



## TENDRING DISTRICT COUNCIL

### Planning Services

Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex CO16 9AJ

**APPLICANT:** Mr Board  
Lanswood Limited  
Lanswood Park  
Broomfield Road  
Elmstead  
Colchester  
Essex  
CO7 7FD

**AGENT:**

### TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO:** 17/00785/OUT

**DATE REGISTERED:** 17th May 2017

Proposed Development and Location of Land:

**Hybrid submission for outline permission for the provision of proposed buildings 7, 8, & 9. Variation of approved planning application 08/01426/FUL to provide two smaller footprint and smaller scale office buildings identified as 5 & 6 as replacement for original single building.  
Lanswood Park Broomfield Road Elmstead Essex**

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **DO HEREBY GRANT**  
**OUTLINE PLANNING PERMISSION** for the provision of proposed buildings 7, 8, & 9 in  
accordance with the application form, supporting documents and plans submitted, subject to the  
following conditions:

- 1 The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.  
  
Reason - To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.  
  
Reason - To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
- 3 No development shall be commenced until plans and particulars of " the reserved matters" referred to in the above conditions relating to the landscaping have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details.  
  
Reason - The application as submitted does not provide sufficient particulars for consideration of these details.
- 4 The development hereby permitted shall be carried out in accordance with the following approved plans: 16.102/04, 16.102/05, 16.102/06, 16.102/07, 16.102/08, 16.102/09, 17.102/01



Rev A, 17.102/03 Rev A, and 48389/PP/100; and Flood Risk Assessment and Sustainable Urban Drainage Assessment Project no: 48389

Reason - For the avoidance of doubt and in the interests of proper planning.

- 5 Notwithstanding the provisions of Article 3, Schedule 2, Part 3 Classes I, O and T 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) the hereby approved development shall be used for B1a office use and for no other purposes including any other purpose in Classes B8 or C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory instrument and re-enacting that Order with or without modification) or as a school or nursery.

Reason - Such changes of use would need to be individually assessed under submission of a planning application in the interests of highway safety, amenity and protecting employment land.

- 6 No works 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. The scheme should include but not be limited to:
- Limiting discharge via infiltration for all storm events up to and including the 1 in 100 year rate plus 20% allowance for climate change.
  - Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 20% climate change event.
  - Final modelling and calculations for all areas of the drainage system.
  - The appropriate level of treatment for all runoff leaving the site, in line with the CIRIA SuDS Manual C753.
  - Detailed engineering drawings of each component of the drainage scheme.
  - A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
  - A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

Reason - To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

- 7 No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

Reason - The National Planning Policy Framework paragraph 103 and paragraph 109 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and



groundwater which needs to be agreed before commencement of the development. Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

- 8 No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been 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.

Reason - To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information before commencement of works may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

- 9 The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason - To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY GRANT PLANNING PERMISSION** for Variation of approved planning application 08/01426/FUL to provide two smaller footprint and smaller scale office buildings identified as 5 & 6 as replacement for original single building in accordance with the application form, supporting documents and plans submitted, subject to the following conditions;

- 10 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers 01F, 05A, 06, 07A, 11 and 17; and Extended Phase 1 Habitat Survey dated 30th September 2008, Reptile Survey dated 22nd October 2008, Arboricultural Impact Assessment dated 19th September 2008, Environmental Desk Study Report dated August 2008, Transport Assessment dated October 2008, and Flood Risk Assessment dated December 2008 all submitted under 08/01426/FUL; and as amended by drawing numbers 277-01-100 P2 and 277-01-105 P4 submitted under 16/00126/NMA; and as amended by current application: Drawing numbers 16.102/04, 16.102/05, 16.102/06, 16.102/07, 16.102/08, 16.102/09, 17.102/01 Rev A, and 17.102/03 Rev A, and 48389/PP/100; and Flood Risk Assessment and Sustainable Urban Drainage Assessment Project no: 48389.

Reason - For the avoidance of doubt and in the interests of proper planning.

