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Item No: 7.2

Application: 171779

Applicant: Colchester Brough Council

Agent: Colchester Borough Homes

Proposal: Change of use to Theatre Rehearsal Space, and for Community based lettings. Including associated internal fit-out works, and minor exterior alterations.

Location: The Former Garrison Gym, Former Gym, Circular Road South, Colchester, CO2 7FD

Ward: Shrub End

Officer: Alistair Day

Recommendation: Conditional Approval

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee because the applicant is Colchester Borough Council

2.0 Synopsis

- 2.1 The main issues for consideration are:

- The impact that the proposed development would have on the special interest of the former gym, a locally listed building, and whether the proposed works will preserve or enhance the character and appearance of the Garrison Conservation Area;
- The effect that the development would have on the amenity of nearby residential properties;
- The impact that the proposed development would have on highway and pedestrian safety and the free flow of traffic; and
- Whether the proposed use is compatible with the terms of the s299a legal agreement that was signed as a part of the Garrison Urban Village development (ref O/COL/01/0009).

- 2.2 The application is recommended for approval.

3.0 Site Description and Context

- 3.1 The former garrison gymnasium dates from c 1860. It is an impressive double height building of red brick with strong rusticated quoins and gauged circular arches springing from brick pilasters. The roof was originally covered with slate and lit by a large square lantern. The lantern was removed when the building was re-roofed in the mid twentieth century. The roof and interior were destroyed by fire in June 2013 and the shell of the building was made water tight during 2015-16 (reinstatement of roof and windows etc). As a part of these reinstatement works, the opportunity was taken to install solar panels on the south roof pitch. The building is included on the Local List of building of special interest and the application site is situated within the Garrison Conservation Area.
- 3.2 The former gym is located to the south of Abbey Field and is separated from Circular Road South by a line of trees. To the east of the building is a landscaped area (the Garrison Eastern Greenlink) beyond which is the wall and railings bounding Berechurch Road. To the south of the site is the former MRS building (now the Abbey Field Medical Centre) and associated car park. A Locally Equipped Play Area is proposed on the site of the former garrison swimming pool (to the west of the gym) and is a requirement of the Garrison Urban Village legal agreement.

4.0 Description of the Proposal

- 4.1 The application seeks planning permission to change the use of the building to theatre rehearsal space and for community based lettings. Minor internal and external enabling works are also proposed.
- 4.2 The proposed opening hours of the theatre / community use are 08:00 – 00:00 (midnight) Monday to Sunday (including bank holidays).

5.0 Land Use Allocation

- 5.1 Garrison Regeneration Area – mixed use.

6.0 Relevant Planning History

- 6.1 O/COL/01/0009 – Outline Planning application for the Garrison Urban Village Development – conditional approval
- 6.2 120254 - Change of use to D1 primary health care facility, internal alterations and adaptations, 2no. minor extensions, formation of car park and perimeter 2.4m security fencing and gates. Erection of site signage, installation lighting to car park – conditional approval.
- 6.3 146384 - Reinstatement works following a major fire – conditional approval.

7.0 Principal Policies

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the adopted development plan comprises the adopted Core Strategy (December 2008, amended 2014), Development Policies (October 2010, amended 2014) and Site Allocations Plan (October 2010)
- 7.2 The adopted Colchester Borough Core Strategy provides local strategic policies. Particular to this application, the following policies are most relevant:
- UR1 - Regeneration Areas
 - UR2 - Built Design and Character
 - ENV1 - Environment
- 7.3 In addition, the following are relevant adopted Colchester Borough Development Plan Policies:
- DP1 Design and Amenity
 - DP14 Historic Environment Assets

7.4 Further to the above, the adopted Site Allocations policies set out below should also be taken into account in the decision making process:

- SA GAR1 Development in the Garrison Area

7.5 The National Planning Policy Framework (the Framework) must also be taken into account in planning decisions and sets out the Government's planning policies that are to be applied when making decisions. The Framework makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental.

