



**Rochford District
Council**

APPLICATION NO.	23/00715/FUL
ADDRESS	Plot 13, Airport Business Park Southend, Cherry Orchard Way, Rochford, Essex, SS4 1PN
APPLICATION DETAILS	Erection of a commercial unit operating under class B2/ B8 with ancillary office space, together with parking, landscaping, and other associated works.
APPLICANT	Mr Adrian Schofield
ZONING	London Southend Airport and Environs Joint Area Action Plan (JAAP).
PARISH	Rochford
WARD	Roche South

REPORT SUMMARY

1. This application seeks full planning permission for the erection of a 3,765sq.m (Gross Internal Area) commercial unit on Plot 13 which is currently vacant and undeveloped. The objective of the application is to secure an open and flexible (speculative) permission for uses falling within Classes B2 (General Industrial) and B8 (Storage or Distribution) as defined by the Town and Country Planning Use Classes Order as latterly amended on 21st April 2021. If granted planning permission, unless conditioned otherwise the permission would enable 100% B2 use or 100% B8 use, or a combination of these primary uses coinciding with one another.
2. The application details show how the development would be served by 2 vehicular access points with the provision of 70 car parking spaces, including 4 disabled persons parking space, 4 motorcycle parking spaces and cycle storage shelters for employees and visitors. Waste storage facilities and operational areas are shown to be provided to the west aspect of the application site whilst parking and landscaping features are prevalent to the east and northerly aspects of the application site.

3. The application is accompanied by a significant number of supporting documents including updated information and details relating to surface water drainage in address of the initial holding objections issued by Essex County Council's Lead Local Flood Authority.
4. The principle of the development and in particular the stated and intended uses is discussed in detail within the relevant section of the report. There is no principled objection to the uses proposed subject to a condition which prohibits any element of self-storage use under the B8 use which would not meet with the council's economic policies and objectives in terms of promoting jobs opportunities in alignment with the main objectives of the councils Core Strategy and the Joint Area Action Plan (JAAP).
5. Given the limited space the site provides, it is considered that the development as evidenced by the submitted plans and supporting documentation on the whole has successfully reconciled the key objectives of planning policies and guidance in design layout and appearance terms with the functional requirements of future potential operators which has informed the design of the development. There are no fundamental objections to the development from statutory consultees, whilst commentary from consultees including Anglian Water and the councils Senior Urban Design and Development Management Officer do not amount to objections.
6. Subject to a number of planning conditions including those relating to design, archaeology, surface water drainage and flooding and limiting the nature of the B8 use which are required to ensure that the development will be acceptable when implemented, it is considered that the development is acceptable and constitutes sustainable development for which there is a presumption in favour of as set out by the National Planning Policy Framework 'The Framework' (as updated December 2023).

RECOMMENDATIONS

It is proposed that the Committee **RESOLVES**

That planning permission be approved subject to the following conditions.

Commencement Condition

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

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 .

Development in Accordance with Approved Plans

- (2) The development shall be undertaken in strict accordance with the details of the approved plans referenced:
- 2245-JSA-P13-OO-DR-A-02201_P5_Ground Floor GA Plan.
 - 2245-JSA-P13-01-DR-A-02202_P5_First Floor GA Plan.
 - 2245-JSA-P13-RL-DR-A-02203_P5_Roof GA Plan.
 - 2245-JSA-P13-XX-DR-A-01202-P2 Site Location Plan.
 - 2245-JSA-P13-XX-DR-A-01202-P4-Site Plan.
 - 2245-JSA-P13-XX-DR-A-01203-P2-Soft Landscape Plan.
 - 2245-JSA-P13-XX-DR-A-03201_P2_Site Sections.
 - 2245-JSA-P13-XX-DR-A-04201_P3_GA Elevations and Sections.
 - 2245-JSA-P13-XX-DR-A-90201-P2-Perimeter Fence.
 - 2245-JSA-P13-XX-DR-A-90202-P1-Cycle Store.
 - 2245-JSA-P13-XX-DR-A-90203-P1-SmokingShelter- Layout.
 - 2245-JSA-P13-XX-DR-A-90204-P1-Refuse Recycled Compound
 - 2106-BWB-DDG-XX-DR-D-0500 Rev P5- Proposed Drainage Layout Plan

REASON: In the interests of clarity to define the scope of the application considered.

Provision of Parking Spaces and Cycle Storage

- (3) All car parking spaces, cycle storage facilities and operational spaces, as indicated by plan reference 2245-JSA-P13-XX-DR-A-01202-P4 (Site Plan) shall be fully constructed and available for use prior to the first occupation of the development hereby permitted. All parking spaces, including disabled parking space and motorcycle space and cycle shelters as shown by the plan, shall be retained in perpetuity over the lifetime of the use.

REASON: To ensure adequate and clear provision of car parking and motorcycle spaces to serve the development in compliance with policies DM1 and DM30 of the Council's Local Development Framework Development Management Plan and the provisions of the Essex County Council Parking Standards Design and Good Practice, September 2009.

Prior Approval of Extraction Plant and Machinery

- (4) Prior to the installation of any external extraction equipment to the building hereby approved details shall have been submitted to and agreed in writing by the Local Planning Authority; any equipment shall be installed in accordance with the agreed details.

REASON: In the interests of visual amenity and to ensure a satisfactory appearance in compliance with policy DM1 of the Council's Local Development Framework Development Management Plan.

Provision of Refuse Stores

- (5) Prior to the first operation of the development hereby permitted the refuse storage facilities as cited by plan reference 2245-JSA-P13-XX-DR-A-01202-P4 (Site Plan) shall have been erected and available for use. This facility shall be retained in perpetuity over the lifetime of the use.

REASON: To ensure adequate refuse storage to serve the development in compliance with policies DM1 of the Local Development Framework Development Management Plan.

Control on Further Lighting Provision

- (6) Notwithstanding the details of the submitted site layout plan, prior to the installation of any free-standing lighting columns exceeding 1 metre in height to serve the development at any time in the future, details shall have been submitted to and agreed in writing by the Local Planning Authority. These details shall include the number, location, the height (relative to ground level) of all lighting columns including their luminosity. The lighting shall be installed in accordance with the details agreed.

REASON: In the interests of visual amenity and to ensure a satisfactory appearance in compliance with policy DM1 of the Local Development Framework Development Management Plan.

Provision of Electric Vehicle Charging Point Provision

- (7) Notwithstanding the details of the approved Site Layout Plan reference 2245-JSA-P13-XX-DR-A-01202-P4 on the first use and occupation of the development hereby permitted a minimum of 14 active and operational Electric Vehicle charging points shall have been provided. This provision shall comprise 10 in number of 3-7kW charge points and 4 in number of 7-22kW charge points. This facility once established should be maintained as such or subject to equivalent replacement over the lifetime of the use.

REASON: To future proof the development and to ensure that the development achieves sustainability in its design in compliance with Rochford District Council's Local Development Framework Development Management Plan policy DM1 and policy CP1 of the Core Strategy, Chapters 9 and 12 of the National Planning Policy Framework (The Framework as updated December 2023) and the provisions of the Essex Design Guide.

Sustainable Design and BREEAM

- (8) The development shall meet BREEAM attainment level of 'Very Good'.

REASON: In the interests of sustainability in compliance with Rochford District Council's Core Strategy policy ENV10.

Further Approval Relating to Tree and Buffer Planting

- (9) Notwithstanding the details of the soft landscape detail as indicated by those plans referenced 2245-JSA-P13-XX-DR-A-01202-Rev P4 (Site Plan) and 2245-JSA-P13-XX-DR-A-01203 Rev P2 (Soft Landscaping Plan) prior to the implementation of any soft landscaping works a revised soft landscaping plan shall have been submitted to the Local Planning Authority for its written approval. This plan shall indicate in particular the extent and location of all individual tree specimens and buffer vegetation and a greater number of individual tree specimens to be planted on site as the current provision is inadequate. These trees subject to further consideration and approval in terms of overall numbers and species type shall all be root ball specimens of at least 6 feet in height at their time of planting. The extent of the buffer planting as annotated on the plan shall also be enhanced in accordance with details which shall have been submitted to the Local Planning Authority for its written approval prior to the implementation of any planting on site. Details shall also be submitted showing an enhanced planting treatment along the site perimeter on the outer side of the security fencing. The planting works thereafter shall be implemented in full with the details of the revised soft landscaping plan.

