



Appeal Decision

Site visit made on 19 December 2023

by Jane Smith MA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 February 2024

Appeal Ref: APP/M1520/W/23/3320925

Garden World Plants Ltd, Canvey Road, Canvey Island, Essex SS8 0QD

- 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 S Howard against the decision of Castle Point Borough Council.
 - The application Ref 22/0665/FUL, dated 31 August 2022, was refused by notice dated 2 November 2022.
 - The development proposed is described as 'demolition of existing buildings and construction of residential care home comprising of 55 No. units'.
-

Decision

1. The appeal is allowed and planning permission is granted for demolition of existing buildings and construction of residential care home comprising 55 No. units at Garden World Plants Ltd, Canvey Road, Canvey Island, Essex SS8 0QD in accordance with the terms of the application, Ref 22/0665/FUL, dated 31 August 2022, and the plans submitted with it, subject to the conditions in the schedule below.

Application for costs

2. An application for costs was made by the appellant against Castle Point Borough Council. This application is the subject of a separate decision.

Preliminary Matters

3. The Government published a revised National Planning Policy Framework (the Framework) in December 2023. The main parties have had the opportunity to comment on whether the revisions are relevant to their cases, and I have had regard to the current version of the Framework when considering the appeal.

Main Issues

4. There is no disagreement between the parties that the proposal would be inappropriate development in the Green Belt, as defined in the development plan and the Framework. I concur with that position. That being the case, the main issues are:
 - the effect of the proposed development on the openness of the Green Belt,
 - its effect on the character and appearance of the area,
 - the effect on living conditions for occupiers of the adjacent dwelling to the north, and

- whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Openness of the Green Belt

5. The appeal site was formerly a garden centre, comprising a single storey retail sales building, several canopies over a plant display area, and areas of hard standing. The garden centre structures have been demolished and the site was vacant at the time of my site visit. However, photographs provided in the Planning Statement confirm that, while the garden centre buildings covered a substantial proportion of the site, their maximum height was relatively low.
6. The proposed building would be on three storeys, with the upper floor being partly within the roof space. It would have steeply pitched roofs and would occupy a substantial, L-shaped footprint along both road frontages. There would be a loss of openness in spatial terms, by virtue of the significantly increased building mass compared to the garden centre buildings. The building would also be conspicuous from several directions, resulting in a loss of openness in visual terms.
7. I therefore conclude that the proposal would be harmful to the openness of the Green Belt. It is against this background that the main parties agree that the proposal would be inappropriate development in the Green Belt. Most relevantly, it would conflict with paragraph 154(g) of the Framework, which allows for the redevelopment of previously developed land in the Green Belt, but only where there would not be a greater impact on openness than the existing development.

Character and Appearance

8. The site is in a prominent corner location, at the edge of a built-up area. There are open fields to the west but otherwise the site is surrounded by existing built development in a variety of uses. These include a sizable industrial estate across Northwick Road, containing a wide variety of large and small commercial buildings of various designs. Along the frontage to Northwick Road is a supermarket and a collection of two storey commercial buildings, with a substantial portal framed building to the rear. There is also another, larger supermarket and retail park a short distance away.
9. Across Canvey Road is an estate of two storey housing. There are also scattered dwellings along the west side of Canvey Road, including two dwellings alongside the appeal site.
10. The proposed building would occupy both road frontages and would include a three-storey curved projection at the corner, addressing the roundabout. It would be conspicuous in the street scene and would also be among the largest buildings in the surrounding area. However, given that there are several substantial retail and commercial buildings nearby, a building of the proposed scale would not appear incongruous or out of place. There are other residential buildings, notably the housing opposite and alongside the site. Therefore a residential building would also not be inconsistent with the range of existing uses.