Relevant Adopted SPD

7.6 Development Brief Goojerat and Sobraon Barracks

8.0 Consultations

Landscape Officer

8.1 The Landscape Officer has confirmed that there is no objection to this application subject to the following planning condition:

No works shall take place until a scheme of hard and soft landscaping works has been submitted to and agreed, in writing, by the Local Planning Authority. This scheme shall include any proposed changes in ground levels and also accurately identify positions, spread and species of all existing and proposed trees, shrubs and hedgerows on the site, as well as details of any hard surface finishes and external works, which shall comply with the recommendations set out in the relevant British Standards current at the time of submission. The approved landscape scheme shall be carried out in full prior to the end of the first planting and seeding season following the first occupation of the development. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In order to ensure that there is a sufficient landscaping scheme for the relatively small scale of this development where there are public areas to be laid out but there is insufficient detail within the submitted application.

Historic Building Officer

- 8.2 The Historic Building Officer comments can be summarised as follows:
- 8.3 The proposed location of the AHU will be very visible from the street and will fail to preserve the character of the locally listed building or that of the conservation area. The proposal would cause less than substantial harm and there would be public benefits resulting from the re- use of the gym.
- 8.4 It is recommended that the following amendments are made:
- AHU is relocated to a more discreet location;
 - the handrails to the external steps are painted black,
 - the replacement doors to south elevation is powder-coated aluminum and
 - new access road and paving from accessible parking bays is formed in tarmac.

Subject to the above amendments, the following conditions should be attached:

- Samples of new bricks including specifications
- Brick bond to match that of the building
- Railing details
- Enclosure details

Urban Design Officer

- 8.5 No comment as the application does not generate any significant urban issue issues.

Environmental Protection

- 8.6 Environmental Protection have no objection in principle subject to the following conditions being applied should permission be granted:-
- Prior to the first use or occupation of the development as hereby permitted, a competent person shall have ensured that the rating level of noise emitted from the site's plant (including extract ventilation and air conditioning), equipment and machinery shall not exceed 0dB(A) above the background levels determined at all facades of noise-sensitive premises. The assessment shall have been made in accordance with the current version of British Standard 4142 and confirmation of the findings of the assessment shall have been submitted to, and agreed in writing by, the Local Planning Authority and shall be adhered to thereafter.
Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance, as there is insufficient information within the submitted application.

- The use hereby permitted shall not OPERATE/BE OPEN TO CUSTOMERS outside of the following times:
 - Weekdays: 08:00 to 00:00 hours
 - Saturdays: 08:00 to 00:00 hours
 - Sundays and Public Holidays: 08:00 to 00:00 hours

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise including from people entering or leaving the site, as there is insufficient information within the submitted application, and for the avoidance of doubt as to the scope of this permission.

Highway Authority

- 8.7 The Highway Authority has stated that, from a highway and transportation perspective, the impact of the proposal is acceptable subject to the following mitigation and conditions:

Prior to the first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Travel Plan (similar to the Draft TP that has been discussed and agreed) including the initial commitments; and amended and supplemented under the provisions of a yearly report. The Travel Plan should include a commitment to provide a Travel Plan co-ordinator to give advice to any new employees and visitors to the development.

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

Prior to the occupation of the proposed development, details of the provision for the storage of bicycles sufficient for all occupants and visitors of the development, of a design this shall be approved in writing with the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to the first occupation of the proposed development hereby permitted and shall be maintained free from obstruction at all times for that sole purpose thereafter.

Reason: To promote the use of sustainable means of transport

Prior to the commencement of the proposed development, the applicant shall submit a scheme of off road parking and turning for motor cars in accord with current Parking Standards which shall be approved in writing by the Local Planning Authority. The car parking area shall be retained in this form in perpetuity and shall not be used for any purpose other than the parking of vehicles related to the use of the development.

Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur and to enable cars to join the highway in a forward gear, in the interests of highway safety

In addition to the details reported above, the full text of all consultation responses is available to view on the Council's website.

9.0 Parish Council Response

9.1 N/A

10.0 Representations

10.1 None received at the time of writing the report

11.0 Parking Provision

11.1 24 allocated parking spaces within the existing car park

12.0 Open Space Provisions

12.1 N/a

13.0 Air Quality

13.1 The site is outside of any Air Quality Management Area and will not generate significant impacts upon the zones.

14.0 Development Team and Planning Obligations

14.1 This application is not classed as a “Major” application and therefore there was no requirement for it to be considered by the Development Team and it is considered that no Planning Obligations should be sought via Section 106 (S106) of the Town and Country Planning Act 1990.

15.0 Report

Background

15.1 Outline planning permission was granted in 2003 for Garrison Urban Village Development. This proposal comprised residential development (up to 2,600 dwellings) mixed uses including retail, leisure and employment, public open space, community facilities, landscaping, new highways, transport improvements and associated and ancillary development.

