. In order to maintain highway safety I have also found it necessary to impose conditions relating to refuse storage, the parking areas to be appropriately surfaced and drained and for the submission of a travel plan.
52. To manage the surface water environment of the scheme a condition is necessary that secures a detailed surface water drainage scheme to be submitted to and agreed by the Council and details of foul drainage works to be agreed.
53. To protect and enhance biodiversity I have found it necessary to impose a condition requiring the mitigation outlined in the Preliminary Ecological Appraisal to be carried out and details of enhancements to be submitted and agreed.
54. I have also imposed a condition restricting the occupation of the development until sufficient capacity has been made available at the Little Totham Water Recycling Centre, for the reasons that I have previously outlined.

Conclusion

55. For the reasons given I conclude that the appeal should be allowed.

G Pannell

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Jim Baker	
Chris Loon, Planning Consultant	Springfields Planning and Development
Simon Plater, Architect	Plater Claiborne Architects
Steve Amann, Highways Consultant	Journey Transport Planning
Sarah Hare, Planning Lawyer	Holmes and Hills
Jeff Horner, Drainage Consultant	GH Bullard & Assoc
Dan Bloomfield, Drainage Consultant	GH Bullard & Assoc
Graeme Drummond, Landscape Consultant	
Open Spaces Landscape and Arboricultural Consultants	

FOR THE LOCAL PLANNING AUTHORITY:

Devan Hearnah, Specialist Planning Officer
Alex Taylor, Senior Specialist Coordinator

INTERESTED PARTIES:

Tony Payne, Tolleshunt Major Parish Council

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Drawing no. 1625 - Loc01 – B, Revision A
 - Drawing no. 1625 - 02 - B Revision A (Google Map Image)
 - Drawing no. 1625 - 04 - B Revision E (Proposed Site Development Block / Roof Plan)
 - Drawing no. 1625 - 05 - B (Proposed Floor Plans, Blocks A and B)
 - Drawing no. 1625 - 06 - B (Proposed Elevations, Blocks A and B)
 - Drawing no. 1625 - 07 - B (Proposed Elevations, Block C and Café)
 - Drawing no. 1625 - 08 - B (CGI Images)
 - Drawing no. 1625 - 09 - B (Proposed Floor Plans, Block A)
 - Drawing no. 1625 - 10 - B Ground Floor Plan, Block B)
 - Drawing no. 1625 - 11 - B (First Floor Plan, Block B)
 - Drawing no. 1625 - 12 - B (Proposed Elevations and Section, Block A)
 - Drawing no. 1625 - 13 - B (Proposed Elevations, Block B)
 - Drawing no. 1625 - 14 - B (Proposed Floor Plans & Elevations, Office Block C)
 - Drawing no. 1625 - 15 - B (Proposed Floor Plan & Elevations, The Café)
 - Drawing no. OS 1799-19.4-1 Rev B (Tree Protection Plan)
 - Drawing no. OS 1799-19.4-2 Rev B (Tree Protection Plan)
 - Drawing no. OS 1799-19.1a Rev E (Soft Landscape Plan – Sheet 1)
 - Drawing no. OS 1799-19.1b Rev E (Soft Landscape Plan – Sheet 2)
 - Drawing no. OS 1799-19.2a Rev E (Hard Landscape Plan – Sheet 1)
 - Drawing no. OS 1799-19.2b Rev E (Hard Landscape Plan – Sheet 2)
- 3) No development above slab level shall take place until samples of all external materials have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved sample details.
- 4) Block A and Block B shall be used for industrial purposes as defined within Classes E(g)(ii) and E(g)(iii) and Class B2 and for no other purpose (including any other purpose in Class E of the Town and Country Planning (Use Class) (Amendment) (England) Regulations 2020.
- 5) Block C shall be used for office purposes as defined within Class E (c) and E(g)(i) and for no other purpose (including any other purpose in Class E of the Town and Country Planning (Use Class) (Amendment) (England) Regulations 2020.
- 6) The Café as shown on drawing 1625 04 B rev E shall be used for the sale of food and drink principally to visiting members of the public, where consumption of that food and drink is mostly undertaken on the premises as defined within Class E (b) and for no other purpose (including any other purpose in Class E of the Town and Country Planning (Use Class) (Amendment) (England) Regulations 2020.

