



Appeal Decision

Site visit made on 1 November 2023

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd December 2023

Appeal Ref: APP/X0360/W/22/3306963

Land at, Headley Road East, Woodley RG5 4SN

- 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 HE2 Reading 1 GP Limited against the decision of Wokingham Borough Council.
 - The application Ref 213106, dated 13 September 2021, was refused by notice dated 10 June 2022.
 - The development proposed is demolition of existing buildings and redevelopment of the site for commercial development for flexible light industrial, general industrial, and storage and distribution uses, with ancillary offices, associated car parking, and landscape planting.
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Decision

1. The appeal is allowed and planning permission is granted for erection of 5 no. buildings for commercial development to provide flexible light industrial, general industrial, and storage and distribution uses, with ancillary offices, associated car parking, formation of new accesses, and landscape planting, following demolition of existing buildings, at Land at, Headley Road East, Woodley RG5 4SN, in accordance with the terms of the application, Ref 213106, dated 13 September 2021, subject to the attached schedule of conditions.

Procedural Matters

2. Despite the description of development set out in the banner heading, I consider that contained on the Decision Notice and the Appeal Form better reflect the scheme before me and that which the Council considered. I have omitted superfluous information and dealt with the appeal scheme comprising 'erection of 5 no. buildings for commercial development to provide flexible light industrial, general industrial, and storage and distribution uses, with ancillary offices, associated car parking, formation of new accesses, and landscape planting, following demolition of existing buildings'.
3. I have had regard to the National Planning Policy Framework, as revised on 19 December 2023 (the Framework). The revisions to the Framework do not alter the policies upon which this appeal turns, so I have not engaged further with the main parties regarding these, and they are not prejudiced by this.
4. While the Decision Notice does not refer to conflict with the development plan, responses from interested parties to the application and appeal refer to such policies. I have therefore had regard to the development plan, as far as it is relevant to the main issue and other matters relevant to the appeal.

5. The appeal is supported by a Section 106 legal agreement (S106) to secure an Employment Skills Plan and monitoring of implementation of travel planning.

Main Issue

6. The main issue is the effect of the proposed development on the significance of the buildings within the site, which are a non-designated heritage asset.

Reasons

Significance

7. The definition of heritage assets, as set out in the Framework, includes buildings, sites, and places as having a degree of significance meriting consideration in planning decisions, because of their heritage interest. This includes designated heritage assets and non-designated heritage assets (NDHAs) identified by Councils. The national planning practice guidance¹ indicates they may identify NDHAs through the determination of planning applications. An application was made to Historic England to list the subject buildings and, while it declined to formally list them, the same information was used by the Council to recognise the buildings as being a NDHA.
8. The site and buildings were formerly part of the Woodley Aerodrome, where Phillips and Powis Aircraft Ltd promoted aeronautics and aerial navigation from and established manufacturing. Later, the buildings were associated with manufacturing and maintenance under Miles Aircraft, including the Hawk, the Hawk Trainer II and the 500 Miles Master 1. Growth and expansion of the site led to the construction of headquarters in 1939 in the northwest corner of the site, adjacent to Headley Road East. Designed in the moderne style by Guy Morgan, the architect of FG Miles' Grade II listed home² Lands End House, it is prominent in views from that street.
9. Amy Johnson, the first female pilot to fly solo from London to Australia, and Douglas Bader, a famous World War II fighter pilot, flew at the Aerodrome, but it is unclear what connection they may have had with the appeal buildings.
10. During World War II, the aerodrome was used by the Royal Air Force for training of pilots including by using Miles' aircraft, and manufacture and repair of Spitfire. Commercial production returned, as Miles Aircraft sought to develop the first supersonic plane, the Miles M52. The government cancelled it before it was completed, but it is unclear to what extent it was developed in the subject buildings. Following Miles Aircraft's demise in the late 1940s production was taken up by Handley Page, ultimately ceasing in 1962. The buildings have since been altered and used for different engineering purposes, including production of prefabricated 'Airoh' houses which helped mitigate the Britain's post-war housing shortage; the first plain paper office photocopier, the 'Copycat'; and mass production of the first Biro pen.
11. Phillips and Powis Ltd and their association with FG Miles undoubtedly contributed to the development of British aviation, and the site contributed to war efforts. While the offices and manufacturing sheds in the site remain, the aerodrome and other buildings have been redeveloped, primarily for housing,

¹ Paragraph: 040 Reference, ID: 18a-040-20190723, Revision date: 23 07 2019.