15.2 The former gym and the MRS building (located adjacent to the gym) are identified in the garrison legal agreement for transfer to the Council and are to be used for community and health uses. These buildings were transferred into Council ownership in 2010.

- 15.3 The MRS building was converted for health use (the Abbey Field Medical Centre) in about 2012. At about the same time, the discussions were taking place with a local community group about taking on the lease of the gym. Prior to the lease being signed, the former gym was substantially damaged by fire (2013). The fire destroyed the roof, windows and the interior of the building. The upstanding brick walls however remained structurally sound. An application was submitted in 2014 for the repair and refurbishment of the former gym. As a part of this application, permission was also granted for the installation of solar panels to the south roof slope of the gym and for minor amendments to windows and doors. The works proposed under this application have now been implemented.
- 15.4 The current application seeks permission to change the use of the building to theatre rehearsal space and for community based lettings and for enabling works to interior and exterior of the building.

Principle of Development

- 15.5 The proposal to use the former garrison gym as theatre rehearsal space and for community use reflects the guidance set out in the Council's adopted Development Brief and proposals put forward Garrison Urban Village Development planning permission.
- 15.6 Core Strategy Policy UR1 states that new development in Regeneration Areas (of which the Garrison is one) will be encouraged provided the design and scale is sympathetic to the character of the area and that it enhances historic buildings and features. Policy SA GAR1 of the Site Allocations Plan states that areas identified as predominantly residential will also include leisure, community and health uses.
- 15.7 Given the above, the principle of using the garrison gym as theatre rehearsal space and for community use is considered compatible with the Council's adopted planning policies and guidance documents.

Heritage Issues

- 15.8 Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of a conservation area. CS Policy ENV1 and DPD Policy DP14 seek to conserve and enhance Colchester's historic environment. With regard to design, CS Policy UR2 and DPP Policy DP1 seek to promote and secure high quality design. Section 12 (paragraphs 126 to 141) of the Framework deals with conserving and enhancing the historic environment.
- 15.9 The former gym is the sole surviving garrison building to the south of Abbey Field that dates from the mid nineteenth century. The building is prominent due to its corner position and the open landscape of Abbey Field. It is an attractive well-proportioned building with distinctive architectural features. The building is included on the Local List due to its architectural qualities

and for historic and social interest. The various single storey additions to the gym are not considered to be architectural or historic interest.

15.10 The application as originally proposed sought:

- the installation of an Air Handling Unit (AHU) on the roof of the single storey extension on the south side of the former gym;
- the widening of the existing external doors on the south elevation;
- the repositioning of a door and window on the south extension;
- the infilling a door opening on the west elevation of the South extension;
- the re-ordering of the car park to provide access to the south side of the gym; and
- the construction of external graded paving, and steps to allow suitable access, and safe escape (in the event of fire) from the building.

In addition to the above, minor internal alterations works are also proposed to create an open plan office, a Kitchen, and additional storage spaces.

15.11 The supporting Design and Access Statement (DAS) explains that the AHU is a necessary addition as it will provide the required ventilation to make the building comfortable for the users of the building. The DAS goes on to state that alternative locations have been considered for the AHU (including internal locations), however, in order to physically fit the required unit in a position that will allow suitable access for maintenance, mounting the equipment on the roof of the modern single storey extension was felt to be the most appropriate location. Screening was proposed to reduce its visual impact.

15.12 When considering the impact of a proposed development, the Framework states at paragraph 132 that great weight should be given to the conservation of the heritage asset's significance. Paragraphs 133 and 134 of the Framework relate to differing levels of harm (i.e. substantial and less than substantial harm) to a designated heritage asset; in this instance the designated heritage asset is the Garrison Conservation Area. Paragraph 135 refer non-designated heritage assets (i.e. locally listed buildings) and requires the effect of an application on its significance to be taken into account when determining the application.