11. The elevations would be articulated with a variety of gable features, contrasting materials, and a stepped roofscape. These would help to break up the mass of the building and prevent it appearing excessively bulky or overbearing. The proposed building materials would be consistent with the broad palette found in the surrounding area.
12. There is no established building line alongside either of the site frontages, given the very limited neighbouring development. Nor is there any clearly defined building line on the opposite side of Northwick Road or Canvey Road, given the varied building forms and layouts. In the Council's Residential Design Guidance Supplementary Planning Document (RDG) 2013, RDG3 recognises that new, large-scale developments may be able to create their own character in this respect, and the Design and Access Statement provides a design rationale for the approach taken.
13. With regards to new buildings providing specialist residential accommodation, RDG2 states that space should be provided between the building and the site boundary, equivalent to 25% of its width. The Council's Officer Report confirms that this would be achieved on the Northwick Road frontage, but that the space along the frontage to Canvey Road would fall slightly short. However, the site is set back behind a cul-de-sac and wide grass verge parallel to Canvey Road, and it also adjoins open land to the west. As such, it stands in a relatively spacious setting overall. There would be soft landscaping along the site frontages and the position of the car parking and outdoor amenity space would help to provide a transition between the more substantially built-up parts of the site and the adjacent open land. Taking all these features into consideration, the development would not look mean or cramped.
14. The Framework is supportive in paragraphs 128 and 135 of development which makes more efficient use of land, taking account of an area's prevailing character and setting, but without preventing appropriate innovation or change. In that context, the modest shortfall against one particular design guideline would not prevent the development from being well integrated with the character of the area, when considered as a whole. Furthermore, the RDG itself encourages a flexible and proportionate approach to design, allowing for development to be sensitive to its surroundings whilst allowing for innovation and creativity.
15. For the reasons given above, I conclude that the proposed development would not have a harmful effect on the character and appearance of the area. It would not conflict with Policies H17 and EC2 of the Castle Point Local Plan 1998, which require amongst other things that development should be appropriate to its setting and not harm the character of its surroundings. It would also not materially conflict with RDG2 and RDG3, given the flexible approach advocated in the RDG read as a whole.

Living Conditions

16. There is an existing two storey dwelling to the north of the site, set roughly centrally within its plot, with a driveway alongside the boundary with the appeal site. The proposed building would be adjacent to the driveway and part of the front garden. It would be two storeys in height at its nearest point and approximately 4 metres from the boundary.

17. There are three windows in the southern, side elevation of the dwelling, but the larger principal windows are located to the front and rear. While the building would be clearly visible from the side-facing windows and the front garden, the space to either side of the boundary would be sufficient to prevent it being unacceptably dominant or overbearing. It would not impinge on the outlook from the principal windows to the front and rear.
18. Since the proposed building would be located on the south side of the dwelling, it may obstruct direct sunlight to some extent. However, this would mainly affect the driveway and a small part of the front garden. There would be no material obstruction of light to the main windows, or to the rear garden, given the orientation of the proposed building in relation to these areas. As such, any overshadowing would be limited in its extent, and would not be materially harmful to living conditions for the occupiers of this neighbouring dwelling.
19. For the above reasons, I conclude that the proposal would not have an unacceptably harmful effect on living conditions for occupiers of the adjacent dwelling to the north. This aspect of the proposal would not conflict with the general design requirements in Policy EC2 of the Local Plan, which do not specifically refer to the effect on adjacent properties. Nor would there be any material conflict with RDG3, which amongst other things says that development which would result in excessive overshadowing or dominance to any elevation of an adjoining property will be refused.

Other Considerations: Fallback Position

20. The site benefits from outline planning permission for a 60-bed care home granted in November 2018¹. The reserved matters pursuant to this outline planning permission were approved in June 2022². The appellant has provided evidence that relevant pre-commencement planning conditions have been discharged, that an easement to enable provision of vehicular access has been secured and that development of the 60-bed care home has commenced, with the works to date including demolition of the garden centre buildings and the construction of drainage infrastructure. Evidence has also been adduced that a care home operator has purchased the site in expectation that development can proceed.
21. Based on the above, there is realistic and well-documented evidence that implementation of the extant planning permission will proceed, should this appeal fail. The Council's Officer Report expresses a similar view, and the Council has not subsequently presented any evidence to the contrary. On that basis, the approved 60 bed care home represents a fallback position, which I have taken into account when considering this appeal.
22. The design of the fallback scheme differs in a number of respects from the appeal proposal. However, it would similarly provide an L-shaped building of up to three storeys, addressing the Northwick Road and Canvey Road frontages. Both designs would have an articulated roofline of varying heights, but their overall height and massing would be similar. The appeal proposal would have a higher roof line than the fallback scheme at its northern and western limits. However, this would be offset by an increased amount of space along both

¹ Castle Point Borough Council Outline Planning Application ref 17/1063/OUT, granted 7 November 2018

² Castle Point Borough Council Reserved Matters Planning Application ref 21/0922/RES, granted 8 June 2022

these boundaries. The appeal proposal would also be set slightly further back from both road frontages, increasing the area available for soft landscaping.

