

21/01185/REM

**AIRPORT BUSINESS PARK, CHERRY ORCHARD WAY,
ROCHFORD**

**RESERVED MATTERS APPLICATION COMPRISING THE
CONSTRUCTION OF AN INDUSTRIAL UNIT (USE CLASS
E(g)/B2/B8), PURSUANT TO OUTLINE PLANNING
PERMISISON (REFERENCE: 15/00781/OUT)**

APPLICANT: **HENRY BOOT DEVELOPMENTS**

ZONING: **LONDON SOUTHEND AIRPORT AND
 ENVIRONS JOINT AREA ACTION PLAN**

PARISH: **ROCHFORD PARISH COUNCIL**

WARD: **ROCHE SOUTH**

1 RECOMMENDATION

1.1 It is proposed that the Committee **RESOLVES**

That Reserved Matters be approved, subject to the following conditions:-

- (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.

- (2) The development shall be undertaken in strict accordance with the details of the approved plans referenced: Site Block Plan (1937-JSA-P4-XX-DR-A-01202 Rev. P5); Landscape Detail Plan (1937-JSA-P4-XX-DR-A-01203 Rev. P3); Landscape Detail Plan (1937-JSA-P4-XX-DR-A-01204 Rev. P3); Ground Floor GA Plan (1937-JSA-P4-XX-DR-A-02201 Rev. P4); First Floor GA Plan (1937-JSA-P4-XX-DR-A-02202 Rev. P4); Roof GA Plan (1937-JSA-P4-XX-DR-A-02203 Rev. P4); Site Sections (1937-JSA-P4-XX-DR-A-03201 Rev. P2); GA Sections (1937-

JSA-P4-XX-DR-A-03202 Rev. P4) and GA Elevations (1937-JSA-P4-XX-DR-A-04201 Rev. P4).

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

- (3) The soft landscaping as shown by the Landscaping Plans reference(d) 1937-JSA-P4-XX-DR-A-01203 Rev. P3; and 1937-JSA-P4-XX-DR-A-01204 Rev. P3) shall be implemented in its entirety during the first planting season (October to March inclusive) following commencement of the development, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. 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 the same location as those removed in the first available planting season following removal.

REASON: To enable the Local Planning Authority to retain adequate control over the landscaping of the site, in the interests of visual amenity and to promote biodiversity in compliance with policies DM1 and DM27 of the Local Development Framework Development Management Plan.

- (4) All car parking spaces, and operational spaces as indicated by Site Block Plan 1937-JSA-P4-XX-DR-A-01202 Rev. P5) shall be fully constructed and available for use prior to the first operation of the development hereby permitted. All parking spaces including disabled parking space and motorcycle space 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.

- (5) 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 details as may be agreed.

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.

- (6) Prior to the first operation of the development hereby permitted the refuse and cycle storage facilities as cited by plan reference Site Block Plan 1937-JSA-P4-XX-DR-A-01202 Rev P5. 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 cycle and refuse storage to serve the development in compliance with policies DM1 and DM30 of the Local Development Framework Development Management Plan and the provisions of the Essex County Council Parking Standards Design and Good Practice, September 2009.

- (7) Notwithstanding the details of the cycle storage space to be provided as indicated by plan reference: Site Block Plan 1937-JSA-P4-XX-DR-A-01202 Rev P5 a minimum of 15 covered and secure cycle spaces shall be installed and available for use on the first occupation of the development. This facility shall at all times be a covered facility which shall be retained in perpetuity over the lifetime of the use.

REASON: To ensure adequate storage arrangements and security as part of an appropriate design in compliance with policy DM1 of Rochford District Council's Local Development Framework Development Management Plan (adopted December 2014) and the National Planning Policy Framework (2021) (Chapter 12 Achieving Well Designed Places).

- (8) Notwithstanding the details of the submitted Block Plan and Landscaping Plans and other than the details shown by the plans, 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.

- (9) Notwithstanding the details of the submitted Landscaping Plans referenced 1937-JSA-P4-XX-DR-A-01203 Rev. P3 and 1937-JSA-P4-XX-DR-A-01204 Rev. P3, within 2 months of the date of grant of Reserved Matters approval a plan shall have been submitted indicating the location, number, and type of outside seating to be provided for the written approval of the local planning authority. The seating shall be installed in accordance with the agreed details and available for use on

the first occupation of the development and retained in perpetuity (if necessary in the form of like for like replacements) over the lifetime of the use.

REASON: In the interest of inclusive design in accordance with the principles of Chapter 12 of the National Planning Policy Framework and policy DM1 of the council's Local Development Framework's Development Management Plan.

- (10) Notwithstanding the details of the Proposed Block Plan reference 1937-JSA-P4-XX-DR-A-01202 Rev P5 prior to the first occupation of the development approved at least 9 electric car charging points shall be installed and fully operational prior to the first occupation of the development. This provision or an equivalent replacement / or as may be upgraded in future shall be retained in perpetuity over the lifetime of the use.