15.13 The proposed AHU, by virtue of its size and high level location, was considered to be both visually intrusive and detract from the architectural or historic character of the gym and the appearance of this part of the conservation area. The proposed screening was not considered to adequately mitigate the visual impact of the AHU. These concerns were raised with the applicant and, as a consequence of these discussions, the AHU has been re-sited to ground level, sited between the gym and the medical centre. A timber fence is proposed to screen the AHU and provide security for the equipment. The new location is much more discreet and will only really be seen in very local views – i.e. from the car park and play area. Notwithstanding this, the proposed AHU will nevertheless cause some harm

to the setting of the conservation area and therefore it needs to be demonstrated that the proposal will have public benefits. The proposed installation of the AHU will make the building more attractive to community group users and thereby help to secure the building's long-term future and its contribution the character and appearance of this part of the Garrison Conservation Area. In view of this, it is considered the harm caused by the installation of the AHU would be outweighed by the benefits. The other works proposed as a part of this application are considered to have a neutral impact on the character and appearance of the conservation area and that of the locally listed building.

- 15.14 For the reasons given above, the application is considered to accord with aforementioned development plan policies, national guidance and the statutory test in the 1990 Act.

Residential Amenity

- 15.15 DPD Policy DP1 states that all development must be designed to a high standard and avoid unacceptable impacts on amenity. Part III of this policy seeks to protect existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance, pollution (including light and odour pollution), daylight and sunlight.
- 15.16 The nearest residential properties to former gym buildings are located some 55m from the building (on Berechurch Road). There are also residential properties in Ypres Road. The use of the gym as a community centre has the potential to generate noise and therefore cause disturbance to local residents. In order to safeguard the residential amenity of nearby residents, the Environmental Protection Team has recommended that the building opens after 08:00 and closes by 00:00. Environmental Protection has also recommended that all plant equipment does not exceed 0db(A) above the background levels. Conditions are accordingly proposed.
- 15.17 The construction works could also the potentially to cause noise and disturbance. To safeguard the amenity of nearby residents, it is also recommended that a construction management plan (to include the hours of work) is submitted for approval.
- 15.18 Subject to the above safeguards, it is not considered that the proposed development would not have a significant adverse effect on the living conditions of the neighbouring residential properties. The proposed development is not therefore considered to conflict with DPD Policies DP1 or Paragraph 17 of the Framework insofar as they seek to secure a good standard of amenity for all occupants of land and buildings.

Trees and Landscape

- 15.19 Policy ENV1 states that the Borough Council will conserve and enhance Colchester's natural and historic environment. Central Government guidance on conserving the natural environment is set out in Section 11 of the Framework.
- 15.20 There are a number of mature trees located between the application site and Circular Road South. There are also a number more recently planted saplings located within the car park area to the south of the former gym.
- 15.21 The application proposes the re-ordering of the car park and adjacent landscape areas to facilitate vehicular access to gym. The existing tree planting within the car park is considered important as this helps to soften the visual impact of parked cars and integrate the development with the adjacent green link. The Landscape Officer has confirmed that there is no objection to the proposal subject to a landscaping condition.
- 15.22 It is considered that conditions requiring the protection of trees are sufficient to safeguard the existing trees on, or adjacent to, the application site. Given this, the current planning application is considered to accord with CS Policy ENV1, DPD Policies DP1 and DP21 and paragraph 118 of the Framework which requires planning application to conserve or enhance landscape features.

Transport, Accessibility and Parking

- 15.23 Both the CS and DPP contain policies to safeguard highway safety and promote accessible developments. The current application seeks permission for the re-use of an existing building within the Garrison Regeneration Area.
- 15.24 The site is located approximately 1m to the south of Colchester town centre. Circular Road South and Berechurch Road are located to the north and east of the site respectively. Buses travel along both of these roads. Ypres Road wraps around the west and south of the site. The main vehicular access to the site is from Ypres Road (south side) and is shared with the adjacent Abbey Fields Medical Centre.
- 15.25 In terms of pedestrian and cycle connectivity, there are combined pedestrian / cycle ways to the north and east of the site. A Toucan crossing connects these routes to the pedestrian cycle link that crosses Abbey Field and continues beyond. There are 2m wide footways to the south and west of the site. There are also controlled pedestrian crossings at the junction of Circular Road South and Berechurch Road. The site is thus well connected in terms of pedestrian and cycle links.