² List Entry Number: 1319129.

and the aviation use of the buildings concluded some time ago. This has eroded much of the original historic context of the site.

12. The headquarters building contained administrative and technical offices with workshops at the rear. It is symmetrical with a taller three-storey central entrance bay flanked by two-storey wings of five bays, one of which projects out in front of the central bay. All elements are with flat, oversailing roofs, and there are curved ends where the wings meet the central bay. The multipaned metal windows above the entrance appear original, as do those at first floor of the west wing. The ground floor incorporates a half-and-half split of solid and glass squares framed by fin-like piers that define each bay and support the oversailing first floor. The solid parts are likely glass covered up. Where visible, the return and rear elevations incorporate some of this detailing but appear more functional.
13. Externally, a modern glazed entrance has been formed in the central bay and some of the windows replaced to the first-floor east wing. Internally, at the time of my site visit, although much of the historic floor plan appeared to remain intact there were limited historic features remaining within the building, including a safe and some panelling of board rooms and balustrading on stairs. However, the majority that remain appear simple.
14. Overall, the building is modest with architectural detailing primarily reserved for the sculptural effects of the fins and the horizontal emphasis created by windows and oversailing eaves. Its internal and external appearance and character has also been diminished with a series of alterations. Despite historic connections to the site and Guy Morgan, the building only survives as a reminder of the former business operations that once dominated a greater area of land encapsulating the Aerodrome. It is also simpler in architectural detailing than Lands End House and de Havilland HQ, to which I have been referred.
15. There are two manufacturing sheds that remain, these being a large L-shaped building attached to the headquarters building by another office building; and a smaller detached building southeast of it. The former originally consisted of machine and fitting shops, so is arranged in two parts, the larger parallel with the headquarters building. All are constructed of a steel frame structure and howe-type roof trusses, with external walling and corrugated metal roofing. The roof structures also include openings for north lights. The hanger-type roller doors to the south elevation of the smaller building provide evidence of the relationship between the building and the airfield. However, the connection with the Aerodrome has been lost through its redevelopment and few features remain of machinery or fabric associated with aircraft manufacture.
16. Although the sheds are undoubtedly of local interest, the absence of key historic indicators means they now only serve to evidence the approach to the design of similar buildings around the time of their construction. The buildings are of typical mid-20th century industrial form and significantly altered inside and out, including through extensions, and blocking of windows and doors. Hence, they are of limited architectural and historic interest.
17. I acknowledge the presence of the Museum of Berkshire Aviation off 'Mohawk Way', other road names such as 'Perimeter Road', and further elements of wartime history nearby, including pillboxes. However, the Museum is distant from the site and has no obvious visual or physical connection with it.

18. In light of all of the above, while I have no reason to dispute the local historic, architectural, and cultural importance of the buildings and their status as a NDHA, I consider them to only be of limited significance.

Effect of the Proposal

19. There has previously been no recognition of the importance of buildings associated with the former Woodley Aerodrome and land and buildings have been lost. The appeal buildings are therefore the remnants of the Aerodrome and provide a physical reminder of its former role and importance as a significant employer in the locality. The proposal would result in total and irreversible loss of the buildings as a NDHA, which heightens the effect of this.
20. For these reasons, I conclude that the proposed development, through total loss of the buildings within the site, would have a harmful effect on their significance as a NDHA. Hence, there would be conflict with the heritage aims of Core Strategy³ Policy CP3 and Local Plan⁴ Policy TB26. I have not found against Local Plan Policy TB24, as this relates to designated heritage assets.
21. The Council also identified conflict with Framework Section 16, and paragraph 209 of the current version is of most relevance. This requires that in weighing applications that directly or indirectly affect NDHAs, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. I undertake this exercise in the Planning Balance but, having regard to these factors and the evidence before me, loss of buildings of limited significance carries no more than moderate weight against the proposal.

