

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.
- 2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Unit 1 plans:

Phase 1 Site - Plan Ref 23131-C4P-80-S01XX-D-A-8003_P07
Phase 1 Drainage Plan Ref 180-XOS-XX-XX-DR-C-5570_P1
Unit 1 Proposed Surfaces and Boundary Treatments Ref 23131-C4P-15-S01XX-D-A-1501-C03_P01
Unit 1 GA Roof Plan Ref 23131-C4P-80-B0100-D-A-8004_P03 (Annotated)
Unit 1 GA Roof Plan as Proposed Ref 23131-C4P-80-B0100-D-A-8007_P01 (Clean)
Unit 1 GA elevations Ref 23131-C4P-80-B01ZZ-D-A-8005_P03 (Annotated)
Unit 1 GA elevations Ref 23131-C4P-80-B01ZZ-D-A-8008_P01 (Clean)
Unit 1 GA Building Plan Ref 23131-C4P-80-B0100-D-A-8003_P04
Unit 1 Site Sections Plan Ref 23131-C4P-14-S01XX-D-A-1404_P04
Unit 1 Site Enabling Works Plan Ref 23131-C4P-00-S01XX-D-A-0005_P03
Unit 1 Construction Phase Logistic Site Plan Ref 23131-C4P-11-S01XX-D-A-1105_P02
Unit 1 Material Schedule Ref 23131-C4P-90-XXX-XX-L-A-9003-P02
Unit 1 Landscape Masterplan Ref 23131-C4P-15-S01XX-D-A-1502_P03
Lighting Plans
CMP
Transport Note Ref 4446.TN02

Development plans:

Site Phasing - Plan Ref 23131-C4P-11-S01XX-D-A-1104_P02
Location Plan ref: 23131-C4P-80-S01XX-D-A-8001_P03
Existing site plan ref: AS 763 02, and Photographic study sheets;
~~*Unit 1 GA Roof plan AS 763-05 rev.B*~~
~~*Unit 1 GA elevations ref: AS 763-06 rev.D;*~~
Unit 2 GA Building plan ref: AS 763-07 rev.C (notwithstanding to any annotated reference to Cash and Carry use);
Unit 2 GA Roof plan AS 763-09 rev.A
Unit 2 GA elevations ref: AS 763-010 rev.B;
Proposed Cross sections ref: AS 763-011, Phase 1 will accord by the Ref 23131-C4P-14-S01XX-D-A-1404_P02 plans;
Enabling works plan with MMC demise overlaid ref: AS763-SK15 rev.A, Phase 1 will accord by the Ref 23131-C4P-00-S01XX-D-A-0005_P03 plans;
Lighting plan ref: D40759/RD/B (notwithstanding parking layout), Phase 1 will accord with the details to be provided;
Proposed perimeter fencing elevations ref: AS763-14, Phase 1 will accord with the 23131-C4P-15-S01XX-D-A-1501_P01 plan.
Landscape Masterplan ref: 49068 101 rev. A received 12th May 2022, Phase 1 will accord with the 23131-C4P-15-S01XX-D-A-1502_P03 plan.
Design and Access Statement rev.A (AS763 DMR E)
Air Quality Assessment Ref: MAN.1969.AQ.001 .R.0 02 February 2022 Crime Impact Statement V.1 January 2022
Energy Statement ref: CSS 1108 dated 16th February 2022
2.0 Outline Statement for Demolition works by P.P. O'Connor
Planning Statement April 2022
New Warehouse Construction Phase Logistics Site Plan ref: 20777 SK/CPL1 – Phase 1 will accord with Ref 23131-C4P-11-S01XX-D-A-1105_P02.

Construction Management Plan (notwithstanding the work finish time on Saturdays),
updated CMP details to be provided for Phase 1.