REASON: 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 and Chapters 9 and 12 of the National Planning Policy Framework (July 2021).

- (11) Notwithstanding the details of the submitted plans, prior to the undertaking of any soft landscaping details including the species type, number and height at the time of planting of all trees shall be submitted to the local planning authority for its written approval. Details of all shrub species to be planted, including planting density, shall also be submitted to the local planning authority for its written approval. The development shall be implemented in accordance with such details as may be agreed.

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).

2 PLANNING APPLICATION DETAILS

- 2.1 This Reserved Matter Application proposes the construction of an industrial unit on what is stated to be Plot 4, providing a gross floor space of 1,274.8m² with 1,159.2sq.m. at ground floor level, and 115.63sq.m. at first floor level. The submitted particulars indicate that the unit will be suitable for a single operator, with a fit out that is adaptable to meet market demand. It is indicated that the end use is intended to provide flexible B1 (E(g) / B2 / B8 use as defined by the successor to the Use Classes Order 1987 and as now amended by statutory instrument 2020 No. 757 Town and Country Planning, England the Town and Country Planning (Use Classes) (Amendment)

(England) Regulations 2020. Details submitted for approval include details relating to Access, Appearance, Layout, Landscaping and Scale. The application is supported by a number of plans and documents including the following:

- Site Location Plan (1937-JSA-P4-XX-DR-A-012021 Rev. P1);
- Site Block Plan (1937-JSA-P4-XX-DR-A-01202 Rev. P5);
- Landscape Detail Plan (1937-JSA-P4-XX-DR-A-01203 Rev. P3);
- Landscape Detail Plan (1937-JSA-P4-XX-DR-A-01204 Rev. P3);
- Ground Floor GA Plan (1937-JSA-P4-XX-DR-A-02201 Rev. P4);
- First Floor GA Plan (1937-JSA-P4-XX-DR-A-02202 Rev. P4);
- Roof GA Plan (1937-JSA-P4-XX-DR-A-02203 Rev. P4);
- Site Sections (1937-JSA-P4-XX-DR-A-03201 Rev. P2);
- Existing Levels (1937-JSA-P4-XX-DR-A-01001 Rev. P1);
- GA Sections (1937-JSA-P4-XX-DR-A-03202 Rev. P4);
- GA Elevations (1937-JSA-P4-XX-DR-A-04201 Rev. P4);
- Design and Access Statement, prepared by Jefferson Sheard Architects (210823-1937-1.7);
- BREEAM Pre-Assessment Report, prepared by Anderson Green (BR0114-AGL-ZZ-RP-N-0001);
- BREEAM Pre-Assessment Issue Scoring, prepared by Anderson Green (BR0114-AGL-ZZ-RP-N-0002);
- Transport Statement, prepared by BWB (P4ABP-BWB-GEN-XX-RP-TR-0001_S2_TS P4);
- Travel Plan, prepared by BWB (P4ABP-BWB-GEN-XX-RP-TR-0002_S2_TP P2); and
- Drainage Statement, prepared by BWB (SOU-BWB-ZZ-XX-RP-CD-0500_SDS).

3 MATERIAL PLANNING CONSIDERATIONS

Site and Context

- 3.1 The site constitutes a rectangular area of currently vacant land within the Airport Business Park measuring 1.8 hectares in area. The site is located towards the northern edge of the Airport Business Park, on the site of “Plot 4”. The site sits between two undeveloped parcels of land (Plot 3 to the west and Plot 5 to the east). The site sits to the north of the loop road and to the south of Westcliff Rugby Club.
- 3.2 The site in its wider locational context is located within the Airport Business Park, Southend, which itself is located to the north and west of London Southend Airport and south of Westcliff Rugby Club and to the east of Cherry Orchard Way from where access is gained to the park via the (B1013).
- 3.3 Rochford town centre is located to the north-east of the Airport Business Park and can be accessed via Cherry Orchard Way and Hall Road (circa 2.5km). Rochford Railway Station is located approximately 1.6km to the north-east of the site.
- 3.4 The Airport Business Park extends to 22.5 ha. The indicative site layout approved as part of the Outline Planning Permission (planning reference 15/00781/OUT) identifies 22 development plots and an associated loop road and landscaping.

Relevant Site Planning History

- 3.5 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.
- 3.6 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/café), 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.
- 3.7 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.

- 3.8 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.
- 3.9 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.
- 3.10 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.
- 3.11 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 (Ref: 15/00781/OUT) all reserved matters namely, Access, Appearance, Layout, Landscaping and Scale for consideration. Approved 4/11/2020.
- 3.12 In addition to the above, Southend Borough Council has secured Reserved Matters permission for a new Innovation Centre under planning reference Application No. 19/00566/REM (“Innovation Centre”) - Details of reserved matters (Access, Appearance, Landscaping, Layout and Scale) pursuant to outline planning permission reference 15/00781/OUT dated 31/10/2016 relating to part of the Airport Business Park, Southend Masterplan. The development will comprise office and light industrial (Use Class B1), ancillary café facilities, landscaping, and car parking facilities. (The outline application was not EIA development). Approved 17/10/2019.