Other Matters

Living Conditions

22. I cannot be certain of the controls in place for other nearby developments in situ, including in Viscount Way, but the appellant's Noise Impact Assessment (NIA) is reasonable and proportionate and based on a worst-case scenario for noise breakout. The proposal would also remove incidental use of land south of Viscount Way by other businesses. Subject to planning conditions, there is no reason to expect that noise from the scheme, including overnight, would be harmful to nearby residents, especially in the context of the site's capability to accommodate an employment use. Furthermore, noise during construction would be temporary and there would be measures controlled through a management plan to address the implications of this for neighbouring occupiers. The proposal would therefore accord with Local Plan Policy CC06.
23. The proposal would result in buildings of greater height in some locations within the site and buildings would be located where they do not presently exist. However, in general terms, its layout and the intervening distances achieved between the proposed units and existing homes adjacent would ensure there would not be an unacceptably harmful effect on the outlook from or daylight or sunlight experienced within these properties. I note the Council arrived at a similar conclusion. Hence, the proposal would not conflict with Core Strategy Policy CP3 in this regard.

³ Wokingham Borough Local Development Framework, Adopted Core Strategy Development Plan Document, Adopted January 2010.

⁴ Woking Borough Development Plan, Adopted Managing Development Delivery Local Plan, Adopted February 2014.

24. The evidence before me indicates the proposal is likely to lead to negligible increases in both NO₂ concentrations and particulate concentrations at existing sensitive receptors, but there would be no exceedances of the Council's air quality objectives. As such, this would not be a reason to resist the proposal and there would not be conflict with Core Strategy Policy CP3 in this regard.
25. I appreciate there may be crime and antisocial behaviour in the vicinity of the site, but there is no substantive evidence before me to suggest this is directly associated with it, or that the proposal would exacerbate this. Conversely, one would expect more activity within the site to positive impact upon this and boundaries adjoining neighbouring properties would continue to be secure.

Highway Capacity, Safety and Parking

26. Capacity and safety within the local road network are of great concern to interested parties, but evidence before me indicates traffic generated from the development is likely to be lower than what one could expect from a fully operational use in existing buildings. Hence, the proposal would not have a harmful effect on the highway network, particularly at peak periods. The use of directional signage to focus traffic movements to the site via Headley Road East would also ensure access via Viscount Way is not prioritised and, thereby, avoid unnecessary HGV traffic and implications associated with it. However, there are no measures that could resolve antisocial issues resulting from poor or inconsiderate driving. The quality of roads in the vicinity of the site is also concerning to residents, but this is a challenge nationally and would not be a reason to resist the development, particularly considering my finding in relation to capacity. The proposal would therefore accord with Core Strategy Policy CP6.
27. While existing management issues with parking associated with businesses in Viscount Way are outside the scope of the proposal, the approach to parking for the development is reasonable and proportionate having regard to the nature and scale of the units, including for HGV trailers. The proportion of B2 uses would also be restricted to ensure parking remains commensurate and accords with Local Plan Policy CC07.

Ecology and Biodiversity

28. The effects of lighting from the proposal to bat activity south and east of the site can be appropriately mitigated to ensure they are not harmed; and the buildings would incorporate enhancement through bat boxes. Birds that utilise trees and buildings within the site would also be protected by working at appropriate times of the year. There is no substantive evidence before me to suggest other species would be harmed by the proposal, including disturbance of badgers, but the Construction Environment Management Plan would ensure further checks are made with construction work. Introduction of landscaping east of the site, may also improve habitat for this species. As such, there would not be conflict with Core Strategy Policy CP7 and Local Plan Policy CC03.

Need for the Proposal and Other Uses

29. Interested parties have indicated there are other new employment buildings empty within the local area. However, there is no substantive evidence before me to explain the reasons for this or the effect of this to the proposal. I have also not been referred to any development plan policies that require the need for employment development in Core Employment Areas (CEA) to be justified.

Furthermore, while I have been referred to the site's suitability for alternative uses, including housing and infrastructure for existing homes, the site is within a CEA and the proposal would continue to provide employment generating uses in accordance with Core Strategy Policy CP15.