REASON: To ensure adequate control over design and to ensure a satisfactory appearance in the interests of visual amenity in compliance with policy DM1 of Rochford District Council's Local Development Framework Development Management Plan (adopted December 2014).

Implementation of Landscaping

- (10) The soft and hard landscaping provision to be revised as required by condition 9 shall be implemented in its entirety in accordance with the submitted and approved details within the first planting season (soft landscaping) and within one year respectively (boundary treatments) from the date of occupation of any development. Any tree, shrub, or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title with species of the same type,

size and in an agreed location in the first available planting season following removal.

REASON: To ensure adequate control over design and to ensure a satisfactory appearance in the interests of visual amenity in compliance with policy DM1 of Rochford District Council's Local Development Framework Development Management Plan (adopted December 2014).

Archaeology (safeguarding)

- (11) No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

REASON: In the interests of ensuring adequate mitigation in respect of the archaeological asset at the site in alignment with Chapter 16 of the National Planning Policy Framework (The Framework as updated December 2023)

- (12) No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the written scheme of investigation cited by condition 12.

REASON: In the interests of ensuring adequate mitigation in respect of the archaeological asset at the site in alignment with Chapter 16 of the National Planning Policy Framework (The Framework as updated December 2023)

Surface Water Drainage and Flooding (safeguarding)

- (13) The development permitted by this planning permission shall be carried out in accordance with the submitted Proposed Drainage Layout Plan referenced 2106-BWB-DDG-XX-DR-D-0500 Rev P5- (submitted in response to LLFA holding objection) and approved Flood Risk Assessment and the following mitigation measures detailed within the FRA: • Limiting the discharge from the site to 2.1 l/s. • Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of climate change. • Provide an updated drainage plan and drainage calculations. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure the effective treatment of surface water runoff to prevent pollution in compliance with Chapter 14 of the National Planning Policy Framework (The Framework as updated December 2023)

- (14) Prior to occupation of the development a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities on the site 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 prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

- (15) 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.

- (16) The development hereby permitted shall not be commenced until the existing pipes within the extent of the site, which will be used to convey surface water, are cleared of any blockage, and are restored to a fully working condition.

REASON: To ensure that drainage system implemented at the site will adequately function and dispose of surface water from the site. Failure to carry out the required maintenance 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.

Roof Plan Details

- (17) Notwithstanding the details of the roof plan referenced 2245-JSA-P13-RL-DR-A-02203_P5_Roof GA Plan; prior to first installation further details shall have been submitted to the Local Planning Authority including a revised roof plan for its written approval relating to the number, location and extent of all plant

and machinery installations including solar panels on the roof of the building. The development shall subsequently be implemented in accordance with the approved details.

REASON: To provide clarity on the finished design of the roof which the existing roof plan is indicative of at present.

Restriction of B8 use (No Self Storage)

- (18) The development hereby approved at no time from first implementation or at any other time thereafter shall be used to provide self-storage facilities under the B8 use which are prohibited and excluded as part of this planning permission.

REASON: To ensure that the B8 use where it arises and takes place serves the economic purposes of the district and the objectives of the council in supporting job creation in accordance with the councils relevant Core Strategy policies and Development Plan policy DM32 and the Joint Area Action Plan (JAAP) policy E3

SUPPORT ING INFORMATION

1.0 PLANNING APPLICATION DETAILS

DRAWING NUMBERS:	2245-JSA-XX-XX-RP-90201-P4-Design and Access Statement. 2245-JSA-P13-OO-DR-A-02201_P5_Ground Floor GA Plan. 2245-JSA-P13-01-DR-A-02202_P5_First Floor GA Plan. 2245-JSA-P13-RL-DR-A-02203_P5_Roof GA Plan. 2245-JSA-P13-XX-DR-A-01202-P2 Site Location Plan. 2245-JSA-P13-XX-DR-A-01202-P4-Site Plan. 2245-JSA-P13-XX-DR-A-01203-P2-Soft Landscape Plan. 2245-JSA-P13-XX-DR-A-03201_P2_Site Sections. 2245-JSA-P13-XX-DR-A-04201_P3_GA Elevations and Sections. 2245-JSA-P13-XX-DR-A-90201-P2-PerimeterFence. 2245-JSA-P13-XX-DR-A-90202-P1-CycleStore.
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	2245-JSA-P13-XX-DR-A-90203-P1-SmokingShelter-Layout. 2245-JSA-P13-XX-DR-A-90204-P1-Refuse Recycled Compound 2106-BWB-DDG-XX-DR-D-0500 Rev P5-Proposed Drainage Layout Plan (submitted in response to LLFA holding objection).
SUBMITTED DOCUMENTS	Please refer to those documents listed at 1.1

1.1 The application is also supported by a number of documents including:

- Application Forms and Certificates (Knight Frank).
- Planning Statement (Knight Frank)
- Including Statement of Community Involvement
- Site Location Plan (JSA).
- Block Plan (JSA).
- Proposed Plans (JSA).
- Proposed Elevations (JSA).
- Proposed Sections (JSA).
- Design and Access Statement (JSA).
- Including Crime Impact Statement; and
- Equality and Diversity Statement
- Transport Assessment (Pulsar).
- Draft Travel Plan (Pulsar).
- Servicing and Deliveries Plan (Pulsar).
- Sustainable Drainage Strategy (BWB).
- Flood Risk Assessment (BWB).
- Air Quality Assessment (BWB).
- Part L and EPC Report (Anderson Green).
- BREEAM Pre-Assessment (Anderson Green).
- External Lighting Details (Anderson Green).
- Preliminary Ecology Appraisal (TLP).
- Economic Benefits Statement (Ekosgen).
- Health Impact Assessment (Ekosgen); and
- Economic and Employment Needs Assessment (Iceni).

2.0 MATERIAL PLANNING CONSIDERATIONS

Site and Context

2.1 The proposed development site, which is subject of this application, comprises a 1.05 hectare parcel of undeveloped land within the Airport Business Park Southend known as 'Plot 13' (hereinafter 'the Site'). The Site is

situated centrally within the ABPS and within the existing service road. The Site is bound to the north and east by the internal service road (beyond which are further undeveloped plots) and to the south by the ‘Green Corridor’ pedestrian route which runs west to east across the business park. The Site is bound to the west by a further undeveloped plot, beyond which is the pedestrian route that runs north to south through the business park. Owing to the Site’s proximity to the ‘Green Corridor’ and associated pedestrian route, the southern edge of the Site benefits from extensive existing landscaping.

- 2.2 In its wider context the proposed site is located within the new Airport Business Park Southend which is situated within the district 2 miles south east of Rochford Town Centre and 5 miles north of Southend-on-Sea town centre. Other nearby towns include Hockley, Hawkwell and Rayleigh. London is approximately 40 miles east and the city of Chelmsford 18 miles north west. At circa 20 hectares, the ABPS is situated adjacent to the B1013 (Cherry Orchard Way) with direct access to the strategic route formed by the A127 to the south.

Relevant Planning History

- 2.3 Application No. 15/00776/OUT (“Rugby Club Application”) - hybrid application for outline planning permission with all matters reserved apart from access to the site for the provision of a rugby club, associated pitches and facilities with submission of full details for vehicular access to the site and pitches. Approved 14/03/2016.
- 2.4 Application No. 15/00781/OUT - outline application with all matters reserved apart from access to the site off Cherry Orchard Way to create a business park to comprise use classes B1 (business), B2 (general industrial) and ancillary uses to include A1 (retail), A3 (restaurants/cafés), A4 (drinking establishments), C1 (hotel), D1 (non-residential institutions), D2 (assembly and leisure) and B8 (storage and distribution). Provide hard and soft landscaping and demolition of existing rugby club and associated works. Approved 31/10/2016.
- 2.5 Application No. 18/00411/REM - Reserved Matters application for phase 2 infrastructure works comprising a spine road and associated infrastructure, including the creation of green corridors pursuant to creating access to all parts of the business park following approval of application reference 15/00781/OUT. Approved 24/09/2018.
- 2.6 Application No. 18/00584/REM (“IPECO Plot”) - Reserved Matters application (following outline permission reference 15/00781/OUT) to consider details in connection with a proposed employment unit for B1/B2: access, layout, appearance, scale, and landscaping. Approved 23/11/2018.