Principle of Development

- 3.13 This Reserved Matters application is limited in its consideration to the five subject matters of Access, Appearance, Layout, Landscaping and Scale whilst the principles of quantum(s) are established by the outline planning permission. It follows that the approval of any Reserved Matters application does not infer or confirm acceptance of quantum or scale beyond those specified by condition 14 of the outline planning permission which sets out the express terms of the permitted floor space and quantum limitations for any development to be implemented within the physical boundaries of the site area as edged in red on the site area plan accompanying the outline planning application.
- 3.14 As an example of this, the earlier approved application 20/00454/REM speculative scheme proposing the 6,467m² of flexible space (B1, B2/B8) does not in itself enable the use of the whole unit or parts of it for uses in excess of the floor area limits set out by condition 14 of the outline planning permission. The use as a matter of law in terms of its implementation is inextricably bound

by the limitations of condition 14, but subject to a review of this limitation and its variance an approved Reserved Matters approval could align itself with the limitations of condition 14 either as originally imposed or as varied via a Section 73 application.

- 3.15 It is therefore not the purpose of a Reserved Matters application to consider quantum but merely acceptability of the design from the aspect of the main five subject headings. It is noted, however, that this current 21/01185/REM application is submitted concurrently with an application to remove condition 14 of the outline planning permission (planning reference 21/01184/FUL) (which the Council considers can be varied and not totally removed which is a latter position the applicant has accepted with regard to that application).
- 3.16 As background, the outline planning permission (reference 15/00781/OUT) as approved on 31 October 2016, established the principle of the comprehensive redevelopment of the area as part of the Joint Area Action Plan (JAAP) allocation encompassing a range of uses encompassing B1, B2, A1, A3, A4, C1, D1, D2 and B8 former Use Classes. The outline planning permission granted consent for a business park to comprise use classes B1 (business), B2 (general industrial) and ancillary uses to include A1 (retail), A3 (restaurants/café), A4 (drinking establishments), C1 (hotel), D1 (non-residential institutions), D2 (assembly and leisure) and B8 (storage and distribution), the provision of hard and soft landscaping and the demolition of the existing rugby club and associated works. This application constitutes a phase in the delivery of the overall Master Plan providing units which it is anticipated provide for the market demand aligned with the principles of the JAAP.
- 3.17 Subsequent to the outline planning permission, specific matters - including the location of the spine road and the green corridors - have already been approved by the separate Reserved Matters application reference 18/00411/REM. This approval provides the basis for access and circulation within the site and provides an understanding as to how phased development, the subject of a number of separate Reserved Matters applications, may now come forward. Other considerations including issues such as flood risk, surface water drainage, ecology, archaeology, and sustainable design including BREEAM were dealt with at the outline stage and subject to planning conditions included as part of that outline consent.
- 3.18 This current Reserved Matters application constitutes a phase in the delivery of the overall Master Plan conceived and established at the outline planning stage which was further amended by the 18/00411/REM application, which now indicates the central 'green ribbon' which previously formed a continuous line across the site as following a different line veering north. A Speculative scheme for 12 units providing potentially 6,467m² of flexible space (B1, B2/B8) was approved by the 20/00454/REM approval whilst a Costa Coffee Drive Thru was approved under planning reference 20/00565/REM, which is a supporting use serving the wider development.