Character and Appearance

30. The proposed buildings would be acceptable in design terms in the context of the established character and appearance of employment uses in the CEA, the proposal would therefore accord with NR1 of the Borough Design Guide⁵.

Planning Balance

31. The development plan for the area includes the Local Plan and Core Strategy. While these both predate the current Framework, it is clear that existing policies should not be considered out-of-date simply because they were adopted or made prior to its publication. Due weight should be given to their policies according to their consistency with the Framework.
32. Despite the absence of a reference to the balanced judgement required by the Framework for NDHAs, Local Plan Policy TB26 is generally consistent with the heritage aims of the Framework. Core Strategy Policy CP3 is also generally consistent with the Framework regarding its aim to achieve well-designed places. I therefore afford considerable weight to the conflict of the proposal with these policies in respect of the total and irreversible loss of the NDHA.
33. Subject to planning conditions, the proposal would accord with relevant Core Strategy and Local Plan policies and SPDs regarding need, living conditions, crime and antisocial behaviour, ecology, character and appearance, and highway capacity, safety, and parking. These matters would therefore neither weigh in favour nor against the appeal scheme.

Benefits of the Scheme

Heritage

34. The proposed demolition would include a building recording in accordance with Historic England guidance, thereby enabling their understanding and significance to be documented. Nevertheless, in the context of Framework paragraph 211, I am conscious that historic recording should not be a factor in deciding whether the loss of significance of the NDHA should be permitted.
35. It is also proposed to provide historical information of the site's buildings and wider former Aerodrome through a scheme of interpretive boards, suitable locations for which could no doubt be agreed within publicly accessible areas. Nevertheless, given the nature and extent of these provisions, I am only able to afford this limited weight as a heritage benefit.

Economic and Social

36. There would be a direct benefit to the local economy through permanent jobs of persons employed within the development, which the appellant estimates to be an uplift of around 70-281 jobs. Although the end users are unknown and the extent of employment cannot be secured by planning condition, this is the only available estimate and could lead to many new jobs being created. There

⁵ Wokingham Borough Council – Borough Design Guide – Supplementary Planning Document, June 2012.

would also be shorter-term employment benefits through the demolition and construction phases.

37. The appeal is supported by a Section 106 Agreement (S106) that would secure a financial contribution of £52,500 toward improving employment skills and opportunities. Together with a travel plan monitoring fee secured through the S106, these provisions are supported by Local Plan Policy TB12, for securing Employment Skills Plans, and another Council SPD⁶. These also meet all the tests set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 (CIL Regulations) and the Framework. The obligations are directly related to the development because they would provide investment in employment skills and address sustainable travel from the site. They are also reasonable in scale and kind and informed by the latest evidence.
38. The proposal would provide an uplift in employment floorspace of around 2722m². While this is not a significant increase in floorspace, it would lead to a wider range of unit sizes (980-2980m²) that would help to meet the borough's employment needs, including by providing flexibility and choice within the market and stimulating investment therein. There would also be likely to be benefits to future occupiers from the layout and design of the buildings which would be purpose-built for modern requirements.
39. A scheme may be devised to retain buildings within the site, particularly the headquarters building, which could improve the appearance of the site and buildings while providing an uplift in floor space. However, such a scheme is not before me and it is the appellant's position that the buildings are in a poor state of repair and would require substantial investment to bring up to modern occupational standards, including insulation, lighting, energy use, and working facilities. Even then, it is uncertain that the buildings would be reoccupied.
40. Accordingly, these would all constitute benefits in social and economic terms and, given the magnitude of the proposal, would be afforded moderate weight.

Environmental

41. I am referred by the Council to the environmental impacts of demolition of the buildings within the site, yet I am not directed to any requirement in any of the development plan policies discussed in the evidence that necessitate such considerations. However, there are commitments within the proposal that would ensure compliance with Local Plan Policies CC04 and CC05 regarding BREEAM certification and reduction in carbon emissions, that can be secured by conditions. Moreover, there would be fundamental differences between the environmental performance of buildings proposed and in situ, which would be more attractive to future occupiers. There is no substantive alternative evidence before me, including from the Council, that would lead me to doubt these points. Nevertheless, as this would be a policy requirement of the development plan, I only afford this environmental benefit moderate weight.
42. Having regard to other considerations, the proposal offers an opportunity to introduce greater controls over noise, air, and light pollution, that could be reasonably expected from the use of the site, including from HGVs. It would also meet the aims of the Framework to make efficient use of land, including through its design. These constitute moderate environmental benefits.