- 2.7 Application No. 19/01063/REM (“IPECO Plot”) - Reserved Matters application for the approval of site levels and related landscaping incorporating enhanced boundary treatments including the provision of a boundary wall, in relation to the IPECO Unit, Airport Business Park Southend, pursuant to outline planning permission (reference: 15/00781/OUT). Approved 13/02/2020.
- 2.8 Application No. 20/00454/REM: Reserved Matters application comprising the construction of 12 No. industrial units (Use Class B1/B2/B8), pursuant to outline planning permission reference 15/00781/OUT: Approved 2/11/2020.
- 2.9 Application No. 20/00565/REM: Reserved Matters application comprising the construction of a coffee shop (with drive thru) (Use Class A1/A3), pursuant to outline planning permission (reference 15/00781/OUT) all reserved matters namely, access, appearance, layout, landscaping, and scale for consideration. Approved 04/11/2020.
- 2.10 Application No. 21/01184/FUL: Variation of Condition 14 (restriction on floor space relating to different Use Classes) relating to outline planning consent reference 15/00781/OUT for 'Outline Application with all matters reserved apart from access to the site off Cherry Orchard Way to create a business park to comprise use classes B1 (Business), B2 (General Industrial) and ancillary uses to include A1 (Retail), A3 (Restaurants/Cafés), A4 (Drinking Establishments), C1 (Hotel), D1 (Non-Residential Institutions), D2 (Assembly And Leisure) And B8 (Storage And Distribution). Provide hard and soft landscaping and demolition of existing rugby club and associated works. Approved 04/03/2022.
- 2.11 Application No. 21/01185/REM: Reserved Matters (access, appearance, landscaping, layout, and scale) relating to a proposed industrial unit (Use Class E(g)/B2/B8), pursuant to outline planning permission (reference 15/00781/OUT): Approved 04/03/2022.
- 2.12 Application No 22/00567/FUL: Proposed commercial unit (Class B8) with ancillary office space, together with parking, landscaping, and other associated works: Approved 26/08/2022.
- 2.13 Application Number: 22/00803/FUL: Erection of a commercial unit (Class B2) with ancillary office space, together with parking, landscaping, and other associated works: Approved 04/01/2023.

Principle of Development

- 2.14 The fundamental objectives of the councils’ economic policies as embodied within its Core Strategy and the Joint Area Action Plan for the Airport are to

promote high quality job creation and this principle has been key in determining a number of planning applications following the grant of outline planning permission for the business park under planning application reference 15/00781/OUT. The time limit for the submission of reserved matters expired on in November 2021 which entailed that following that time applications relating to individual parcels of land have come forward as full planning applications which have been assessed on their individual merits taking into account the objectives of the council in terms of supporting high quality job creation and taking into account any evidence which exists to guide the types of development and use classes considered to be acceptable given this objective.

- 2.15 It is noted that during the determination of the Full Planning Application (Ref. 22/0752/FUL) period, Rochford District Council's Strategic Planning Officer recommended that, if the application be approved, a planning condition should be imposed that would restrict the amount of floorspace that could be used under Class B8. The recommended condition proposed to cap the amount of floorspace that could be used under Class B8 to a maximum of 50% of the total GIA. The council took a view that similar restrictions should also be considered for all future proposals across the ABPS. The Applicant contended at that time that the proposed restriction on the quantum of floorspace which could be used for storage and distribution (Class B8) was an onerous planning condition that would unreasonably restrict in that case the Wayland Games operations. The proposed condition would not allow Wayland Games to operate, and therefore Wayland Games made the decision not to proceed with the application, which was subsequently withdrawn on 7th December 2022. Prior to the withdrawal of the application, discussion took place between Henry Boot Developments and Rochford District Council where it was agreed that a revised application could be submitted for the delivery of Plot 13, ABPS.
- 2.16 This application sets out that whilst the proposals seek the delivery of a flexible commercial unit for uses falling within Class B2 and/or Class B8 does not comply fully with the requirements of Policy ED2 of the Core Strategy, Policy DM32 of the Development Management Plan, or Policy E3 of the JAAP, it is strongly contended that the proposals will meet current and future employment needs within Rochford district and should therefore be supported under the provisions of the National Planning Policy Framework. The application considers market demand and makes the case that those policies within the Council's adopted Development Plan which relate to the delivery of new employment floorspace, and the allocation of the ABPS, are based on the Rochford Employment Land Study (2008), Southend Employment Land Review (2010) and Rochford and Southend Employment Land Review Update (2009).

- 2.17 It is the applicant's case that given the significant time that has passed since the preparation of the Council's evidence base, and in the absence of any up-to-date evidence that those relevant policies are out-of-date. It is further contended by the applicant that current evidence of employment needs at ABPS, and the wider district, points to a significant change in employment need / demand since the preparation of the Council's adopted Development Plan.
- 2.18 The application is accompanied by an Economic and Employment Needs Report (April 2023) which provides up to date evidence of current and forecasted employment needs. The report concludes that in order to prioritise economic growth at ABPS it is necessary to have a more diverse mix of planning uses than originally identified in the historic evidence and adopted policy. Furthermore, the report provides evidence that the post pandemic office market is weak, and demand for office space is at an all-time low, with evidence showing that office rents in Southend and Rochford are significantly lower than the regional and national averages. Consequently, it is concluded that the delivery of new office development at ABPS is not viable.
- 2.19 The applicant indicates that the Economic and Employment Needs Report concludes that the industrial and distribution market is strong, both at a national and local level, and that demand for industrial (B2) and distribution floorspace is particularly strong for storage and distribution (Class B8). It is indicated that local demand for logistics and warehousing is two to three times that of general industrial uses. The Economic and Employment Needs Report finds that demand is being driven by the trends in e-commerce; Brexit and other disruptions to supply chains; demand from data centre operators and film production companies. Furthermore, a report by the British Property Federation ('BPF') titled 'Levelling up the logic of logistics' confirms the factors which are driving the growth of the industrial and logistics sector, including near-shoring and re-shoring; robotics and automation; and housing growth.
- 2.20 The applicant contents that such trends have emerged in recent years and have also been particularly accelerated by the COVID-19 pandemic – as such, the evidence based upon which Rochford's adopted Development Plan was prepared, does not reflect these trends, and therefore fails to reflect the current occupier market and the modernisation of the warehousing and logistics sector. The conclusions of the Economic and Employment Needs Report are supported by the Applicant's experience at ABPS, details of which are set out within the accompanying Marketing Note prepared by Henry Boot Developments. The Applicant's experience confirms there is significant demand for flexible commercial floorspace at ABPS, including for storage and distribution uses (Class B8).