- 3.19 This current application does not affect the revised green corridor, whilst the provision of employment floor space particularly B1/B2 with a far lesser degree of B8 use is accounted for within the Council's Local Development Framework's Core Strategy (CS). This policy position is reflected within policies ED1, DM and DM32. Policy DM32 explains that alternative uses (other than B1/B2) will be considered having regard to the number of jobs likely to be provided; the viability of retaining B1 and B2 uses; and compatibility with existing uses. Furthermore, CS policy ED4 allocates the wider Airport Business Park site to satisfy a significant part of this requirement for more employment uses.
- 3.20 It is considered that this development aligns with the aspirations set out by the Council's Local Development Framework's Development Management Plan policy DM 32 which encourages predominantly B1 and B2 uses within all employment development across the district.
- 3.21 It is noted that condition 14 pursuant to the Outline Planning Permission, sets the following limits on floor space falling within B1/B2/B8 Use Classes as follows: B1 Use Class – No limit on floor space, B2 Use Class – up to 32,250sq.m, B8 Use Class – up to 4,896sq.m. To date, previous Reserved Matters approvals have enabled delivery of the following floor space: Innovation Centre - 3,236 sq. m. of B1 floor space (with ancillary 139 sq. m. café (A3)); and IPECO – 11,468 sq. m. of flexible B1/B2 floor space. No Reserved Matters approval has yet been enabled relating to B8 use as a primary use on site. In consideration of the above, the proposed development falls within the limits of B1/B2/B8 former Use Class floor spaces as imposed by condition 14 of the Outline Planning Permission.
- 3.22 JAAP policy E3 allocates the land on which the site is located for the development of a new Business Park. This policy sets out that a minimum 79,000sq.m floor space is required for the overall site which the Outline Planning Permission exceeded by proposing a total of 86,900sq.m floor space. To date, only 11,463sq.m. has been delivered, through the Phase 3 IPECO unit (Use Class B1/B2). The 20/00454/REM Spec Scheme has approved the matters of Access, Appearance, Layout, Landscaping and Scale of a unit which provide 6.476m² of flexible space (B1, B2/B8).
- 3.23 The proposed development will provide a series of flexible industrial units that can be operated under Use Classes B1/B2/B8. The units can be easily and readily sub-divided or amalgamated in accordance with market demand. This means that the units can be operated flexibly and as per the final operators' requirements. The units will be of a high quality specification, similar to other speculative industrial schemes being developed by Henry Boot Developments Ltd. (HBD) across the country. In consideration of the above, the principle of providing B1/B2/B8 units within this location is strongly supported, subject to design, parking, access, and other material planning considerations. The development therefore accords with policies CS ED1; ED4; DM32; and JAAP E3.

Access

- 3.24 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."
- 3.25 Vehicle access is provided via the spur road leading northwards towards the Rugby Club. Both cars and service vehicles would share this single access point. The service yard is sized to institutional standards. Vehicle tracking analysis has been undertaken to ensure HGVs can manoeuvre and service the building accordingly. A vehicle tracking exercise has been undertaken by BWB Consultants to illustrate the suitability of the site entrance. An inward opening gate is provided at the service yard entrance allowing the service yard to be secured when required. Access to the site on foot is via the shared footpath/ cycle path which runs along the side of the of the main access road.
- 3.26 Access to the site will be via the loop road that has already been constructed to provide access to Westcliff Rugby Club and the IPECO Plot (as approved under the Outline Planning Permission). The proposed development comprises 18no. car parking spaces (including 2no. accessible spaces (1no. of which is also an electric vehicle charging bay) and 3no. electric vehicle charging bays (and associated charging stations). The development also comprises four sheltered Sheffield bicycle stands, provided to the south of the main building entrance, in addition to two short stay Sheffield parking stands at the building frontage.
- 3.27 It is noted that the car parking spaces are to the lower parking bay dimension standard of 2.5m by 5m which was an approach which was justified and accepted as part of the 20/00454/REM Speculative Scheme application. However, the actual total number of parking spaces commensurate with the floor space needs consideration. This approach was also approved as part of the IPECO, Innovation Hub, Costa proposals. It is indicated that all spaces will be clearly demarcated by white lining. The submitted Transport Statement sets out the rationale for the overall parking regime. A total 18 spaces are shown to be provided. Two of these spaces are designated as disabled bays. It is proposed that a total of 4 bays will be designated for Electric Vehicles with charging bays - of which 2 will be active and a further 2 will be provided with the infrastructure for future conversion to active charging bays. It is the view in this respect given the need to future proof the development and given the reasonable policy position set out by national guidance relating to reducing carbon emissions, that the infrastructure should be put in place for at least 50% of the car parking space taking into account the requirements of the work force. This matter is covered by planning condition.
- 3.28 The submitted Travel Plan which actively encourages sustainable transport choices (including walking, cycling and the use of public transport) indicates that the nearest bus stop (southbound) to the site is located approximately

400 metres from pedestrian access points whilst northbound the bus stop is located approximately 500 metres from pedestrian access points. The Travel Plan indicates that the site is situated such that access on foot and cycle can be maximised from surrounding residential and industrial areas by means of off-road routes from both pedestrian access points.