- 7) Machinery shall be operated, processes shall be carried out and deliveries shall be taken at or despatched from the site only between 0730 and 1830 on Monday to Friday and between 0730 and 1300 on Saturdays, and not at any time on Sundays or on Bank or Public Holidays.
- 8) The hereby approved premises shall only be open for customers and staff between the following hours: 0700 – 2030 Mondays – Fridays; 0730 – 1300 on Saturdays.
- 9) No machinery shall be operated and no process shall be undertaken outside of the buildings permitted.
- 10) No goods, materials, plant, machinery, skips, containers, packaging shall be stored or kept outside of the buildings hereby permitted.
- 11) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
 - the parking of vehicles of site operatives and visitors;
 - loading and unloading of plant and materials;
 - storage of plant and materials used in constructing the development;
 - wheel washing facilities;
 - route to be used by construction vehicles to/from the site;
 - measures to control the emission of dust and dirt during construction;
 - a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - delivery, demolition and construction working hours.The approved Construction Method Statement shall be adhered to throughout the construction period for the development.
- 12) No development shall commence until an assessment of the risks posed by any contamination shall have been submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency - Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site.

The assessment shall include a survey of the extent, scale and nature of contamination and the potential risks to human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; ground waters and surface waters; ecological systems; and archaeological sites and ancient monuments.

- 13) No development shall take place where (following the risk assessment) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use. The approved remediation scheme shall be carried out and upon completion a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority before the development or relevant phase of development is occupied.
- 14) 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 and approved in writing by the local planning authority. These approved schemes shall be carried out before the development or relevant phase of development is resumed or continued.
- 15) No building hereby permitted shall be occupied until surface water drainage works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
- provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - include a timetable for its implementation; and,
 - provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

- 16) Details of any external lighting shall be submitted to and approved in writing by the local planning authority before the buildings are occupied. Development shall be carried out in accordance with the approved details and retained for such purposes thereafter.
- 17) 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.
- 18) The buildings hereby approved shall not be occupied until the areas which serve that building as shown on drawing no. 1625/04B rev E have been drained, surfaced and marked out and those areas shall thereafter be kept available at all times for the parking of vehicles.
- 19) Block A and B shall not be occupied until space has been laid out within the building for bicycles to be parked, in accordance with the approved plans and those spaces shall thereafter be kept available for the parking of bicycles.
- 20) Block C shall not be occupied until the area shown on drawing no 1625/04B rev E for bicycles to be parked has been provided, in accordance with details that shall first have been submitted to and approved in writing by the local planning authority, and that area shall thereafter be kept available for the parking of bicycles.
- 21) No development shall commence until details of the ecological enhancements set out within paragraph 4.2 of the Preliminary Ecological Appraisal have been submitted to and approved in writing by the local planning authority. These details shall include the provision of bird and bat boxes. The development will be carried out in accordance with the approved details and the mitigation and enhancement measures contained in the Preliminary Ecological Appraisal (Open Spaces Landscape & Arboricultural Consultants Ltd, Oct 2019) and the Specification for Soft Landscape Works and 5 year Management Plan (Open Spaces Landscape & Arboricultural Consultants Ltd, April 2020).
- 22) None of the buildings hereby permitted shall be occupied until works for the foul drainage scheme shall have been provided on the site to serve the development hereby permitted, in accordance with details that have first been submitted to and approved in writing by the local planning authority.
- 23) No part of the development hereby approved shall be occupied until confirmation has been submitted to and approved in writing by the local planning authority, that there is permitted capacity at the Little Totham Water Recycling Centre.

- 24) 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.
- 25) The Open Spaces Landscape Architects Arboricultural Impact Assessment (AIA) including Tree Protection Measures and plans OS 1799-19.4-1 Rev B and OS 1799-19.4-2 rev B shall be adhered to in full. No development shall commence until details of the pre-arranged supervision detailed in section 7.17 of the AIA, including any requirement for the submission of records of monitoring visits, and the details of any phasing of works, have been submitted to and approved in writing by the local planning authority. The development will be carried out in accordance with the approved details.
- 26) 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 occupation of the building to which it relates.
- 27) Prior to the first occupation of the development hereby permitted the Developer shall submit to, agree in writing and implement a Travel Plan to cover a minimum 5-year period from the date of first occupation.

-END-