23. On the basis that the overall bulk and massing of the fallback scheme would be slightly greater, it would also have a slightly greater effect on the openness of the Green Belt. The benefit of the appeal proposal to openness would be marginal, in relation to the scale of the development as a whole. Nevertheless, the existence of the fallback position, with its slightly greater effect on openness, is a consideration weighing heavily in favour of the appeal proposal.

Additional Other Considerations

24. The appellant's evidence identifies a significant shortfall in the Council's supply of housing land, standing well below the five years required in the Framework. I have not been presented with any evidence to the contrary. However, the appeal proposal would deliver slightly fewer bedspaces than the fallback scheme. This would translate into a slightly smaller contribution to housing supply, in terms of the equivalent number of homes released in the housing market. On that basis, having concluded that the fallback scheme is likely to be implemented, the reduced scale of the proposal is a disadvantage in terms of housing supply. However, the difference would be marginal, and I have accordingly given this disbenefit limited weight.
25. While the appeal proposal would provide slightly fewer bedspaces, it would provide a range of enhanced features for future occupiers, compared to the fallback scheme. These would include an enhanced range of social and communal spaces, improved circulation space, additional rooms adaptable for occupation by couples, and some with kitchenettes to support more independent occupation. A higher proportion of the ground floor rooms would have direct access to the patio. The proposal would also support an improved range of care provision, including accommodation suitable for people with dementia and/or milder physical disabilities.
26. The Framework is supportive of boosting the supply of homes, including housing for different groups in the community. Paragraph 63 makes clear that policies for the delivery of housing should cater for older people and the December 2023 revision to the Framework expanded its wording to specifically mention specialist accommodation, including care homes. Evidence from both parties highlights Census data identifying a significant increase in the number of older residents locally between 2011 and 2021, and a related increase in demand for specialist housing. In that context, the fact that the appeal proposal would provide enhanced accommodation, catering for a wider range of needs than the fallback scheme, is a benefit to which I have given moderate weight.
27. The proposal would make more efficient use of a previously developed site. However, this weighs neither for nor against the proposal, given that I have accepted that the site would be developed even if this appeal is dismissed. The elevational treatment would be more contemporary, but I am not persuaded that either design approach is objectively superior to the other, given the varied surrounding context. Therefore, this is also a neutral factor.
28. There is no substantive evidence that the proposal would be harmful to highway safety or levels of traffic, given the site's history of commercial use and the lack of any objection from the Highways Authority. The site is

accessible from a main road and measures to secure appropriate facilities for vehicles and pedestrians can be secured through conditions, as set out below.

29. The effect of traffic, including heavy vehicles, on future occupiers would require mitigation through noise insulation measures. With this safeguard, there is no substantive evidence that a poor-quality internal environment would be provided.
30. Requirements for flood risk mitigation and surface water drainage were addressed in the Council's Officer Report. The appellant has already confirmed that relevant pre-commencement conditions on the fallback scheme have been discharged and the approved surface water drainage measures have been implemented. Nevertheless, the conditions set out would ensure that any required changes to the drainage works as already implemented can be secured prior to the implementation of the development.
31. The effect on European Sites is considered further below. Given the former commercial use of the site, with extensive areas of hardstanding, there is no substantive evidence that the proposal would harm wildlife habitat in closer proximity to the site.
32. A Grade II listed building, The Dutch House, is located further along the cul-de-sac to the north, beyond the adjacent dwellings and a small area of open land. It is visually separated from the appeal site, standing in its own well-maintained grounds. The Council does not allege that the development would have an adverse effect on the listed building or its setting. Having considered the proposed development and visited the site, I concur that the appeal proposal would preserve the listed building, its setting, and its significance as a designated heritage asset.
33. The Framework advises that refusal of planning permission will seldom be justified where a draft plan has yet to be submitted for examination. While I have noted that the site was included in a site allocation within an emerging Local Plan, that Local Plan was withdrawn by the Council prior to its adoption. I have not been presented with any evidence to indicate that any emerging Local Plan has advanced beyond a very early stage. Therefore, there is no evidence that the appeal proposal would be prejudicial to the plan-making process.

Green Belt Balance

34. The proposal would be inappropriate development in the Green Belt which would, by definition, be harmful. There would also be harm to openness, in both spatial and visual terms.
35. The Framework requires in paragraph 153 that substantial weight be given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
36. Apart from the Green Belt harm summarised above, I have not found any other harm associated with the proposal. It would not harm the character and appearance of the area and there would not be any material harm to living conditions for occupiers of the dwelling to the north.
37. There is furthermore persuasive evidence of a fallback position comprising implementation of an extant planning permission for a 60-bed nursing home.