- 3.29 Pedestrian access to the offices and warehouse is clearly visible and directly accessible from the parking areas whilst the internal floor space is stated to be accessible / adaptable for wheelchair users and persons with ambulant disabilities. Allowance for a lift is provided and is located directly from the entrance lobby as indicated by the floor plans. Accessible toilets and showers are shown to be provided at various locations within the buildings.
- 3.30 Designated disabled parking bays are provided close to the main entrance where external surfaces incorporate dropped and transition kerb sections with areas of tactile paving.
- 3.31 In terms of the overall parking provision and its adequacy, regard needs to be given to the flexible nature of the approval. Different uses, as they may also interchange between the enabled uses if compared against the Essex Parking Standards, would imply adherence to differing standards in recognition of how the space may be used such that the development has to take into account and adequately provide for any given scenario based on the parking standards relating to each use class as set out by the Parking Standards. For example, the standards state that for a B8 use 1 vehicle parking space will be required for every 150m² of floor space with 1 cycle space per 500m² for staff + 1 space per 1000 m² for visitors. There is a requirement for 1 space + 1 per 20 car spaces for 1st 100 car spaces for powered two-wheel vehicles with 2 disabled parking bays for parking space comprising 200 or less or 5% of total capacity. Logic would imply that the development would need to provide for the use which requires the greatest number of commensurate parking spaces; however, in addition one has to consider the probabilities associated with bus and cycle travel which reduces reliance on the motor car.
- 3.32 A B1 (Now E(g) use requires 1 vehicle parking space per 30 m² of space and 1 cycle space per 100 m² for staff in addition to 1 space per 200m² for visitors. Powered Two Wheeled Vehicle parking is set out at 1 per 20 car spaces for the first 100 cars with Disabled parking space at 5% of the total capacity. The standards state that a B2 use requires 1 space per 50m² of floor space with cycle parking at a ratio of 1 space per 250m² for staff in addition to 1 space per 500m² for visitors. Powered Two Wheeled Vehicle parking is set out at 1 space per 20 car spaces for the first 100 cars with Disabled parking space at 5% of the total capacity.
- 3.33 Analysing the requirements further as such relate to each use given the requirements set out by the 'standards' a B1 (now E (g) use as a starting point would require 42 car parking spaces (if all the 1.247m² was taken up for a E (g), 13 cycle spaces for staff, 6 cycle spaces for visitors, 2 Powered Two Wheeled Vehicle Parking Spaces and 5% of the gross parking number (42)

for Disabled parking. The B2 use would require 25 car parking spaces, 5 cycle spaces for staff, 2 cycle spaces for visitors, 2 Powered Two Wheeled Vehicle Parking Spaces and 5% of the gross parking number (25) for Disabled parking. A B8 use would require 8.3 (9 rounded up to the nearest whole number) car parking spaces, 3 cycle spaces for staff, 1 cycle spaces for visitors, 2 Powered Two Wheeled Vehicle Parking Spaces and 5% of the gross parking number (25) for Disabled parking the E (g) use.

- 3.34 Applying the standards alone and on face value the development does not provide a sufficient number of parking spaces for an E(g) nor B2 use. The car parking is 24 in number under the requirement for the E(g) use and 7 in respect of the B2 use. Cycle spaces are also short for the same uses by 15 and 3. The provision would be sufficient for the B8 use.
- 3.35 The applicant has submitted a Transport Statement which considers the potential transport and highways impact of the proposals including the impact of the development generated person trips, the safety of the surrounding road network and the implications for public transport, pedestrian, and cyclist movements. The applicant's position is set out in paragraph 3.11 in which it states 'Consultation with the client outlined that the most likely end occupier of the site will utilise the B2/B8 land use. Based on the former and the above table, the proposed development at Plot 4 could provide between 8 and 25 car parking bays depending upon the eventual use of the units being provided. The proposed masterplan (Block Plan) shows a total of 18 parking bays out of which two are blue badge bays/EV bay and three are EV parking bays. Additionally, the masterplan shows that two PTW spaces are being provided at the site'. (ended). The statement sets out at 3.12 and 3.13 that drawing on experience of the client's commercial advisers who specialise in development of this kind, the level of parking is deemed sufficient to service the units and is consistent with other similar types of development within the Essex County.
- 3.36 In comparing this provision against the provision of the 20/00454/REM Speculative Scheme which proposed a total of 75 car parking spaces to serve a development proposing 6,467m² (which it was noted that the strategy for parking numbers set a ratio 35% / 65% weighted average of the B2/B8 land uses which is balanced accordingly with the expected uses for these smaller industrial units) the ratio of 18 parking spaces proportionately is on a par with the previously approved Reserved Matters approval. As such it is considered unreasonable to find access as a subject matter unacceptable. There is a question relating to the overall provision of covered cycle space which the case officer cannot see annotated on the site Block Plan. It is considered given any scenario and to account for the fact that at some point the site may be occupied by an E (g) use which requires 19 cycle spaces that a combined provision should be made for 19 covered cycle spaces which also account for the under provision of parking and the likelihood / potential for greater increased of sustainable travel by cycle including electric bikes. This matter is covered by condition. This provision is not considered unreasonable.