⁶ Wokingham Borough Local Development Framework - Sustainable Design and Construction Supplementary Planning Document, adopted 28 May 2010.

43. Planting, including through that proposed to the Headley Road East frontage, and biodiversity enhancements would constitute limited environmental benefits of the proposal, due to its nature and extent and overall contribution to the layout of the scheme.
44. The measures proposed either through conditions or transport planning would ensure there are improvements to parking and access arrangements and encouragement of use of sustainable modes of transportation, including electric vehicles. However, this would be a limited environmental benefit of the scheme as travel would still be likely by other means and similar benefits could be achieved with conversion of the buildings.
45. The design of the development would be appropriate to the context of existing nearby employment uses, but this would neither weigh in favour nor against the appeal scheme.

Conclusion to the Balance

46. As part of the balanced judgement required by Framework paragraph 209, collectively there would be numerous benefits of moderate and limited weight associated with the appeal scheme that would outweigh the harm that would be caused by the total and irreversible loss of a NDHA of limited significance.
47. Accordingly, the moderate and limited benefits of the proposal are balanced against the moderate weight of its conflict with the development plan regarding loss of the NDHA. When assessed against the policies in the Framework, taken as a whole, this leads me to an overall conclusion that material considerations indicate the decision should be taken otherwise than in accordance with the development plan. This would therefore justify the grant of planning permission for the appeal.

Conditions

48. I have considered the Council's suggested conditions and, where appropriate, amended their wording to maintain consistent phrasing for the timing of the conditions and reordered them in line with the Planning Practice Guidance⁷ (PPG). I have also removed tailpieces that circumvent the statutory route to vary conditions or deprive interested parties of the opportunity to comment.
49. In the interests of clarity, I have specified the approved plans. For the reasons outlined above, it is necessary for a building recording to be undertaken prior to demolition and interpretive historic information boards to be placed on the site before new buildings are occupied.
50. I have split the Council's contaminated land condition into separate parts to enable simpler compliance. These conditions are necessary to ensure potential risks to human health are mitigated.
51. In the interests of highway safety and living conditions, and ecology, separate management plans are necessary to reduce the impacts of construction, but I have omitted the separate condition referring to construction parking and manoeuvres to include in the construction management plan. To minimise use of Viscount Way for access and limit disruption to nearby homes, a scheme of highway signage is necessary to direct traffic accordingly. Full details of the

⁷ Paragraph: 024 Reference ID: 21a-024-20140306

construction of roads and footways and accesses with visibility splays would also be necessary to ensure a functional, accessible, and safe development. Prior to the stopping up of existing accesses and reinstatement of footways and crossings, it is necessary in the interests of highway safety for these works to be agreed. For similar reasons, details of vehicle parking and turning spaces and covered bicycle storage or parking facilities are needed prior to occupation.