- 11 i) The minimum 7.3 metre wide access road with minimum 215 x 4.5 x 215 metre visibility splay shall be maintained to include no obstruction exceeding a height of 0.6 metres above ground level at all times.  
ii) A minimum 7.3 metre wide access road with minimum 15 metre kerbed radii and parking/turning facilities sufficient to accommodate articulated heavy goods vehicles shall be provided and retained thereafter for that sole purpose.

Reason - In the interests of highway safety.

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY GRANT PLANNING PERMISSION AND OUTLINE PLANNING PERMISSION (as described above)** in accordance with the application form, supporting documents and plans submitted, subject to the



following conditions in connection with the whole site;

- 12 Prior to occupation of any part of the development, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of how the developer will reduce single occupancy car use in journeys to work; to promote sustainable means of transport for staff; and provide details of an annual Staff Travel Survey. The Travel Plan shall be implemented in accordance with the agreed details for the lifetime of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason - In the interests of reducing the need to travel by car and promoting sustainable development and transport.

- 13 The proposed development shall not be occupied until such time as the vehicle parking areas indicated on the plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking areas 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 unless otherwise agreed in writing with the Local Planning Authority.

Reason - To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided.

- 14 Any vehicular hardstanding shall have minimum dimensions of 2.9 metres x 5.5 metres for each individual parking space, retained in perpetuity.

Reason - To ensure adequate space for parking off the highway is provided in the interest of highway safety.

- 15 Prior to the commencement of the development the details of the number, location and design of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved facility shall be secure, convenient and covered and provided prior to occupation and retained at all times.

Reason - To ensure appropriate cycle parking is provided in the interest of highway safety and amenity.

- 16 No street lighting, floodlighting, or other means of illuminating any part of the site outside any of the buildings hereby approved shall be erected or installed until written details of the illumination works have been submitted to, and approved in writing by, the Local Planning Authority. The works concerned shall only be carried out in accordance with the approved details.

Reason - To minimise the impact of light pollution on the character of the area and countryside in the interests of amenity.

- 17 No goods, materials or containers shall be stored, stacked or deposited on the site outside the buildings, nor shall any commercial/manufacturing activities or processes (except for the loading and unloading of vehicles) be carried on outside the buildings, unless otherwise agreed in writing with the Local Planning Authority.

Reason - To protect the character and appearance of the countryside in the interests of visual amenity and the amenity of residents in the locality.

- 18 Notwithstanding the provisions of Article 3, Schedule 2, part 7 Class F 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 enlargement or other



alteration to the hereby permitted buildings shall be erected or carried out except in accordance with details which shall first have been submitted to and approved, in writing, by the Local Planning Authority upon prior application having first been made.

Reason - To enable the Local Planning Authority to retain control over the buildings in the interests of amenity and highway safety.

- 19 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 approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i) the parking of vehicles of site operatives and visitors;
  - ii) loading and unloading of plant and materials;
  - iii) storage of plant and materials used in constructing the development;
  - iv) wheel washing facilities.

Reason - In the interests of highway safety and efficiency during construction of the development.

- 20 The hereby permitted uses shall only operate between the hours of 7:30am and 20:00pm Mondays to Saturdays and between the hours of 10.00am and 16.00pm on Sundays and Bank Holidays.

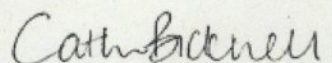
Reason - To enable the Local Planning Authority to retain control over the development in the interests of amenity.

- 21 Removal of any existing vegetation and potential refugia must be undertaken under the guidance of a suitably qualified ecologist, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure no reptiles are harmed.

DATED: 09/10/17

SIGNED:




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Catherine Bicknell  
Head of Planning

IMPORTANT INFORMATION :-

The local planning authority considers that the following policies and proposals in the development plan are relevant to the above decision:

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

QL3 Minimising and Managing Flood Risk

QL9 Design of New Development



- QL10 Designing New Development to Meet Functional Needs
- QL11 Environmental Impacts and Compatibility of Uses
- ER7 Business, Industrial and Warehouse Proposals
- EN1 Landscape Character
- EN6 Biodiversity
- EN6A Protected Species
- EN13 Sustainable Drainage Systems
- TR1A Development Affecting Highways
- TR7 Vehicle Parking at New Development
- Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
- SP1 Presumption in Favour of Sustainable Development
- SP4 Providing for Employment & Retail
- SPL1 Managing Growth
- SPL3 Sustainable Design
- PP7 Employment Allocations
- PP13 The Rural Economy
- PPL1 Development and Flood Risk
- PPL3 The Rural Landscape
- PPL4 Biodiversity and Geodiversity
- CP1 Sustainable Transport and Accessibility
- SAE3 Lanswood Park, Elmstead Market
- Local Planning Guidance
- Essex County Council Car Parking Standards - Design and Good Practice

#### Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

SUDS informatives relating to outline planning permission only:



- Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to [suds@essex.gov.uk](mailto:suds@essex.gov.uk).
- Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
- Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
- The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.

#### Highways Informatives

- Highway Works - All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to:  
Essex Highways, Colchester Highways Depot, 653 The Crescent, Colchester, CO4 9YQ.
- Cost of Works - The Highway Authority cannot accept any liability for costs associated with a developers improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.
- Site Workers - Steps should be taken to ensure that the Developer provides sufficient turning and off loading facilities for delivery vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.