Appearance

- 3.37 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'.
- 3.38 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.
- 3.39 The submitted particulars including the Design and Access Statement set out the case that the development including the built form has been designed with the view that it would complement surrounding built form, including the IPECO Unit located to the south of the site.
- 3.40 The form of the building is driven by the internal functions of the proposed development and to respond to parameters established via the Outline Planning Approval. The architectural approach to the building elevations provides a contemporary aesthetic. The design approach is consistent with what has been consented across the business park and includes use of high quality, contemporary materials that are durable and suitable for the intended use. The building will comprise a multi span building bearing 2 ridges and shallow roof pitches in cladding.
- 3.41 The submitted information indicates that the wall elevations being 10.3 m in height to the parapet will consist of a combination of dark, medium, and light grey profiled built up metal sheet cladding system. The roof will consist of proprietary profile metal sheet roofing system finished in grey. Panels will be installed parallel to the roof span. Fascia's and guttering will comprise: PPC aluminium finished in grey. Roof lights are shown to be clear, low reflection proprietary polycarbonate, the number of which is not precisely known as per annotation on the plan. Any variance to the number shown on the submitted roof plan will need to be the subject of an application for a Non-Material Amendment under Section 96(a) of the 'Act'.
- 3.42 The plans indicate that the windows will be constructed of aluminium framed double glazed ribbon/casement with frame colour being black. Window infill panels will be dark grey. Main entrance doors will be aluminium framed doubled glazed doors with side lights with frame colour finished in dark grey. External security/ warehouse doors will comprise painted steel whilst security doors to fire exists will be finished in dark grey. Roller shutter doors will

comprise Insulated colour coated metal finished in grey. Site security will be provided by a 2.4 m high metal mesh paladin fence with polyester powder coated finish in black. Brushed finish SS bollards will be installed within the site bearing reflective banding. Grey paver blocks will be installed around building entrances and landscaped areas.

- 3.43 The application includes visuals which depict the visual impression of the site which will appear clean and modern. On the basis of the information submitted it is considered that by reason of its appearance that this proposal accords with Chapter 12 of the National Planning Policy Framework, the Council's Local Development Framework Core Strategy policy CP1 and Development Management Plan policy DM1 in addition to being aligned with the principles set out within the approved design code established by the outline planning permission.

Layout

- 3.44 The Town and Country Planning (Development Management Procedure) (England) Order 2010 (SI 2010/2184) defines 'Layout' as comprising the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
- 3.45 The submitted Design and Access Statement indicates that the brief for the development of the site is to provide a high quality and sustainable commercial facility which can facilitate the changing demands of the industrial, distribution and logistics industry. The development should:
- Respond positively to the proximity of the natural surroundings
 - Provide a building form that is flexible for a range of occupiers
 - Provide adequate levels of car parking
 - Provide dedicated servicing areas that are sized to industry standards allowing delivery vehicles to easily manoeuvre within the site
- 3.46 The application indicates that a series of site layouts were considered for the site including for a range of unit sizes based on market demand in the area. Those not meeting the above criteria were discounted. The applicant's position is that the building has been located and orientated to utilise the site efficiently. The building is positioned to provide a positive edge to the street frontage whilst placing its active frontages on this side. Unit entrances and pedestrian ways are clearly defined to assist with way finding and legibility from outside of the site boundary. Vehicle access is provided via the spur road leading northwards towards the Rugby Club. Both cars and service vehicles share this single access point. A suitably sized service yard is provided that allows for appropriate manoeuvrability of larger HGVs.

- 3.47 Car parking is arranged along the northern, eastern and southern boundary at the edges of the service zone. A safe pedestrian access is proposed to connect the shared footpath/cycle way of the existing spine road. Soft landscape is proposed at the front site edges to soften the interface with the street as well as at the perimeter of the existing gas works / sub station facility. A wider green buffer is proposed along the northern side of the building. This is to allow for better integration of the built space with the green corridor running along that edge.
- 3.48 The proposal has been developed based on comprehensive local market analysis and utilising the applicant's vast experience in the industrial and logistics sector. The building has been designed on a speculative basis and provides flexibility for a range of B1(E(g)), B2 and B8 occupiers. The ground floor comprises predominantly of warehouse / production space with the office entrance lobby situated in the south eastern corner adjacent to the main access road. A generous entrance lobby provides access to the first floor offices via a single staircase. Allowance is also made for the future installation of a platform lift. A personnel entrance door is provided to the warehouse areas direct from the lobby. The lobby also includes an accessible W/C and shower room. The warehouse space is serviced by two level entry doors leading directly onto the external service yard. Natural daylight to the warehouse space is provided by roof lights.
- 3.49 The first floor office is located on the southern side of the building. The office incorporates glazing on both of its external walls providing an active frontage along the main spine road. The first floor office amenities include separate male and female toilets which can be accessed from the central lobby. A kitchen area is also provided within the open plan office space.
- 3.50 The consultation response originally received from Essex County Council Place Services Urban Design, although not raising any major objection, raised a number of points which required further justification from an urban design perspective, to ensure that these proposals have considered the previously approved outline application, design code and wider approach to the business park. In summary, it required further justification around the layout arrangement of the proposed site and how this addresses a primary frontage to the spine road. The design of the building is supported and conforms to the code. Questions were raised over the approach to the layout arrangement of the site, as the view expressed by Urban Design was that the proposal did not reflect the indicative approach shown within the outline application and design code. Urban Design indicated that it appreciated that uses of the sites will require certain requirements which in turn impact of site layout, access, etc.
- 3.51 It is noted that Essex County Council Place Services Urban Design indicated in its consultation response, that the design code provides some key principles for this particular plot, where the main concern focuses on what should be a primary frontage addressing the spine road. The concern raised was that the reorientation of the built form and parking arrangement has now