- 2.21 In the absence of any current demand for floorspace that falls purely within Class B1 (now Class E(g)) or Class B2, the applicant expresses a view that this application for flexible employment floorspace (Class B2 / B8) will meet current and future market demand. In doing so, the proposals will meet the needs of existing and new business, and therefore contribute towards the employment needs of the district. The proposals will therefore build on the success of ABPS through the delivery of high-quality employment uses that help businesses invest, expand, and adapt.
- 2.22 The application states that preventing the delivery of flexible commercial floorspace at ABPS would curtail the delivery of ABPS; limiting inward investment, resulting in plots remaining undeveloped, and restricting the opportunity for existing businesses to expand or the district to attract new businesses. The proposals, which will provide a high quality flexible commercial unit, will meet the needs of existing businesses, and would deliver tangible investment in the economic development of the district. When operational it is estimated that the proposed development would create between 55 and 105 direct full time employment employees (in addition to approximately 20 full time employment jobs during the construction phase).
- 2.23 Given the demand for industrial and logistics uses, and the need for flexible space that can accommodate current and future business needs, any restrictions on the delivery of flexible commercial floorspace would put a brake on economic activity and business growth within ABPS and the wider district.
- 2.24 From the council's perspective Development Management Policy DM32 states that new employment development will be expected to be predominantly B1 (Business / light industrial) and B2 (General Industrial) use. The issues relating to acceptable levels of B2 and B8 uses are well rehearsed by the Local Planning Authority based on the consideration of previous applications by the same case officer. Chapter 3 of the JAAP acknowledges the importance of taking a proactive role in encouraging employment development and specifically targets provision of B1 and B2 use classes for high tech industrial employment.
- 2.25 In response to the applicant's case as set out, it is acknowledged the original outline application and the time limit for the submission of reserved matters has expired which entails that following that time all full applications have had to be considered (as they have done so) on their individual merits. However, it is Strategic Planning & Economic Regeneration's position that Condition 11 of the 15/00781/OUT permission, which was drawn up based on considerations of current policy and economic evidence, and the use class mix limitations proposed on the site, remain relevant and accord with the strategic ambitions of the Council and JAAP in ensuring the ABPS site accommodates a greater quantum of higher employment density uses. Whilst a change in market

conditions and a need for flexibility is appreciated, and underpins Condition 11, a scenario in which the JAAP sites are fundamentally warehousing and logistics-led was not considered to accord with strategic policy. This was reflected in the response to 22/00567/FUL application. It was also stated that, given the need to remain flexible and consider applications on their individual merit, there is flexibility to consider uses that go beyond the guideline limitations set by Condition 11, should it be demonstrated that the proposal delivers sufficiently high-quality employment opportunities.

- 2.26 The council's planning policy consultation response to this previous application reference 22/00752/FUL, also on Plot 13, considered it to be policy-compliant, based upon the quantum and proportions of different types of floorspace set out in the application. The proposal indicated the B8 element would have been the minority, with the remaining uses (E(g); B2 and ancillary retail) constituting the majority. As set out in paragraph 9 of that response, the Council sought to demonstrate considerable flexibility to accommodate market demands, whilst also aligning with adopted Policies such as Development Management Plan DM32 and JAAP E3. Given a strong rationale underpins the JAAP (i.e., the need to create a significant number of well-paid local jobs to tackle longstanding socio-economic challenges), and the Airport Business Park site was released from the Green Belt specifically on the basis of this rationale, the Council is justified to seek to prioritise uses which typically provide more jobs, and jobs of a better-paid nature.
- 2.27 B8 (storage and distribution) uses, as demonstrated in the response to the 22/00752/FUL application typically provide a much lower density of employment than office or manufacturing, and often include a significant proportion of lower-skilled, lower-paid roles (notwithstanding the exception to this mentioned in the applicant's latest supporting evidence). It is acknowledged that storage and distribution have an important (albeit ancillary) role to play on the JAAP sites, but it is also emphasised that a greater range of strategic objectives than simply satisfying market demand are associated with the site and its background. A suggested condition for a 50% cap on B8 in units beyond the 10,000 sq. m cap set out in Condition 11 was proposed as a response to the accompanying developer's letter, which sought an unrestricted B8 permission on the site, something which, it was established, would be a significant departure from adopted strategic policy.
- 2.28 Noting what the applicant's position was with regards to previous restrictions placed on the quantum of B8 use (in which it was suggested that the condition to restrict the future B8 floorspace quantum to 50% was 'onerous') - In reality, the proposed quantum of B8 space in the scheme accounted for 38%, which would be well within the suggested limit. Paragraph 11 of the response (*such an approach is without prejudice to reconsideration of the rationale for a use mix which departs from adopted policy in the future, should clear evidence be*

provided at that point in time) also provided a clear mechanism to allow good quality occupiers, the ability to increase this proportion in future, should circumstances justify it. In this context, it is considered that planning policy's response, at the time, was proportionate and justified, seeking to reach a balance between adopted policy and strategic rationale and the developer's requests for unlimited storage and distribution uses on the site, something which could radically alter the nature of the business park from its original vision and lead to a wide number of uses providing a sub-optimal range of storage and trade counter uses similar to other trading estates, rather than the flagship business park envisaged for the site. The council disputes that this approach would have been overly prescriptive, but nevertheless recognises that the new application requires a re-assessment of circumstances based on newly available evidence.

Additional RDC Evidence – 2023 Economic Development Needs Assessment

- 2.29 The applicant's statement, and correspondence on past applications on the wider site, refer to the *2017 South Essex Economic Development Needs Assessment*. The Council has recently published the *2023 Economic Development Needs Assessment* (EDNA) to provide an up-to-date evidence base to inform the emerging Local Plan. The 2023 EDNA is now available on the Council's website¹. The evidence base for the emerging Local Plan has been progressing, and the applicant's statement in paragraph 6.4 that the emerging Plan has 'little weight' is no longer the case, given the presence of up-to-date economic evidence and targeted adoption of 2025. An Employment Land Study and Commercial Property Market Review are also underway, and nearing completion.
- 2.30 The 2023 EDNA provides analysis (based on economic modelling) on how the district's economy is likely to change between 2020 and 2040, what this means for different industrial sectors and, consequently, for the demand for different types of employment space. It then considers this against the current known supply of employment space over the Plan period (existing allocated sites and sites with permission).
- 2.31 Based on the EDNA's modelling, it is therefore likely that there will be strong positive demand for both Class E(g) (office, but particularly light industrial), as well as B8 over the Plan period, and that the existing known supply of permissions/allocations may not be sufficient to accommodate demand for these uses. The EDNA also indicates it is likely that the identified shortfalls could be accommodated on existing sites through changes at the detailed permissions stages. Therefore, the updated evidence would appear to demonstrate there is now a far stronger demand for B8 uses than had been

shown in the 2017 EDNA. However, it does also indicate that whilst flexibility to accommodate such uses may be important, there is not expected to be a lack of demand for office or light industrial uses, and that it is critical that such uses are also accommodated on existing strategic sites such as the Airport Business Park.

Economic Benefits

- 2.32 The council notes the accompanying Economic Benefits Statement (EBS), which uses the HCA employment densities guidance to estimate the creation of c.55-105 full-time equivalent jobs (FTEs), depending on whether the use class is B8 or B2 in nature. This accords with the team's view that manufacturing-led processes on the site would generally be more beneficial, being more closely aligned to development plan and JAAP policies (although it is acknowledged that B8 schemes do still provide a degree of benefit). It is also noted that there would be a series of employment and economic benefits related to the construction phase and post-construction in the wider supply chain and through regeneration, although this is likely to be the case on the majority of potential uses for the site.

Market Demand

- 2.33 The report by Icen Projects, examining the commercial property market in the Southend and Rochford area, is noted. This report largely seeks to make the case for allowing additional B8 uses on the site, with a key pillar of the argument appearing to be National Planning Policy Framework at paragraph 83 (as cited at the time of the submission of the application), which states: Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative, or high technology industries, and for storage and distribution operations at a variety of scales and in suitably accessible locations.
- 2.34 The council acknowledges the paragraph; however, it is the councils' understanding from engaging with the commercial property market that the JAAP area is not considered a prime location for logistics, due to its distance from the strategic road network and M25 motorway. This differs from another site in the District, Arterial Park, which is considered by major commercial property agencies to sit at the Eastern end of the strategic 'A127 Corridor', focused on Basildon, which is a significant cluster for logistics and distribution, due to its relative proximity to M25 J29. The development of Arterial Park as the most suitable site for strategic logistics, alongside significant permissions for B8 warehousing on the ABP to date (well in excess of what was originally envisaged or permitted) indicates the Council has been adhering to this policy. As a result, it is not necessarily considered that the paragraph is applicable,

and instead the council would focus on paragraphs 82a & b, which prioritise sustainable local economic growth, identifying sites to deliver this (through policies such as the JAAP).