Standard Informative 1: The Provisions of the Essex Act 1987, Section 13 (Access for the Fire Brigade) may apply to this Development and will be determined at Building Regulation Stage.

Standard Informative 2: You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control section at Tendring District Council.

Standard Informative 3: If the development includes the construction of a new building on or at the boundary of 2 properties, work to an existing party wall or party structure or involve excavation near to and below the foundation level of neighbouring buildings, you are advised that the provisions of the Party Wall Act 1996 may apply to this development. An explanatory booklet concerning the implications of this Act is available online or from the District Council.

**The attached notes explain the rights of appeal.**



## NOTES FOR GUIDANCE

### WHEN PLANNING PERMISSION IS REFUSED OR GRANTED SUBJECT TO CONDITIONS

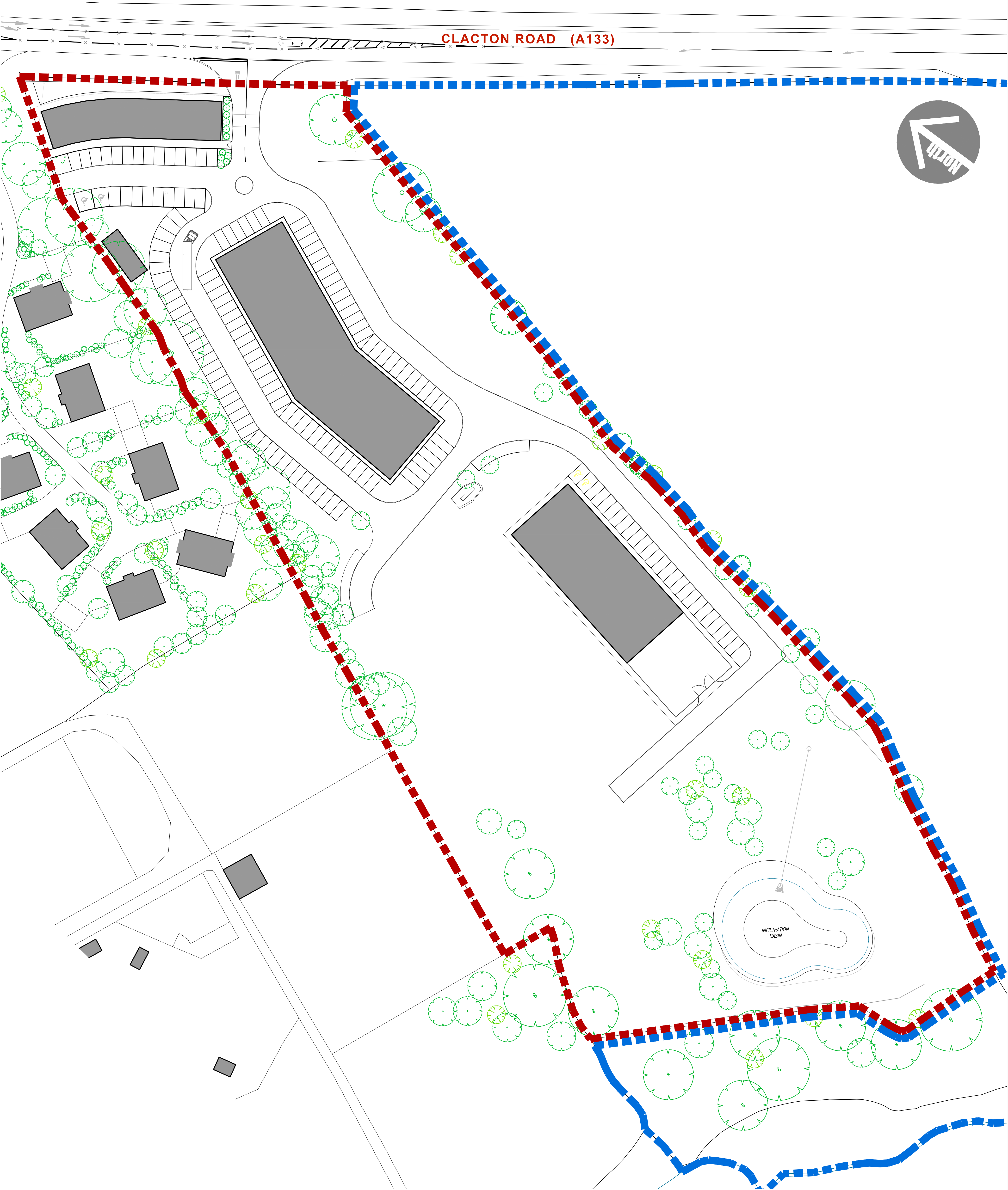
#### APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within the set time frame as outlined below:
  - a. If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Householder Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
  - b. If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
  - c. If you want to appeal against your local planning authority's decision on a development which is not caught by a. and b. above then you must do so within **6 months** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
- Appeals must be made using the relevant form (as detailed above) which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. **Please note, only the applicant possesses the right of appeal.**
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions imposed having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by the Secretary of State.