provided a mixed approach where the primary frontage is shared with a service yard and security fencing. The car park's location also conflicts against the main vehicle entrance to the community rugby facility where it would have been expected for strong built frontages to identify this entrance, as opposed to a car park/service yard. Urban Design commented further in that it would have expected a clear design narrative around how the site has been developed in line with the design code, current restrictions and to highlight how these can be overcome to conform with the wider development and design code. In terms of the building design itself, the proposals are understood to illustrate the use of metal composite cladding with varying sheet profiles and contrasting colours. The use of neutral colours, along with vertical and horizontal as well as a raised parapet roof form help to create a contemporary approach to what will be used predominantly as an industrial unit.

- 3.52 Urban Design commented that the proposals for an active frontage at the south-eastern corner of the building is welcome and creates a more subservient character to the elevation at the main pedestrian entrance. Combined with the floor-to-ceiling height windows on the ground floor, surveillance into the spine road entrance and car park and location of cycle storage, this area provides a safe integration between this particular site and the rest of the business park. Urban Design suggested that to further enhance this active frontage strategy, it was recommended to explore the inclusion of outdoor seating areas for office workers, to provide alternative spaces for their lunch breaks within the green buffers of the site.
- 3.53 The agent submitted a response in relation to the points raised which was as follows: "The indicative masterplan showed a typical office unit on this plot. It was not the intention of the masterplan to fix the location of uses; rather, the masterplan simply shows one possible outcome. This plot is now proposed to accommodate another policy compliant use(s) (B2/B8) and as such this requires a different site configuration to facilitate factors such as HGV servicing. Access into the site will be via the spur road leading to the Rugby Club in order to reduce the number of bell mouth junctions on the looping spine road and maintain a continuous shared cycle/footpath route east to west. Vehicular access on this side also avoids conflict with future access to plots south of the spine road. By providing vehicular access from the east of the site the service yard and parking areas are to be also located on this side to allow for suitable vehicular movement within the site adjacent to the loading doors."
- 3.54 Urban Design provided further comment in its second consultation response to this point indicating that the matters behind the differences in layout arrangement between the proposals and the indicative masterplan are now understood. Due to the alternative use of this land as a B2/B8 industrial site as opposed to a purely office building location, it is clear that this requires a site configuration capable of meeting its subsequent needs to facilitate other services.

- 3.55 The agent provided further comment on the layout to the following effect: “The layout of the building has been configured to place the ancillary office accommodation on the south-east corner of the building so to provide visual interest at the corner and creating active frontages on two sides. We understand that it is important that the building engages with the street scene and therefore the decision has been taken to make the south elevation the principal frontage and as such the office accommodation is orientated accordingly. The specific internal requirements of B2/B8 buildings limit the suitability of glazing on other elevations and so visual interest and activity across the frontages has been created through the handling of materials and colour which includes the contrasting vertical banding of the upper part of the building, grounded by a horizontal plinth. The banding becomes more intense on the south western elevations so as to celebrate the corner of the building, similarly at the north eastern corner. Material type, colour and form are each complementary of new and emerging development at the business park. In addition, for further visual interest and enhanced internal natural daylight, proprietary polycarbonate translucent cladding panels are proposed above the loading doors that will provide a gentle glow to the elevation at dusk.”
- 3.56 Urban Design provided further comment in its second consultation response to this point indicating that previous concerns were raised in regard to the lack of relationship between the proposed built form and access route heading towards the nearby Rugby Club; however, it is understood that the nature of the building and use of the site limits the capabilities of creating multiple active frontages that allow for further reaching views and relation to the external context of the site. The inclusion of the polycarbonate translucent cladding panels above the main loading doors of the building is a welcome addition to provide added elevational interest to the built form.
- 3.57 The agent provided further comment in relation to the development and its relationships with Design Codes to the following effect “The site and building design has been developed in accordance with the approved Design Codes. It is indicated that the building has been positioned so that its principal frontage addresses the primary spine road. The building line set back is greater than 4.35m from back edge of footpath. The building height is in accordance with the Code. Office accommodation has been positioned on the southern side to benefit from solar gain and natural light. The building is not sited within the 10m easement zone of the water main. In terms of security the building and site has been designed to the principles of Secured by Design. Façade materials are in accordance with the Code. Vibrant colours have been avoided alongside the northern boundary and large areas of bright colour across the elevations generally have been avoided. The roof profile is compliant with previously established design principles (shallow pitch behind a raised parapet). Materials have been selected based on durability and weathering properties. Car parking will benefit from natural surveillance from the office. Sufficient turning and parking space has been provided.