52. I have amended the proposed condition which referred to the extent of general industrial floorspace, to require the details of any buildings to be used for that purpose to be submitted to the Council for approval prior to their occupation, but retained the clause that this should not exceed more than 35% of the floorspace of the development. This is based on the extent of parking to be provided and the requirement for general industrial uses meaning there could be insufficient parking on exceedance of this figure, to the detriment of nearby occupiers and road users. Agreement of alternatives by condition or through the Parking Management Plan (PMP) would not be appropriate for reasons explained in the first paragraph of this section. A replacement PMP prior to occupation is therefore necessary to serve the development.
53. A scheme of materials of construction, and tree protection are both necessary in the interests of the appearance and ecology of the development. A further condition relevant to the permission is required to ensure trees shown to be removed are not during the bird breeding season.
54. In the interests of the appearance and ecology of the development and living conditions and highway safety of nearby occupiers and road users, it is necessary to secure details prior to occupation of biodiversity enhancements, landscape management, and implementation of the approved scheme of landscaping and proposed lighting and boundary treatments.
55. I have altered the condition for achieving a BREEAM 'Very Good' rating for new buildings to include a mechanism requiring verification of its compliance to ensure they perform as stated in the application. A further condition is also necessary to ensure construction in accordance with the measures set out in the appellant's Energy Strategy. Details of Electric Vehicle Charging points and full travel plans for each building are also necessary in the interests of the accessibility of the proposed development.
56. The NIA assumes that doors will be closed during internal activities. To avoid any ambiguity, I have amended the Council's condition regarding doors and windows of the buildings, to be more precise to ensure these are kept closed when the buildings are in use and no noise generating activities take place when deliveries are made overnight. A condition is also necessary to ensure no deliveries take place at such times for units 9 and 10 given their proximity to homes. A condition is also necessary to remove 'permitted development rights' for new windows at first-floor or above in the east elevation of units 1 to 5 and the west elevation of unit 10.
57. I have altered the condition for NIA compliance, as the Council's Environmental Health Officer recommendation was to secure implementation of an acoustic barrier. This provides clarity to reasoning for noise management plans for each unit. In the interests of the living conditions of nearby occupiers, I have also specified the working hours for construction.

58. A further condition is required securing compliance with details and measures outlined in the assessments and reports that address the flooding and drainage mitigation for the development.

Conclusion

59. The proposed development would be contrary to the development plan, when considered as a whole. Despite this, the material considerations I have set out, including the Framework, indicate that the appeal should be determined other than in accordance with it. Accordingly, for the reasons given, I conclude that the appeal should be allowed.

Paul Thompson

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: PL100, PL103 Rev C, PL104, PL105, PL106, PL110 Rev A, PL111, PL112, PL113, PL114, PL120 Rev A, PL121, PL122, PL123 Rev A, PL124 Rev A, PL130, PL131, PL132, PL133, PL150 Rev D, PL151 Rev D, PL152 Rev D, PL153 Rev D, PL157, PL158 and PL159 Rev A.
- 3) No development shall take place, including any works of demolition and/or stripping out any buildings on the site, until a building recording document has been submitted to and approved in writing by the local planning authority, as satisfactorily documenting the buildings on site. This should also be deposited with Berkshire Archaeology's Historic Environment Record Officer. This shall be completed to, as a minimum, 'Recording Level 2' as set out in the Historic England guidance document 'Understanding Historic Buildings: A Guide to Good Recording Practise' (May 2016)'.
- 4) 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 and turning of vehicles of site operatives and visitors;
 - loading and unloading of plant and materials;
 - storage of plant and materials used in constructing the development;
 - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - wheel washing facilities;
 - measures to control the emission of dust and dirt during construction;
 - a scheme for recycling/disposing of waste resulting from demolition and construction works.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 5) No development shall take place, including demolition and site clearance, until a Construction Environmental Management Plan (CEMP) to control the environmental effects of the demolition and construction work has been submitted to and approved in writing by the local planning authority. The CEMP shall include measures for:
- the control of dust, odour, and other effluvia;
 - the control of noise (including noise from any piling and permitted working hours);
 - the control of pests and other vermin (particularly during site clearance);
 - the control of surface water run-off)- The control of noise from delivery vehicles, and times when deliveries are accepted and when materials can be removed from the site; and
 - mitigation of any impact of construction upon protected species on or near the site.
- Construction of the development hereby permitted shall not be carried out unless in accordance with the approved CEMP.
- 6) 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's 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;
 - 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.
- 7) No development shall take place where, following the risk assessment in Condition 6, 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 thereof, is occupied.