- 15.26 The existing car park provides 52 car parking spaces (including 6 disabled parking bays and a mini bus bay). The intention has always been that the end users of the former MRS building and gym would share this car park. The current application states that the users of the former gym will be allocated 24 of the existing 52 car parking space (including 3 disabled parking spaces).
- 15.27 The adopted parking standards for a leisure use (D2) state that a maximum of 1 car parking space is required per 20sqm; the floor area of the former gym is 810 m² and this will equate to a maximum of 41 car parking spaces. Given that the maximum parking number relate to non-residential uses, the proposal to provide 24 parking spaces falls within the guidelines set by the Council's adopted parking standards.
- 15.28 Notwithstanding the above, the potential pressures for car parking are acknowledged and, as such, there is a need to encourage and promote alternative modes of transport to the car. To this end, the Highway Authority has requested that the occupiers are required to adhere to a travel plan. The travel plan will need to include both 'hard' infrastructural measures (such as cycle parking, buggy stores, and notice boards promoting different modes of transport) and soft behavioural measures (such as promotion via social media). The travel plan will also need to set out targets, monitoring and review details, remedial measures and the funding arrangements for the appointment of a travel plan coordinator. The requirement to provide travel plan accords with development plan policies and the principles in Framework which promote sustainable transport choices and accessibility. Subject to condition requiring a travel plan to be agreed and provision appropriate car park layout and cycle parking, the Highway Authority has confirmed that they do not wish to raise an objection to this application.
- 15.29 The current application is not considered to have a significant adverse impact in terms of highway safety and/or capacity. Moreover, it is considered that the former gym building is well located in terms of sustainable transport opportunities. Given this, the proposal to re-use the former gym as a theatre rehearsal space and for community letting is considered acceptable and would accord with relevant development plan policies and national planning policy guidance set out in the Framework

Contamination

- 15.30 DPD Policy DP1 requires all development to avoid unacceptable environmental impacts; part (vi) requires the appropriate remediation of contaminated land. Given that the site was formerly garrison land there is potential for contamination. A contamination strategy was approved as a part of the conversion of MRS building and formation of the car park. Given this, and the scope of the proposed under this application, the Council's Contamination Land Officer has verbally advised that it would be appropriate to attach a condition to cover for the eventuality of unexpected contamination being discovered.

16.0 Conclusion

- 16.1 The Framework has at its heart the promotion of sustainable development. The proposal has significant sustainability credentials. A core planning principle of the Framework is to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. The proposal will enable the re-use of the gym, a locally listed building, which contributes to the designated heritage asset of the conservation area. It is considered that the scheme would acceptably fulfil the environmental dimension of sustainable development by preserving the identified heritage asset. The development will also have economic benefits as a result of construction activity, continuing the regeneration of the garrison area and the possible creation of additional jobs. The proposal will also help to facilitate the re-use of the former gym for community uses to serve the garrison development and wider residential areas, thus fulfilling the social dimension of the Framework.

17.0 Recommendation

- 17.1 It is recommended that this application is approved subject to the following conditions

18.0 Conditions

1 ZAA - Time Limit for Full Permissions

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2 ZAM - *Development to Accord With Approved Plans*

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers

COR313406 TD03 Rev A.
COR313406 TD04 Rev A.
COR313406 TD07 Rev A.
COR313406 TD08 Rev A.
COR313406 DD09 Rev A
COR313406 DD10 Rev A
COR313406 DD11

Reason: For the avoidance of doubt as to the scope of this permission and in the interests of proper planning.

3 - Construction Method Statement

No works (including enabling works) shall take place 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) hours of deliveries
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the hours of work
- v) measures to control the emission of dust and dirt during construction

Reason: To ensure that the construction phase of the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise at unreasonable hours.

4 - Materials

All new external and internal works and finishes, and any works of making good, shall match the existing original fabric in respect of using materials of a matching form, composition and consistency, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved.

Reason: To ensure a satisfactory appearance to the development and to safeguard the special interest of the Locally Listed building and the character and appearance of the Garrison Conservation Area.

5 - Coping Detail

The retaining walls that form part the new access ramps / path shall be finished with a brick on edge coping brick unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development

6 - Tree Protection

All existing trees shall be retained, unless shown to be removed on the approved drawing. All trees on and immediately adjoining the site shall be protected from damage as a result of works on site, to the satisfaction of the Local Planning Authority in accordance with its guidance notes and the relevant British Standard. All existing trees shall be monitored and recorded for at least five years following contractual practical completion of the approved development. In the event that any trees (or their replacements) die, are removed, destroyed, fail to thrive or are otherwise defective during such a period, they shall be replaced during the first planting season thereafter to specifications agreed, in writing, by the Local Planning Authority. Any tree works agreed to shall be carried out in accordance with BS 3998.