- 2.35 The commentary on the national and local office property markets is noted. The Council has commissioned its own evidence with regard to the local commercial property market, which will inform future strategic planning policies, as well as responses to individual applications. However, this is not yet complete, and the points are accepted. The council would, however, point out that a level of demand does still exist for offices in the area. This is borne out both by the developer's own schedule of enquiries, by a recent proposal on the 'Quad' part of the ABP site to increase the proportion of offices in an industrial unit through mezzanine flooring, and through positive initial reports of occupancy at the Launchpad site.
- 2.36 The council notes the analysis of the B8 and B2 markets and the low vacancy rates and positive net absorption rates for both, along with the higher level of demand for B8 over B2. In addition, the growing demand for floorspace combining a mixture of uses is acknowledged. The schedule of enquiries is also noted, and it appears on inspection that there is a healthy mix of B2 (general industrial), B8 (storage and distribution) and E(g) office or light industrial but appears entirely in line with what we would expect, and indeed have encouraged throughout dialogue on this site. It is considered that the schedule does not remove the rationale to focus primarily on schemes which are led by E(g) or B2 uses, or a mixture of different employment uses.
- 2.37 The report makes a compelling case for the high-value and increasingly productive nature of many logistics and distribution operations, as well as the general importance of mixed-use/flexible employment permissions in supporting operations such as manufacturing with associated distribution, professional/technical/scientific and the type of high-value 'mid-tech' uses which could occupy such units. The council contends that higher value uses (in terms of both quality and quantity of employment, along with increased innovation and productivity) are exactly the reason the JAAP was designated in the first place, and in close alignment with the Council's economic strategy and supporting planning policies.
- 2.38 Planning Policy has cited its concerns regarding a wholly permissive stance on B8 use, which focuses on a couple of points: Firstly, the prospect of automation (and headcount reduction) in the warehousing and logistics sectors, whilst also prevalent in other industries, is a particular issue when considering a use class which already typically has employment densities far below those of a manufacturing or office-led operation. The council's previous focus on average employment densities remains a concern as was set out by the council's response to planning application reference(s) 22/00752/FUL;

21/01184/FUL and 21/01185/REM). A hypothetical scenario involving 1,000 sq. m of employment space could see as many as 100 employees for office activities or 28 for general industrial, compared with just 14 for a warehousing operation of equivalent size. When extrapolated to a larger site (e.g., JAAP Area 2), these differences become even more marked, emphasising the strategic need to ensure the site does not become a site dominated by very low-density storage and logistics.

- 2.39 Secondly, whilst it is ably demonstrated that logistics and warehousing, along with flexible permissions allowing a combination of E(g), B2 and B8, can support a range of highly skilled, productive occupations, it remains the case that a significant driver of market demand for B8 uses are those which predominantly employ elementary roles, or are very low employment density. The most notable examples of these are self-storage, open storage, or trade counter operations (including those where selling to retail customers is effectively the main, or one of the main, uses operating on the site). This latter category is dominated by a small number of national chains and has seen warehouse units effectively used as quasi-retail units, selling to DIY/home improvement retail customers in addition to the building trade. Such uses are seen on the majority of industrial/trading estates in the Rochford/Southend area and can be accommodated sufficiently elsewhere. The driving rationale behind the JAAP policies does not support the duplication of such activities on this site, which was released from Green Belt explicitly for the development of high-value industries.
- 2.40 In light of evidence on market conditions and forecast demand which would support the need to provide for flexible business accommodation which could include B8 uses, the council considers that on the individual merits of this scheme, a departure from policy could be justified. However, it is necessary to consider the types of use that an open permission on B8 would enable which are not in keeping with the strategic vision for the JAAP area.
- 2.41 In concluding on this important and fundamental matter the case officer (the author of this report) has taken into account the case set out by the applicant and also the detailed response received from colleagues within the Strategic Policy Section of the council which has raised salient points. Although it is not considered reasonable to condition a planning permission based on requiring the development as a minimum to equal or to exceed the benchmark HCA employment density for B8 uses of 14 FTEs/1,000 sq. m, given the case of the council which has been clearly articulated it is the view of Development Management that it would be justified in conditioning the consent such that very low employment density uses such as domestic self-storage are not permitted .

- 2.42 It is appreciated that a B2 or a B8 use (but less so with a B8 use) may entail as an ancillary element a trade counter/showroom/retail element. If the primary use of the floor space based on floor area coverage were B2 or B8 as the planning permission would enable, an ancillary use would not constitute a primary use of its own right as it would be ancillary to the primary B2 or B8 uses. It is not considered that a condition as inferred by the council's Strategic Policy team relating to maximum % of internal floor space given to ancillary uses (ensuring uses on the site do not skew to retail or quasi-retail operations) is necessary or enforceable as such an activity may be permissible as an ancillary element to the primary B2 / B8 use. Any use where a greater floor area is used for an ancillary purpose as compared to the primary use and function would trigger the question (as a matter of fact and degree) as to whether a material change of use requiring planning permission would be triggered since the changes to the Use Classes Order of April 2021 would not enable under permitted development a subsequent use (following initial implementation) (when the buildings and land were first brought into use) falling within a sui generis or retail use.

Design, Layout and Appearance

- 2.43 The Town and Country Planning (Development Management Procedure) (England) Order 2010 (SI 2010/2184) defines 'Appearance' as comprising 'Aspects of the building or place that determine its visual impression'.
- 2.44 The National Planning Policy Framework at Chapter 12 (Achieving Well Designed Places) indicates that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps to make development more acceptable to communities. These aspirations are also reflected by the National Design Guide: Planning Practice Guidance for beautiful, enduring, and successful places (Ministry of Housing Communities and Local Government).
- 2.45 Policy CP1 of the Rochford District Council Core Strategy (2011) promotes high quality design, which has regard to the character of the local area. Design is expected to enhance the local identity of an area. Policy DM1 of the Development Management Plan (2014) requires that the design of new developments should promote the character of the locality to ensure that the development positively contributes to the surrounding natural and built environment and residential amenity. Good design is a key aspect of sustainable development and is indivisible from good planning. Proposals should contribute positively to making places better for people. At a local level,

policy DM1 requires that key issues of design and layout have been carefully considered.

- 2.46 Places exhibiting good design should be visually attractive, safe, accessible, functional, inclusive, and have their own identity and maintain and improve local character. They should also be well integrated with neighbouring buildings and the local area more generally in terms of scale, density, layout, and access and relate well to the surroundings. In addition, the design needs to take into account the requirements of BREEAM attainments as set out by policy and needs in any event to set out a justification as part of the full planning application where the particular development concerned implicated the generic BREEAM rating set out by planning policy.
- 2.47 The proposed unit is shown to be approximately 75 m in length by 45 m in width incorporating a twin span roof bearing a maximum height of approximately 10.6 m. The building will measure 8m in clear internal haunch height and will comprise a ground and first floor. There is a service yard proposed to the west of the building. The layout and overall design of the unit reflects those already delivered across ABPS. The architectural approach to the building elevations provides a contemporary aesthetic and has been composed with the intention of reducing the overall scale through horizontal and vertical elements which seek to visually break down the buildings scale. A limited palette of materials and colours provides a calm and simple aesthetic to the building frontages allowing the building to not compete with the natural setting of the wider context. The design approach is consistent with that which has been previously consented across the business park and incorporates the use of high quality and contemporary materials that are durable yet appropriate for the proposed use.
- 2.48 The submitted application form and plans indicate the proposed use of a combination of dark, medium, and light grey materials and finishes. Profiled metal sheet cladding system are proposed to wall elevations. Roofing materials will include a proprietary profile metal sheet roofing system in grey with integrated non fragile rooflights with aluminium fascia's and guttering finished in grey. Windows are stated to comprise of aluminium framed double-glazed ribbon/casement windows which are to be Black in colour. Window infill panels are stated to be of a dark grey finish. Main entrance doors are to be constructed of aluminium framed double-glazed doors finished in dark grey with side lights. External security / Warehouse doors are indicated to be of a painted steel finish. Roller shutter doors are indicated to be constructed of insulated colour coated metal finished in grey.
- 2.49 The floor space will comprise a ground floor area of 3,361.36sq.m and a first floor of 404.01sq.m. It is indicated that the internal layout has been developed to suit the speculative market and will provide 12% of internal area as ancillary

office accommodation. The ground floor comprises a large open-plan space, while the office and other ancillary areas are located at first floor level and located on the eastern and southern side. This approach provides active frontages to the green spine. The main entrances are to be located on the eastern frontage adjacent to the principal car park area. Additional emergency exits are provided throughout the building. Vehicular access is provided via existing service road from Cherry Orchard Way, which is a prominent gateway into the ABPS. The proposals include two car parks, one to be located on the eastern side of the building comprising 33 parking spaces, while the other car park is to be situated to the northern side of the building and will comprise 37 parking spaces. The service yard is provided to the west of the building and will be accessed directly from the existing loop road.