#### ENFORCEMENT

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.





EXISTING SITE LAYOUT 1:500

LANSWOOD

Residential and Commercial Developments

WORKING IN ASSOCIATION WITH

Client: Lanswood Residential & Commercial Developments			
Location: Lanswood Business Centre Broomfield Road Elmstead Market Essex, CO7 7FD.			
Project: Proposed Business Park Expansion.			
(Existing Layout)			
Drawn: cp	Checked: srf		
Scale: 1:500 at A1 size	Date: April 2017		
Drawing No: 17.102/02	Rev:		

BDA

ARCHITECTURE

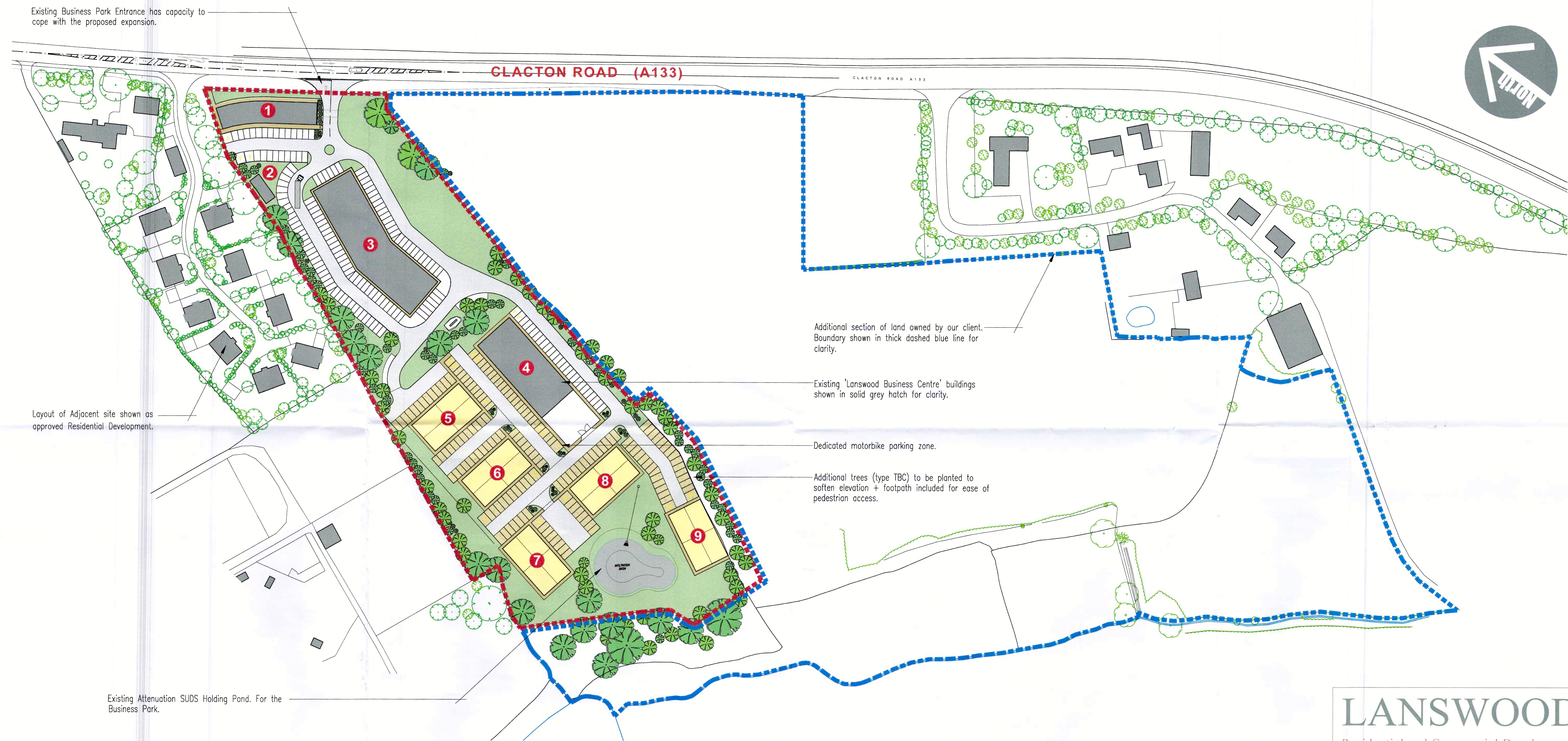
RIBA

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PLANNING DRAWING

© copyright BDA. All rights reserved. BDA is a trading name of BDA Architects Ltd.  
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Attention is drawn to the owner / builder to consult with neighbouring owners before any work is carried out with regard to the Party Wall Act 1996.  
IMPORTANT NOTE: Works to be fully compliant with the CDM 2015 Regulations.  
Do not scale from this drawing - Use figured dimensions only (all levels & dimensions to be checked on site).



PROPOSED SITE LAYOUT 1:1000

BUSINESS CENTRE BUILDING TYPE INFORMATION

- 1 2 3 4  
5 6 7 8 9

Existing Lanswood Business Centre Buildings.  
5420 sqm / 58340 sqft Buildings. Each consisting of 8 x 135.5 sqm units.

PROPOSED PARKING LAYOUT

Standard Car Parking Spaces: 144  
Accessible Parking Spaces: 13  
TOTAL PARKING SPACES: 157

There will be 1 No. dedicated Motorbike Parking Zones + Various secure Bicycle Storage Areas.

Important Note: The Parking Arrangements / Scheme will be fully in accordance with the 'Essex County Council Parking Standards'.

LANSWOOD  
Residential and Commercial Developments

WORKING IN ASSOCIATION WITH

RevA: Additional trees planted + pedestrian footpath included.

Client:  
Lanswood Residential & Commercial Developments  
Location:  
Lanswood Business Centre  
Broomfield Road  
Elmstead Market  
Essex CO7 7FD

Project:  
Proposed Business Park Expansion

(Proposed Site Layout)

Drawn: srf / cp  
Scale: 1:1000 at A1 size  
Drawing No: 17.102/01

Checked:  
Date: April 2017  
Rev: A

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