The fallback scheme would have a slightly greater effect on openness. With that in mind, I have given the fallback position very substantial weight.

38. The appeal proposal would also deliver enhanced accommodation compared to the fallback scheme, including specialist accommodation suitable for a wider range of occupiers. To that extent, it responds well to the increasing local demand for specialist care accommodation. It would provide a better environment and range of facilities for future occupiers. These qualitative advantages outweigh the proposal's marginally smaller contribution to housing land supply, and I have accordingly given them moderate positive weight.
39. Considered cumulatively, these other considerations clearly outweigh the substantial weight that I have given to the Green Belt harm by reason of inappropriateness and the effect on openness. As such, I conclude that there are very special circumstances which justify the development in this particular case.

Habitats Regulations Assessment

40. The appeal site lies within defined Zones of Influence for the Benfleet and Southend Marshes Special Protection Area (SPA) and Ramsar site, and the Outer Thames Estuary and Marshes SPA and Ramsar site. It is also close to the Holehaven Creek Site of Special Scientific Interest, which the Council's Officer Report identifies as land which is functionally linked to the Outer Thames Estuary and Marshes SPA.
41. The above European Sites³ are recognised for their value as coastal habitats and support internationally important populations of breeding and non-breeding bird species. They have been identified by Natural England as being vulnerable to harm as a result of recreational disturbance, which would be exacerbated by an increase in the local population resulting from new residential development.
42. The European Sites are covered by the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS). In partnership with other affected Local Planning Authorities, the Council has adopted a RAMS SPD⁴, which sets out measures for the avoidance and mitigation of recreational disturbance. These comprise measures to enhance habitat and divert activity away from the most vulnerable locations, alongside education and communication with recreational users.
43. Although the proposed development involves an increase in residential accommodation, the RAMS SPD makes clear that proposals for the development of care homes should be considered on a case-by-case basis, according to the type of residential care envisaged. This is reflected in Natural England's response to consultation on the planning application, which invited the Council to consider whether the proposal fell within scope of the RAMS as 'relevant development'.
44. The Council concluded in its Officer Report that the proposal would not result in an increase in recreational disturbance based on evidence that future occupiers would be primarily end of life and vulnerable clients who could be expected to

³ As defined in the Conservation of Habitats and Species Regulations 2017

⁴ Essex Coast Recreational disturbance Avoidance and Mitigation Strategy Supplementary Planning Document, May 2020

spend most, if not all, of their time at the care home. On that basis, the Council concluded that it is highly unlikely that they would visit the European Sites identified above. The Council's conclusions are consistent with evidence provided with the appeal that the proposal responds to increased local needs for accommodation for those requiring a high level of care in a residential setting. As such, based on the evidence before me, I have no reason to reach a different view from that reached by the Council.

45. I am therefore satisfied that the proposed development would not have a likely significant effect on the European Sites as a result of recreational disturbance, either alone or in combination with other development.
46. Changes in atmospheric pollution levels could have a likely significant effect on the European Sites, either directly or indirectly. However, the Council concluded that the proposed development would be likely to reduce trip rates compared with the previous use of the site and therefore there would not be any increased harm to air quality as a result of traffic emissions. Based on the evidence before me, I have no reason to reach a different view.
47. There is potential for atmospheric pollution as a result of the construction process. This could have a likely significant effect on the European Sites in the short term. However, any such effect can be adequately mitigated through implementation of the Construction Management Statement submitted with the planning application. Therefore, a condition to secure compliance with the Construction Management Statement would be effective in avoiding any likely significant effect arising from short term, construction-related pollution.
48. There is no evidence indicating that there would be any habitat loss or loss of functionally linked land. Nor is there any evidence indicating that there would be any harmful deterioration in water availability or water quality, given that the site has been previously developed and the amount of impermeable area would reduce. The proposal would furthermore include provision of improved surface water drainage measures which would potentially improve water quality.
49. Consequently, I conclude that, subject to imposition of a condition to secure compliance with the Construction Management Statement, the proposal would not adversely affect the integrity of European Sites, either alone or in combination with other development.

Conditions

50. The Council has suggested a number of conditions which I have considered against advice in the Framework and Planning Practice Guidance. As a result, I have amended and re-ordered some of them for consistency and clarity, and to avoid duplication.
51. I have imposed a condition specifying the approved plans, in the interests of certainty.
52. I have imposed and grouped together the conditions suggested by the Council in relation to surface water drainage and mitigation of flood risk. The site is located within Flood Zone 3, as is the majority of Canvey Island. These conditions are required to ensure that the required measures to mitigate the risk of flooding are implemented during the construction process, and that

ongoing requirements for their maintenance and a flood response plan are in place for the duration of the building's occupation.