- 2.50 The submitted Design and Access Statement indicates that the Office element of the building will have strong visual connections to the Green Ribbon and wider landscaped views. The building is orientated to benefit from passive and active solar strategies. Key frontages are to be active and engaging and assist with legibility and wayfinding. Corners of the building facing the road are to be celebrated providing architectural and visual interest. Landscaping is to be proposed around the perimeter of the site in order to soften edges whilst also helping to demarcate the public and private areas.
- 2.51 The building location is set back from the road and orientated to provide a positive/ active frontage to the street. The application states that A total of 14 bays will be designated for Electric Vehicles with charging bays of which 7 will be active and a further 7 will be provided with the infrastructure for future conversion to active charging bays. This provision is not considered acceptable and is addressed by condition to ensure that at least 14 EV charging points are operational on first occupation. Standard car parking bays are sized at 2.5m by 5m. Whilst these bays fall slightly below the “preferred bay size”, parking bays of this size have been approved as part of the IPECO, Innovation Hub, Costa, and Spec Scheme. A total of 16 long stay (covered) and 8 short stay bicycle spaces are proposed. The service yard is provided to the west of the building access directly from the main access road. The service yard is sized to allows for appropriate manoeuvrability of HGVs.
- 2.52 Natural daylight to the warehouse space is provided by semi translucent cladding panels on the northwestern corner of the building and along the southern elevation allowing diffused daylight into the building. This is supplemented with rooflights, which based on 10% of the ground floor GIA requires circa 336m² of rooflight. This requirement is set out by the submitted roof plan. It is noted that that the roof areas identified for photovoltaic (left) are illustrative only, the exact extent will be determined by specialists and coordinated with finalised rooflight positions. In approving the roof plan, the council would be approving the principle of solar panels on the roof. However,

as the plan in this respect is indicative only a condition is attached requiring precise details to be submitted for approval and implementation accordingly.

- 2.53 The consultation response received from Rochford Urban Design and Development management Officer has been noted. Observation and comment have been made with regards to the proximity of the parking to the spine road and the opportunities for an enhanced green space to the eastern boundary. Suggestions have been made regarding setting the perimeter fencing back further relative to the southern boundary such that landscaping could be incorporated outside of the fence line, such as that shown along the northern and eastern boundaries. The response does recognise the native hedgerow shown enveloping the security fencing to the north and east boundaries which would be a positive feature and the landscaping plan indicates that this would be substantial in extent size and density.
- 2.54 The response recognises that proposed tree planting along the main spine road is a positive concept, however, a number of these trees would be confined and recognises that further opportunities of tree planting and landscaping are available along the southern boundary and would be encouraged to strengthen the site's contribution to placemaking and its connection with the east-west green link. Suggested improvements were suggested to the treatment of the northern and southern elevations of the building. The response received from the agent in response indicates that the scheme has had to reconcile the requirement to provide functional space recognising that the southern boundary in landscaping terms already benefits from landscaping associated with the Green Ribbon whilst the elevational treatments are following a tried and tested principle previously established by other consented schemes.

Landscaping

- 2.55 The Town and Country Planning (Development Management Procedure) (England) Order 2010 (SI 2010/2184) defines 'Landscaping' as comprising the treatment of the land to enhance or protect the amenities of the site and the surrounding area, including screening and tree planting. Revisions to the National Planning Policy Framework in July 2021 and as now embodied in the most updated version of December 2023 places an increased emphasis on the importance of trees within development proposals which this scheme should reflect. There is an emphasis on development incorporating tree lined streets particularly relevant to new residential streets whilst the Framework also makes reference to opportunities being taken to incorporate trees elsewhere in developments. Landscaping is defined as the improvement or protection of the amenities of the site and the surrounding area which could include planting trees or hedges which are key design components to a development proposal. Landscaping comprises a fundamental aspect of

design as it integrates the development with its wider setting and contributes to creating a sense of place and identity maintaining visual distinction between each component parcel.

- 2.56 The submitted site plan and Landscape Plan are noted. Ornamental shrubs and tree planting are proposed around parts of the site perimeter. The planting schedule annotated on the Landscape Plan indicate the planting of 15 tree specimens, 7 specimen shrubs, 800 ornamental shrubs and 703 clipped hedge planting comprising *Carpinus betulus* (European or Common Hornbeam). Hard landscaping is used on plot for functional purposes to provide access, parking, and servicing requirements. Footpaths to and around the perimeter of the building will be finished with concrete flag paving. The service yard will be a prepared concrete finish with parking spaces finished in tarmac. The site will include, for, a 2.4m high painted steel paladin mesh fence finished in a black colour around the service yard, northern car park and southern frontage. A 1.2m high fence will extend around the front car park. All fencing will provide the required security to the plot for the specific area and will be softened by landscaping in front of such fencing effectively screening the base of the fencing. The principles around landscaping are well established whilst subject to condition to improve this provision the development is considered acceptable.

Surface Water Drainage and Flooding

- 2.57 The National Planning Policy Framework indicates at paragraph 173 that when determining any planning application, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood risk assessment. There is a policy requirement for development proposals to demonstrate that it is appropriately flood resistant and resilient, that it incorporates sustainable drainage systems unless there is clear evidence that this would be inappropriate, that any residual risk can be managed whilst providing safe access and escape routes where appropriate as part of an agreed emergency plan.
- 2.58 The Environment Agency (EA) Flood Map for Planning shows the site is located entirely within Flood Zone 1 (land at low risk of flooding from rivers and sea). The site has been assessed against other sources of flood risk including canals, reservoirs and large waterbodies, surface water, and sewers. The overall risk posed by these sources is considered low and therefore these sources do not preclude development. The development will increase the impermeable surface area, which will in turn increase the rate of runoff from the site. To mitigate the development's impact on the current runoff regime it is proposed to incorporate surface water attenuation and storage as part of the development proposals.

Surface Water Drainage and SuDS

- 2.59 The National Planning Policy Framework at paragraph 173 indicates that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The advice of the National Planning Policy Framework is that the arrangements should take the advice of the Lead Local Flood Authority, have appropriate proposed minimum operational standards, and have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development and, where possible, provide multifunctional benefits. The Local Planning Authority or Essex County Council (the SuDS Approval Body or SAB from April 2014) is the authority responsible for the determination of planning applications for SuDS.
- 2.60 This means that all new development which has surface water drainage implications will potentially require SAB approval and need to conform to national and local standards. Essex County Council strongly promotes the management of rainfall at the surface and therefore the use of above ground SuDS features (e.g., swales, filter strips, basins, ponds, and wetlands, etc.) will be required rather than pipes, soakaways, and underground storage structures, as these bring more benefits to the community in their amenity and biodiversity value, as well as being easier and more economical to maintain and need not be more expensive to install. Also, SuDS proposals which provide for limiting surface water run off rates from the site to existing green field rates will be expected.
- 2.61 SuDS can help to reduce flooding by controlling surface water run off as close to the source as possible before the water enters the water course. Such systems can also protect water resources and improve wildlife interests of developments. There are a number of sustainable drainage options available, such as green roofs, rainwater use, and permeable surfaces, although the suitability of each technique would depend on a number of factors including site size and geology.
- 2.62 The Application is supported by a Flood Risk Assessment, prepared by BWB. The Site is located entirely within Flood Zone 1 and is therefore at low risk of flooding. The Assessment demonstrates that the proposed development is not at significant flood risk, subject to the recommended flood mitigation strategies being implemented. The Assessment states that the development will increase the impermeable surface area, which will in turn increase the rate of runoff from the site. To mitigate the development's impact on the current runoff regime it is proposed to incorporate surface water attenuation and

storage as part of the development proposals. It is proposed to drain uses water from the development separately to surface water.