Reason: To safeguard the continuity of amenity afforded by existing trees.

7 - Landscaping

No works shall take place to the car park and/or associated landscaped areas until a scheme of hard and soft landscaping works has been submitted to and agreed, in writing, by the Local Planning Authority. This scheme shall include any proposed changes in ground levels and also accurately identify positions, spread and species of all existing and proposed trees, shrubs and hedgerows on the site, as well as details of any hard surface finishes and external works, which shall comply with the recommendations set out in the relevant British Standards current at the time of submission. The approved landscape scheme shall be carried out in full prior to the end of the first planting and seeding season following the first occupation of the development. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In order to ensure that there is a sufficient landscaping scheme for the relatively small scale of this development where there are public areas to be laid out but there is insufficient detail within the submitted application.

8 - Cycle Parking

Notwithstanding the details submitted, the locations of the re-sited cycle parking and the new cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure that the cycle parking is conveniently located for the intended users and that these facilities are fully integrated with existing and/or proposed landscaping.

9 - Refuse and Recycling

Prior to the development hereby approved being brought into use, refuse and recycling storage facilities shall be provided in a visually satisfactory manner and in accordance with a scheme which shall have previously been submitted to and approved in writing by the Local Planning Authority. Such facilities shall thereafter be retained to serve the development

Reason: To ensure that adequate facilities are provided for refuse and recycling storage and collection

10 - Car Parking

No works shall take place to the car park and/or associated landscaped areas until details of the car parking layout intended to serve this development has been submitted to and approved in writing by the Local Planning Authority. The car parking area (including areas for the turning for motor cars) shall be retained in the approved form in perpetuity and shall not be used for any purpose other than the parking of vehicles related to the use of the development.

Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur and to enable cars to join the highway in a forward gear, in the interests of highway safety

11 - Travel Plan

No building or use hereby permitted shall be occupied or the use commenced until, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall comprise immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use, targets, monitoring and review details, remedial measures and arrangements for the appointment of a Travel Plan Coordinator. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed Travel Plan to the satisfaction of the Local Planning Authority.

Reason: In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling.

12 - Noise from plant and machinery

Prior to the first use or occupation of the development as hereby permitted, a competent person shall have ensured that the rating level of noise emitted from the site's plant (including extract ventilation and air conditioning), equipment and machinery shall not exceed 0dB(A) above the background levels determined at all facades of noise-sensitive premises. The assessment shall have been made in accordance with the current version of British Standard 4142 and confirmation of the findings of the assessment shall have been submitted to, and agreed in writing by, the Local Planning Authority and shall be adhered to thereafter.

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance, as there is insufficient information within the submitted application.

13 - Opening Hours

The use hereby permitted shall not operate outside of the following times:

Weekdays: 08:00 to 00:00 hours

Saturdays: 08:00 to 00:00 hours

Sundays and Public Holidays: 08:00 to 00:00 hours

Reason: To safeguard the amenities of the locality

14 - Contamination

In the event that contamination that was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of the Local Planning Authority and where remediation is necessary, a remediation scheme must be prepared, in accordance with the requirements of, and subject to the approval, in writing, of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the approved remediation scheme.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers'

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

15 - Insertion of Mezzanine Floor

Notwithstanding the definition of development or permitted development the creation of any mezzanine level, intermediate floorspace or extension to / within any building or part of a building within this development is not permitted without the further grant of planning permission for an expansion of floorspace from the Local Planning Authority.

Reason: To enable a proper assessment of the traffic and parking implications that would result as a consequence of increase the floor area at the building.

19.0 Informatives

(1) ZT0 – Advisory Note on Construction & Demolition

The developer is referred to the attached advisory note Advisory Notes for the Control of Pollution during Construction & Demolition Works for the avoidance of pollution during the demolition and construction works. Should the applicant require any further guidance they should contact Environmental Control prior to the commencement of the works.

(2) All works affecting the highway should be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be made by initially telephoning 08456 037631.

(3) ZTA - Informative on Conditions Stating Prior to Commencement/Occupation

PLEASE NOTE that this permission contains a condition precedent that requires details to be agreed and/or activity to be undertaken either before you commence the development or before you occupy the development. This is of critical importance. If you do not comply with the condition precedent you may invalidate this permission. Please pay particular attention to these requirements.