53. I am aware that surface water drainage measures have been installed as part of the initial works to implement the fallback scheme. However, I have included a condition requiring that the drainage measures are approved prior to construction proceeding above ground level, to allow for any required adjustment to the previously agreed details before construction proceeds. However, I have not included the detailed requirements in the Council's suggested condition since these can be agreed as part of the approved scheme. If no change is required to the implemented works, that is a matter which can be resolved between the parties.
54. Since the site adjoins two main roads, I have imposed conditions to protect future occupiers from excessive noise disturbance both indoors and within the outdoor amenity areas.
55. I have imposed and grouped several conditions encompassing implementation and retention of the proposed highway access, car parking and cycle parking to the standard required by the Highways Authority. These include a condition requiring implementation of highway improvement works detailed on drawing number 205346-A-01 REV E. This Grampian condition requires implementation of works on highway land, outside the application site boundary. The Highways Authority's response to consultation on the planning application both supported and required implementation of these measures. On that basis, I am satisfied that the works are necessary and that there is sufficient evidence that the works in question can proceed in a timely manner prior to occupation of the development.
56. I have imposed a condition requiring approval of any external lighting, in order that the design of any lighting required to support circulation around the outdoor areas does not compromise the ecological value of nearby nature conservation sites. I have also imposed conditions to secure use of the external materials detailed in the application and approval and implementation of soft landscaping measures. These are required in the interests of maintaining the character and appearance of the area.
57. A condition is required to secure provision of the outdoor amenity areas prior to occupation of the building, so as to provide suitable living conditions for future occupiers from the outset.
58. I have imposed a condition requiring implementation of the proposed energy efficiency measures, since this is consistent with the requirements in the Framework for new development to help reduce greenhouse gas emissions.
59. For the reasons given above, I have imposed a condition requiring implementation of the Construction Method Statement. This is required to avoid any likely significant effect on European Sites, as well as to prevent pollution or disturbance affecting nearby occupiers.
60. While demolition of the previous buildings has already taken place, further ground works will be required to implement the development. Therefore, conditions to manage the ongoing construction process, including the handling of waste, are required in the interests of preventing and/or remediating any unforeseen contamination issues. However, I have not imposed a condition

requiring archaeological investigations to be undertaken, since extensive ground disturbance has already occurred, and the evidence indicates that this requirement was discharged in relation to a similar condition on the planning permission for the fallback scheme.

Conclusion

61. For the reasons given above, I conclude that the appeal should be allowed.

Jane Smith

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be begun on or before the expiration of three years beginning with the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans.
 - PA01 - Proposed Ground Floor Plan
 - PA02 - Proposed First Floor Plan
 - PA03 - Proposed Second Floor Plan
 - PA04 - Proposed Elevations 1
 - PA05 - Proposed Elevations 2
 - PA08 - Site Location Plan
 - PA10 Revision D - Proposed Site Plan
 - 205346-A-01 Revision E – General Arrangement and Visibility Splays
- 3) No works above ground level shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the development hereby permitted, the approved surface water drainage scheme shall be implemented on site and thereafter permanently maintained as such.
- 4) Prior to the first occupation of the development hereby approved, a Maintenance Plan detailing who is responsible for each element of the surface water drainage system and the maintenance activities/frequencies, shall be submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long-term funding arrangements should be provided.

The applicant or any successor in title must thereafter maintain records of maintenance in accordance with the approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