- 2.63 The Lead Local Flood Authority initially issued a holding objection based on a number of points relating to discharge rates, green field drainage rates and water treatment. This was subsequently addressed by the applicant in the form of further details including a covering letter explaining the regime and an updated surface water drainage plan which was subsequently accepted by the Lead Local Flood Authority which removed its objection. The conditions recommended by the Lead Local Flood Authority are attached as conditions within the officer recommendation.

Access, Transport and Highways

- 2.64 The Town and Country Planning (Development Management Procedure) (England) Order 2010 (SI 2010/2184) defines 'Access' as "the accessibility to and within the site, for vehicles, cycles, and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network."
- 2.65 Core Strategy Policy T3 sets out that development must be accessible by modes other than private car and Policy T6 requires developers to provide pedestrian and cycle facilities at all new developments. The application is supported by a transport assessment, draft travel plan, and a servicing and deliveries plan, prepared by Pulsar. In terms of parking provision, parking standards are secured by virtue of Core Strategy Policy T8 which references those of Essex County Council's Parking Standards Design and Good Practice Supplementary Planning Document.
- 2.66 The proposed development will provide 70no. car parking spaces (including 4no. accessible spaces located close to the building entrance. The car parking provision is within the maximum ranges when considering either a B2 or B8 development and is considered appropriate given the speculative and flexible nature of the proposed development. A total of 14 bays will be designated for Electric Vehicles and conditioned accordingly. As previously stated, the parking bay sizes are proposed to be 2.5m wide by 5.0m long consistent with non-residential developments in the UK which do not provide standard parking bays larger than 2.5m x 5m, and this is considered to be adequate for these sites and has been approved through previous applications.
- 2.67 The development will provide a total number of 24no. cycle parking spaces, in the form of 12no. Sheffield stands, thus encouraging the principles established by Policy T3 and Policy T6. Of the total spaces, 16no. spaces will be in a covered area for staff, with the remainder outside the building entrance for visitors. The accompanying Transport Statement details that a wholly B8

use would be expected to generate 15 two-way vehicular trips during 08:00 to 09:00 and 12 two-way vehicular trips during 17:00 to 18:00. This would not be expected to have a significant impact upon the local transport network. 7.11 Furthermore, the Statement details that a wholly B2 use would be expected to generate 26 two-way vehicular trips during 08:00 to 09:00 and 22 two-way vehicular trips during 17:00 to 18:00. This would not be expected to have a significant impact upon the local transport network.

Air Quality Assessment

- 2.68 In accordance with Development Management Policy DM29, the Application is supported by an Air Quality Assessment. The proposed development trip generation was screened using the Institute of Air Quality Management and Environmental Protection UK two stage screening process. It was found that the proposed development trip generation did not exceed the relevant screening criteria and therefore impact on local air quality was considered to be insignificant and a detailed operational phase road traffic emissions impact assessment was not undertaken. The Assessment recommended measures for inclusion with a Dust Management Plan to minimise emissions during construction activities. With the implementation of these mitigation measures the impact of construction phase dust emissions was considered to be ‘not significant’ in accordance with Institute of Air Quality Management Guidance. Consistent with the approvals on previous applications a condition relating to dust management is not attached due to the fact that the proximity of residential receptors to the site is not an issue therefore there would be no planning purpose supporting the imposition of the planning condition.

Ecological Impact Assessment

- 2.69 Ecology Policy DM27 requires consideration of the impact of development on the natural landscape including protected habitat and species. National planning policy also requires the planning system to contribute to and enhance the natural environment by minimising impacts on biodiversity, providing net gains in biodiversity where possible in addition to the UK Biodiversity Action Plan, proposals for development should have regard to Local Biodiversity Action Plans, including those produced at District and County level. Furthermore, the National Planning Policy Framework at paragraph 185-188 indicates the importance of avoiding impacts on protected species and their habitat where impact is considered to occur, requires appropriate mitigation to offset the identified harm.
- 2.70 The Landscape Partnership was commissioned by Henry Boot Developments to undertake a preliminary ecological appraisal comprising a desk study and Phase 1 habitat survey, together with an assessment of impacts at Airport Business Park Southend. The objectives of the appraisal were to identify the

habitats and species present or potentially present and evaluate their importance, assess the impact of the development proposal, and describe any measures necessary to avoid impacts, reduce impacts or compensate for impacts so that there is no net harm to ecological features.

- 2.71 However, on consideration of this matter, it is clear that the ecological impacts assessment considers the site the subject of the entire outline planning permission, as evident from the plan attached within the assessment. The assessment does not consider the limitation to enhancement opportunities based on physical limitations of the site, which is the specific subject matter of this application. There are no swales or green corridors on this site and therefore it is not clear why the appraisal has taken a site wide approach which would have been appropriate to support an ecological master plan at the outset (at outline stage to establish ecological enhancement principles); however, what is suggested by the assessment cannot be implemented on this particular site.
- 2.72 There are no log piles or areas where dead wood can be piled up to create habitat as an example. The case officer has taken into account the consultation response received from Essex Place Services Ecology; however, conditions can only be applied in as much as what is reasonable and attainable given the site in question. Although biodiversity enhancements and opportunities for such are material, conditions requiring such can only be applied where there is a realistic and reasonable prospect of a site being able to deliver. In this case other than the condition relating to landscaping and improvement in this regard no further conditions or burden can be placed on this development to deliver biodiversity enhancements given the limitations of the site.

Sustainable Design and BREEAM

- 2.73 The application has set out that the design in this respect will meet with a number of industry standards which aligns with the principles set out by the Council's Local Development Framework's Core Strategy Policy ENV10 (BREEAM) which requires all non-residential developments to meet the BREEAM assessment criteria. Whilst the importance of building environmentally sound developments is acknowledged, the Council would need to be careful in not wanting to make development unviable through the imposition of overly onerous standards. As such, whilst a BREEAM rating of Excellent will be encouraged, a rating of at least 'Very Good' will be required.

Secured By Design Considerations

- 2.74 The development has been arranged to provide natural surveillance from the first-floor office space across the external car park, service area and main site access points. The site is enclosed by a 2.4m high paladin steel fence around the service yard area and with a 1.2m high metal fence around the car park area to the front of the building. Site access is via manual gates for both road users and pedestrians. The fence deters entry and exit to and from the site. Fencing around the service yard area is to comprise of black, weld mesh, polyester powder coated paladin type fencing to a minimum height of 2.4 m. Mesh to the fencing is closely spaced to prevent climbing. Routes for pedestrians are clearly defined to aid navigation through the development and provide safe pedestrian and vehicular movement to and from buildings.
- 2.75 Lighting to car parking areas and services yards would be by building mounted luminaries supplemented by lighting fixed to the external face of the building. Ground floor glazing and other accessible glazing is to comprise of an inner layer of laminated glass and outer layer of toughed glass. Ground floor doors and windows and other accessible doors and windows comply with LPS 1175 security standards or equivalent security standards.
- 2.76 Cycle stores are to be Sheffield stands securely fixed to the ground. These are located close to building entrances and are in view of the occupied commercial unit. Stands will allow locking of both wheels and the crossbar. Rainwater down pipes are to be located internally so that they do not provide means of climbing to vulnerable areas of the building or so they allow a breach of the perimeter fencing.
- 2.77 The consultation response received from Essex Police is supportive of the proposals which reflect detailed discussions convened prior to the submission of the application.

Electric Vehicle Charging Points

- 2.78 As some background to the approach taken regarding the provision of electric vehicle charging points, the Essex Design Guide points towards development being future proof, taking into account that a ban on the sale of diesel and petrol engines is expected to come into force in 2040. A previous application for a particular parcel of land considered under planning reference 22/01185/REM required a 50% provision of Electric Vehicle Charging Points. Based on the rationale that many of the parking spaces will be employee parking spaces where cars would typically be parked during working hours the 3-7kW charge points are considered sufficient to provide a full charge. Public charging points would require the 7-22kW Power Output Unit. There is no arbitrary figure relating to this provision and subject to the 14 E.V charging

points being operational on first occupation of the development this provision is considered sufficient. A condition is recommended setting out this requirement.