- 3.58 The agent comments that cycle parking is located close to the building entrance and does not obstruct pedestrian flow. These are also located in an area benefiting from natural surveillance and will be well lit. Showering facilities are provided within the building for cyclists. Boundary fencing has been incorporated into shrub planting. Permeable block paving is proposed for parking bays in contrasting colour with concrete slab paving provided around the curtilage of the building. Regular tree planting along the road edge is to be provided whilst the plot frontage is to incorporate shrub planting of native species.
- 3.59 On the basis of this response in relation to Place Services Urban Design's initial comments, Place Services Urban Design responded indicating that it appreciated the clarity behind the justification as to how the proposals respond to the approved design codes and it is now clear that this scheme is compliant with the headline points outlined. No plan of external seating has been received by the local planning authority; however, this can and is covered by condition. Place Services Urban Design confirmed that the addition of outdoor seating is considered to be a welcome addition to the site due to the points already raised within the initial response document. In summary, Place Services Urban Design confirmed that, having received further justification around the layout arrangement of the proposed site, how the frontages are to address the spine road, as well as a clear identification as to how the scheme responds to the outline design code, it supports the application submitted.

Landscaping

- 3.60 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.
- 3.61 Condition 19 of the approved outline application requires all Reserved Matters applications to accord with the principles of design, as set out in the landscape and design codes. The codes are not intended to fix the design or predetermine the requirements for each of the separate Reserved Matters applications which are to follow the outline approval, but rather set out principles for the design elements of the scheme. 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 the subject of Reserved Matters approval.
- 3.62 The application sets the view that the site has been arranged to preserve and enhance the existing green buffers along the northern and western edges which helps to integrate the site into the natural setting. Ornamental shrubs and tree planting are proposed around the curtilage of the site. Although the location and number of trees are shown on the visuals and site block plan no specific detail has been submitted setting out the tree species type nor their

height at the time of planting. It is noted that the application states that type and species are to be selected that complement the wider business park and accord with the Landscape Design Code. This matter, including the details of shrub species which visually interplay and screen the perimeter fence, it is recommended, are covered by a condition requiring details for the written approval of the local planning authority and subsequent implementation is in accordance with the approved details.

- 3.63 The application indicates that hard landscaping is used on the 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, on all sides, a 2.4m high painted steel paladin mesh fence in black colour. The car park / service yard will have inward opening access gates. The fence will provide the required security to the plot and will be softened by landscaping in front.
- 3.64 It is agreed with what is set out by the application that the landscaping proposals help to demarcate the site boundary and entrance whilst also providing aesthetic relief from the hard landscaped areas for parking and service yards. The specification of the planting is to be easily maintainable and taking account of opportunities for crime, for example, by not restricting natural and formal surveillance. Waste containers are located away from the buildings in a secure bin store, details of which are to be agreed with the Local Planning Authority. Their location prevents opportunities for climbing and for the contents to be used to start fires. 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.

Scale

- 3.65 The Town and Country Planning (Development Management Procedure) (England) Order 2010 (SI 2010/2184) defines 'scale' as the height, width, and length of the proposed buildings.
- 3.66 The height of the building, as shown by the elevation drawings and section plans, is a maximum of 10.5m and 9.55m to the eaves which is hidden behind a raised parapet of 10.3m in height. The section drawing places the floor level comparatively level with the existing level of the ground which is taken as a given level against the level of the spine road. The depth of the building front to the rear is shown to be 33.7m with the width being 33m across. It is considered there is no unacceptable aspect in the development by reason of scale, which is modest. It is considered that the height of the proposed development falls within the parameters set out within the Design Code conceived at outline stage, rendering the development contextually appropriate given the parameters set out by the Master Plan. It is considered that the development is acceptable in terms of its scale.

4 CONSULTATIONS AND REPRESENTATIONS

- 4.1 Essex County Council Development and Flood Risk Environment and Climate Action: No objection.
- 4.2 Essex County Council Place Services Urban Design: No objection further to the justification sought by Place Services in relation to the layout in particular and the applicant's further explanation (which is covered within the main section of the report).
- 4.3 Rochford District Council Strategic Policy & Economic Development (combined response): No objection.

5 EQUALITY AND DIVERSITY IMPLICATIONS

- 5.1 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
- 5.2 The Equality Impact Assessment (EIA) indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

6 CONCLUSION

- 6.1 This Reserved Matters application defines by description the limited scope of consideration under reserved matters including access, appearance, layout, scale and landscaping, the details of which are considered to be acceptable.
- 6.2 This Reserved Matters application is to be read in conjunction with the terms of the outline planning permission reference 15/00781/OUT which addresses and safeguards via conditions matters relating to BREEAM, surface water drainage and infrastructure works, including strategic landscaping such that these matters need not be revisited as part of this Reserved Matters approval.



Marcus Hotten

Assistant Director, Place and Environment

Relevant Development Plan Policies and Proposals

National Planning Policy Framework (July 2021)

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

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

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