- 5) Finished ground floor levels shall be set no lower than 2.62 metres above Ordnance Datum (AOD). The flood risk mitigation measures detailed in the application documents shall be fully implemented prior to occupation and subsequently retained.
- 6) The development hereby approved shall be constructed in accordance with the provisions of the Flood Resilient Design and Construction report prepared by Brian Davison Associates and the structural calculations provided by KMCD Consulting Structural Engineers, both dated March 2021.
- 7) Upon occupation of the building, the Flood Response Plan prepared by Brian Davison Associates, dated March 2021, shall be enacted and thereafter maintained at all times that the development is occupied. Any revisions to the Plan shall be submitted to and formally approved by the Local Planning Authority.
- 8) No development above ground level shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that all habitable rooms exposed to external road traffic noise in excess of 55 dBA Leq 16 hour during the day (07.00 to 23.00 hours) or 45 dBA Leq 8 hour at night (23.00 to 07.00 hours) shall be subject to sound insulation measures to ensure that all such rooms achieve an internal noise level of 35 dBA Leq 16 hour during the day and 30 dBA Leq 8 hour at night. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be able to be effectively ventilated without opening windows. No habitable room shall be occupied until the approved sound insulation and ventilation measures have been installed in accordance with the approved details. The approved measures shall be retained thereafter in perpetuity.
- 9) No development above ground level shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority to provide that the maximum day time noise level in outdoor living areas exposed to external road traffic noise shall not exceed 50 dBA Leq 16 hour. The scheme of noise mitigation as approved shall be constructed in its entirety prior to the first occupation of the development and shall be retained thereafter in perpetuity.
- 10) No development above ground level shall commence until details showing the means to prevent the discharge of surface water from the development onto the highway have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall thereafter be retained.
- 11) Prior to the first occupation of the development hereby approved, provision shall be made for safe and convenient, covered bicycle and powered two wheeled vehicle parking facilities on the basis of one bicycle parking space for each five staff members and one space, plus one space per twenty car parking spaces, for powered two wheeled vehicles, details of which shall be submitted to and approved by the Planning Authority prior to construction/installation. Any such provision shall thereafter be permanently retained for the sole use of residents, staff and visitors to the proposed development.

- 12) Prior to the first occupation of the development, the access point at Northwick Road shall be provided as shown in principle on Vectos drawing number 205346-A-01 Rev E. The vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway with an appropriate dropped kerb vehicular crossing of the footway with clear to ground visibility splay. Vehicular visibility splays of 2.4m x 43m in both directions shall be provided before the access is first used by vehicular traffic and retained free of any obstruction thereafter. All redundant access points shall be suitably reinstated prior to occupation of the development, with full upstand kerb and footway provision.
- 13) The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.
- 14) Prior to first occupation of the development, the highway improvement works along Northwick Road and access road shall be provided as shown in principle on Vectos drawing number 205346-A-01 REV E and shall be provided completely at the developer expense. All new footway provision shall be provided a minimum of 2m wide and include relevant dropped kerb crossing facilities. All details to be submitted to and approved by the Local Planning Authority prior to execution of such works.
- 15) No unbound material shall be used in the surface treatment of any of the vehicular accesses within 6 metres of the highway boundary.
- 16) The proposed access road and parking area shall be constructed in a manner capable of supporting the weight and turning movements of an 18-tonne fire appliance.
- 17) Details of any external lighting of the proposed development shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. The external lighting shall thereafter be installed in accordance with the approved details.
- 18) The development hereby approved shall be built wholly in accordance with the approved materials detailed in the Design and Access Statement by Connect Space dated September 2022.
- 19) Prior to the first occupation of the development hereby approved, a landscaping/tree planting scheme shall be submitted to and formally approved by the Local Planning Authority. Such a scheme shall include full details of all proposed tree planting, including species, size, density, methodology and the proposed times of planting and planting plans, written specifications, including cultivation and other operations associated with plant and grass establishment, schedules of plants, noting species, plant sizes and proposed numbers / densities. The landscaping scheme shall be carried out prior to the first occupation of the development in accordance with the approved details.

- 20) Prior to the first occupation of the development hereby approved, the proposed outdoor amenity areas shall be provided and thereafter permanently maintained.
- 21) The proposed development shall incorporate those energy efficiency measures identified within the submitted Energy Strategy Report prepared by Emberenergy, dated 14th September 2021.
- 22) The proposed development shall be undertaken in accordance with the provisions of the Construction Method Statement and Site Waste Management Plan, both received by the Local Planning Authority on 7 September 2022.
- 23) Any unforeseen ground contamination encountered during development shall be notified to the Local Planning Authority as soon as is practicable. Unless otherwise agreed in writing by the Local Planning Authority as unnecessary, an appropriate ground investigation and/or remediation strategy shall be submitted to and approved in writing by the Local Planning Authority, and the approved strategy shall be implemented in full prior to further works on site. Following remediation and prior to the occupation of any building, a Completion/Verification Report, confirming the remediation has been carried out in accordance with the approved details, shall be submitted to and approved in writing by the Local Planning Authority.
- 24) Prior to import to site, soil material or aggregate used as clean fill or capping material, shall be chemically tested to demonstrate that it meets the relevant screening requirements for the proposed end use. This information shall be submitted to and approved in writing by the Local Planning Authority. No other fill material shall be imported onto the site.

END