- 2.79 Despite being covered by Part S of the Building Regulations, a bespoke planning condition is proposed (and this position of imposition as part of the planning process is supported by appeal decisions) which neither prejudices the ability of a development to meet the 6 key tests applied by the relevant part of the Building Regulations.

Health Impacts

- 2.80 The Application is supported by a Health Impact Assessment (HIA), prepared by Ekosgen. The HIA devises an assessment framework incorporating the key issues of relevance to the nature of the proposed development and takes into account guidance on undertaking HIA's from the Healthy Urban Development Unit. The Assessment draws upon supporting documents such as the Design and Access Statement and Traffic and Transport Plans. The HIA has identified a number of ways in which the proposed development will contribute positively to human health in Rochford. This includes including providing opportunities at both construction and operational stages to support local employment and contribute to Rochford's economic activity rates; providing a range of occupation and skills levels suitable for the local workforce; supporting active travel through cycle parking provision, footways and connections to the wider site including the Green Ribbon; and supporting wellbeing with visual access to the green ribbon as well as by footways.

Economic Benefits

- 2.81 The applicant has set out comprehensively the considered economic benefits of the proposals which should be given significant weight in the balance as part of the determination of this Full Planning Application. The application in summary sets out that the proposals will deliver significant economic benefits. Including construction phase benefits as it is estimated that the investment of around £5 million in construction will support demand for around 20 Full Time Equivalent jobs over a nine-month construction period. It is indicated that there are likely to be a wide range of sub-contracting packages that would potentially be available to local contractors, helping to maximise the local employment impact from the scheme. The GVA supported by the direct jobs (20 FTEs) is estimated to be £1.9 million during the nine-month construction period. The construction period is also likely to generate opportunities for training and apprenticeships, which will have long-term benefits for local residents.

- 2.82 Once completed and fully occupied, it is estimated that the proposed development could supported between 55 and 105 gross, direct FTE jobs. It is estimated that a further 5 to 10 FTE off-site jobs will be supported across Rochford and Southend-on Sea.
- 2.83 The Economic and Employment Needs Report referred to by the applicant seeks to demonstrates the wider economic benefits associated with the delivery of Class B8 floorspace, stating that while Class B8 uses have traditionally been regarded as low value employment, with lower productivity and lower skilled jobs, those uses operating under Class B8 are increasingly diverse and productive, utilising advanced technologies, leading to higher wages, greater productivity and the need for higher skilled jobs. The latest information points to a well-balanced employment sector with increasing productivity, diversity in roles and higher earnings. Recent research on warehousing and logistics employment shows a focus on more technical roles in management, analytics, IT, and engineers as well as above average earnings.
- 2.84 The report published by BPF acknowledges that the industrial and logistics sector is subject to several misconceptions about average pay, skills, and nature of spaces. In reality the sector is neither low paid nor low skilled. The BPF report states that data from the Office for National Statistics show annual wages within the sector are above average at +£4,600 for Manufacturing and +£4,900 for Logistics. 8.8 The Economic and Employment Needs report also references evidence that most industrial and logistics type occupiers typically seek a flexible space including some storage / distribution and manufacturing with ancillary office - this means that specific planning restrictions are likely to put a brake on economic activity and business growth.
- 2.85 The BPF report acknowledges the evolving operations of industrial and logistics operators, stating that the types of activities undertaken, the level of employment generated, and range of occupations found on site are very much company specific. The report concludes that the diversity evident in the sector is not adequately captured via the current planning use classes. It is contended that it is evident that previous reservations pertaining to the economic and employment benefits associated with Class B8 uses restrict economic growth and meeting the needs of local businesses in not wholly accurate. The applicant's submission concludes that the provision of flexible floorspace, including Class B8 uses at ABPS, and Rochford more widely, will help meet current and future market demand and deliver significant economic benefits.

Potential impacts upon heritage assets

- 2.86 The application site received approval for a business park with car park, to the west of the site along Cherry Orchard Lane is the Grade II listed building, Cherry Orchard (list entry number: 1322397). To the northeast is the Grade II* Church of St Andrew (list entry number: 1112585). The proposals have the potential to affect the setting of the heritage assets. The proposal is for the erection of a large commercial unit to provide 3,765sq.m of Class B2/B8 floorspace. Whilst the proposed building is large and would have an appreciable impact upon the setting of the heritage assets, it is located within the previously approved Airport Business Park and there is interposing development between the site and the heritage assets. There is no objection to these proposals from Place Services Built heritage and Conservation.

Archaeology

- 2.87 The Historic Environment Record shows that the application area is within an area as having potential for archaeological deposits as it lies west of previous excavations which revealed multiperiod archaeology. Features excavated along the road line just east of the site showed ditches which extended westwards from the excavated site (EHER 49150). Conditions are recommended as the advice of Essex County Council Place Services Specialist Archaeological Advice.

3.0 CONSULTATIONS AND REPRESENTATIONS

- 3.1 **Essex County Council Minerals and Waste:** No comment
- 3.2 **Cadent Gas:** No objection

Recommend that an informative to the following effect be included on any decision notice:

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

3.3 Essex County Council Place Services Built Heritage & Conservation

Advice: No objection.

3.4 Essex County Council Place Services Specialist Archaeological Advice:

No objection subject to the imposition of conditions

3.5 Anglian Water: Confirms that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary. Confirms also that the foul drainage from this development is in the catchment of Rochford Water Recycling Centre that will have available capacity for these flows. Attached standard informative to its written advice.

3.6 London Southend Airport: No safeguarding objections

3.7 Essex Police: No objection

3.8 Essex County Council Place Services Ecological Advice: No objection subject to securing ecological mitigation and enhancement measures.

3.9 Essex County Council Development and Flood Risk Waste & Environment (Lead Local Flood Authority): Issued a number of holding objection on 3rd and 30th of October and a further holding objection on 16th November 2023 on the basis of inadequate information being provided. Confirmed on 30th November in a further consultation response that it does not object subject to the imposition of conditions cross referencing to the additional information submitted.

3.10 Third Party Representations: None received

4.0 EQUALITY AND DIVERSITY IMPLICATIONS

4.1 An equality Impact Assessment has been completed and found there to be no impacts (either positive or negative) on protected groups as defined under the Equality Act 2010.

5.0 CONSULTATION DIRECTION

- 5.1 The Town and Country Planning (Consultation) (England) Direction 2021 requires that the Council consult the Secretary of State on certain planning applications where the local planning authority does not propose to refuse the application.
- 5.2 The proposal has been reviewed against the criteria for referral to the Secretary of State and it is confirmed that the Council would not be required to consult the Secretary of State prior to issuing a grant of planning permission in respect of this application.



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Strategic Director

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RELEVANT DEVELOPMENT PLAN POLICIES AND PROPOSALS

Rochford District Core Strategy (2011)
Rochford District Allocations Plan (2014)
Rochford District Development Management Plan (2014);
London Southend Airport and Environs Joint Area Action Plan (JAAP) (2014)
National Planning Policy Framework ('NPPF') (2021)
National Planning Policy Guidance • ('NPPG') (2014):
Rochford District Growth Strategy (2014);
Employment Land Study Update (2009).
National Design Guide: Planning Practice guidance for beautiful, enduring, and successful places (Ministry of Housing Communities and Local Government)
Essex County Council, Local Transport Plan (2011-2025)
Essex Parking Standards 2009 (adopted 2010).

Policies: E1,E3,E5,E6,T1,T3,T4,T5,T6,T7, ENV5 and ENV7 of the Joint Area Action Plan (JAAP)

Local Development Framework Core Strategy Policies CP1, T1, T3, T6, T7, ED1, ED2 and ED4, ENV 10

Local Development Framework Development Management Plan (2014) Policies DM1, DM25, DM26, DM30, DM31

BACKGROUND PAPERS

None.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

23/00715/FUL



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