- 8) No development, except in relation to demolition and ground works, shall take place until full details of the construction of roads and footways, including levels, widths, construction materials, depths of construction, surface water drainage, internal visibility splays and lighting have been submitted to and approved in writing by the local planning authority. The roads and footways shall only be constructed in accordance with the approved details to road base level prior to the first occupation of any of the buildings within the development hereby permitted and the final wearing course shall be provided within 3 months of occupation unless otherwise stated in a timetable submitted with the details.
- 9) No development, except in relation to demolition and ground works, shall take place until details of the proposed vehicular accesses on to Headley Road East and Viscount Way have been submitted to and approved in writing by the local planning authority. The details shall include visibility splays of 2.4m by 43m shall. The access shall be formed as so approved, and the visibility splays shall be cleared of any obstruction exceeding 0.6 metres in height prior to the occupation of the development. The accesses shall be retained in accordance with the approved details and used for no other purpose and the land within the visibility splays shall be maintained clear of any visual obstruction exceeding 0.6 metres in height at all times.
- 10) No development, except in relation to demolition and ground works, shall take place until details of a scheme for all highway signage (internal and external of the site) have been submitted to and approved in writing by the local planning authority. The signage shall direct traffic to the development to use the main point of access from Headley Road East. The approved scheme of signage shall be implemented prior to the first occupation of any of the buildings within the development hereby permitted and retained for the lifetime of the development.
- 11) No development, except in relation to demolition and ground works, shall take place until samples and details of the materials to be used in the construction of the external surfaces of the buildings have first been submitted to and approved in writing by the local planning authority. Development shall only be carried out in accordance with the approved samples and details.
- 12) No operations shall commence on site in connection with development hereby permitted (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any other operation involving use of motorised vehicles or construction machinery) until tree protection works have been implemented fully in accordance with the details set out in the Arboricultural Impact Assessment (AIA), by SJ Stephens Associates and dated 3rd March 2022. No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within an area designated as being fenced off or otherwise protected in the AIA. The fencing or other works which are part of the Approved Scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials removed from the site.

- 13) Within one month of the completion of the new access(es), the existing vehicular access(es) to the site shall be stopped up and abandoned, and the footway and/or verge crossings re-instated in accordance with detail of works that shall first be submitted to and approved in writing by the local planning authority. The works shall only be undertaken in accordance with the approved details and thereafter maintained.
- 14) Prior to the first occupation of any of the buildings within the development hereby permitted, details of any such building to be used for a general industrial use shall be submitted to the local planning authority. The total amount of floorspace for general industrial uses shall not exceed 35 percent of the total floorspace contained within the site (as identified on the approved plans).
- 15) Prior to the first occupation of any of the buildings within the development hereby permitted, details shall be submitted to the local planning authority which demonstrate it has achieved BREEAM level 'Very Good' in accordance with the requirements of BREEAM [or such national measure of sustainability for non-residential design that replaces that scheme] and shall be maintained as such thereafter.
- 16) Prior to the first occupation of any of the buildings within the development hereby permitted, details of the proposed vehicle parking and turning spaces, and secure and covered bicycle storage / parking facilities for the occupants and visitors to the development shall be submitted to and approved in writing by the local planning authority. The vehicle parking, turning spaces, and secure and covered bicycle storage or parking facilities shall only be implemented in accordance with the approved details and thereafter retained for those purposes and no other.
- 17) Prior to the first occupation of any of the buildings within the development hereby permitted, notwithstanding the existing Parking Management Plan document submitted with the planning application, a Parking Management Strategy (PMS) shall be submitted to and approved in writing by the local planning authority. The PMS shall include details of the management of all parking spaces, monitoring of all parking including local residential streets and the monitoring and the delivery of additional electric vehicle charging spaces when required. The PMS shall thereafter only be implemented as approved and remain in place for the lifetime of the development.
- 18) Prior to the first occupation of any of the buildings within the development hereby permitted, details for Electric Vehicle Charging points serving the development shall be submitted to and approved in writing by the local planning authority. The points shall only be implemented in accordance with the approved details prior to the first occupation of any of the buildings and thereafter retained.
- 19) Prior to the first occupation of any of the buildings within the development hereby permitted, unless otherwise approved in accordance with a timetable which has first been submitted to and approved in writing by the local planning authority, all hard and soft landscape works shall be

carried out in accordance with the details shown on the approved drawings. Any trees or plants which, within a period of five years after planting, are removed, die, or become seriously damaged or defective, shall be replaced in the next planting season with others of species, size and number as originally approved and permanently retained.

- 20) Prior to the first occupation of any of the buildings within the development hereby permitted, further to Condition 19, a landscape management plan shall be submitted to and approved in writing by the local planning authority. This shall include long term design objectives, management responsibilities, timescales, and maintenance schedules for all landscape areas. The landscape management plan shall be implemented as approved.
- 21) Prior to first occupation of any of the buildings within the development hereby permitted, further details of the proposed biodiversity enhancements outlined in the Preliminary Ecological Appraisal, by Middlemarch Environmental and dated April 2021, shall be submitted to and approved in writing by the local planning authority. The details shall include, but not be limited to, details of ecological permeability; and a minimum of 12 bird or bat boxes, bricks or tiles built into the new buildings. The biodiversity enhancements shall thereafter be installed as approved and thereafter maintained.
- 22) Prior to first occupation of any of the buildings within the development hereby permitted, an external lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details to mitigate external lighting impact upon wildlife, living conditions and highway safety, and contain:
- a layout plan with beam orientation, location, height, type, hours of operation, direction of light sources and intensity of illumination;
 - a schedule of equipment;
 - measures to avoid glare; and
 - an isolux contour map showing light spillage to 1 lux (including lux level predictions beyond the site boundary)
- The lighting for the development shall only be implemented in accordance with the approved scheme and thereafter maintained.
- 23) Prior to first occupation of any of the buildings within the development hereby permitted, a noise management plan for each individual unit shall be submitted to and approved in writing by the local planning authority. The approved noise management plans shall thereafter be implemented as approved thereafter, at all times that the buildings are occupied.
- 24) Prior to first occupation of any of the buildings within the development hereby permitted, the acoustic barrier shall be installed and maintained in accordance with the details outlined in the Noise Impact Assessment (A4199/N/0003), by Accon UK and dated 1 December 2021, and thereafter retained.

- 25) Notwithstanding the requirements of Condition 24, prior to first occupation of any of the buildings within the development hereby permitted, details of all other boundary treatment(s) shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of any of the buildings to which they relate or phased as set out in any approved details. The scheme shall be maintained in the approved form thereafter.
- 26) Prior to first occupation of any of the buildings within the development hereby permitted, details of interpretive heritage information boards to be installed within the site shall be submitted to and approved in writing by the local planning authority. The details shall include the type of board, location and information contained within the boards. The approved boards shall be fully installed prior to the first occupation and maintained thereafter.
- 27) Within 6 months of the first occupation of any of the buildings within the development hereby permitted, a Travel Plan shall be submitted to and approved in writing by the local planning authority. The travel plan shall include a programme of implementation and proposals to promote alternative forms of transport to and from the site, other than by the private car and provide for periodic review. The travel plan shall be fully implemented, maintained, and reviewed as so approved.
- 28) All trees, hedges and shrubs or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.
- 29) 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 thereof, is resumed or continued.
- 30) Demolition or construction works shall take place only between 0800hrs and 1800hrs, Monday to Friday, 0800hrs to 1300hrs on Saturdays, and shall not take place at any time on Sundays or on Bank or Public Holidays.
- 31) Further to Condition 2 and except where indicated in others, the development hereby permitted shall only be carried out in accordance with the details and measures outlined in the following documents and where shown on the approved drawings:
- the Energy Strategy Report (Issue 1), by Shepherd Brombley Partnership and dated 30 July 2021; and

- the Flood Risk Assessment and Outline Drainage Strategy Report (R01), by Baynham Meikle Partnership Limited and dated September 2021.

The development shall thereafter be maintained in accordance with the details and measures contained within the assessments or reports.

- 32) No deliveries shall be accepted or dispatched from Units 9 and 10 between 2300hrs and 0700hrs the following day.
- 33) Further to Condition 23, during occupation of the development hereby permitted, doors and windows of each building shall be kept closed when it is in use and all noise generating activities shall cease when doors are opened to accept or dispatch deliveries during the hours of 2300hrs and 0700hrs.
- 34) Notwithstanding the provisions of the Town and Country Planning, (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no additional windows or similar openings shall be constructed in the first-floor level or above in the eastern elevation of units 1 - 5 and the western elevation of unit 10 hereby permitted except for any which may be shown on the approved drawing(s).

END OF SCHEDULE