Transport Statement by Russell Construction April 2022

Technical Note ref:01 July 2022 (3044)

Waste Management Strategy Proforma

E3P Noise Impact Assessment reference 50-110-R1- 4 dated February 2022

Arboricultural Implications Report Ref: TRE/BRM/Rev C 14th February 2022 (including tree survey);

Arboricultural Method Statement Ref: TRE/BRM/Rev C 14th February 2022

E3P Preliminary Ecological Appraisal Report Ref: 80-261- R3 -3 23rd February 2022;

Flood Risk Assessment and Drainage Strategy - prepared by EMM Ltd;

Russell WBHO Investigative Works to Establish the Location of the Cornbrook Tributary as shown on Arcmap GIS information dated 12th July 2022;

Wholesale Market Drainage Layout;

Underground Services Survey ref: 211016 sheet 03; Underground Services Survey ref: 211016 sheet 04;

E3P Ground Gas Addendum report Smithfield Market Lawton Street ref: 12-757 L1 dated 29th March 2019;

E3P Phase I Geo- Environmental Site Assessment Ref: Report No.12-757-R3 - 1, dated July 2020

E3P Phase II Geo-Environmental Site Assessment. Ref: Report No. 12-757-R2 - 1 dated July 2020.

E3P Supplementary Ground Investigations Report Area 1 ref: 12-757- L4-01 15th December 2020;

E3P Supplementary Site Investigation ref: 12-757-L5 3rd March 2022;

Email from agent dated 26.05.2022 confirming the weldmesh fence colouration as green.

Email from agent dated 30.05.2022 confirming the Lawton Street access will be for emergency vehicles only.

Highways Technical Note 01 - JULY 2022 (3044) and Proposed Site Layout plan ref: AS763-03 rev.G received 14th July 2022, *Phase 1 to accord with proposed site plan Ref 23131-C4P-80-S01XX-D-A-8003_P07*

Proposed site plan ref: AS763-03 rev.H, *Phase 1 to accord with proposed site plan Ref 23131-C4P-80-S01XX-D-A-8003_P07.*

Unit 1 GA building plans ref: AS763-04 rev.D;

Unit 2 Office Area plans ref: AS763-08 rev.D; received 3rd August 2022.

Drainage Separator details ref: HC-21093-(30)- 004, *Phase 1 to accord with proposed drainage details to be provided.*

Manhole Details and Sections plan ref: HC-22121- (30)-003, *Phase 1 to accord with drainage details to be provided.*

Ground Gas Addendum report Smithfield Market Lawton Street ref: 12-757- R5-1 dated July 2022;

Remediation and Enabling Works Strategy New Smithfield Market ref: 12- 757- R4-4received 15th August 2022, *Phase 1 to accord with proposed plan Ref 23131-C4P-00-S01XX-D-A-0005_P03*

Flood and drainage Assessment dated August 2022 ref: 146B31-FRDA/03 ;

Drainage Site Layout GA plan sheet 1 of 2 ref: HC-22121- (30)-001;

Drainage Site Layout GA plan sheet 2 of 2 ref: HC-22121- (30)-002; received 17th August 2022 – *notwithstanding the above details listed above. Phase 1 hereby approved shall be carried out in accordance with the following drainage document Ref: 180-XOS-XX-XX-DR-C-5570;*

Completed waste proforma received 22nd August 2022;

3) *Phase 2 of the development hereby approved shall be implemented in accordance with the submitted construction management plan, with the exception that any Saturday*

working shall finish at 14:00 hrs. *Phase 1 shall be implemented in accordance with Construction Management Plan to be provided.*

4) Notwithstanding the materials annotated on the submitted plans, prior to above ground works *on each phase as shown on plan Ref 23131-C4P-11-S01XX-D-A-1104_P02*, samples and specifications of all materials to be used on all external elevations of the development shall be submitted to and approved in writing by the City Council as local planning authority. The development shall be carried out in accordance with the agreed details.

5) a) The development shall be implemented in accordance with E3P Phase I Geoenvironmental Site Assessment (Ref:12-757-R3-1 Dated July 2020). *Phase 1 shall be carried out in accordance with the details provided within the Ref CDN/22/0879 application, which was approved on the 20th of February 2023.* As the E3P Phase I Geoenvironmental Site Assessment (Ref:12-757-R3-1 Dated July 2020) identifies risks which in the written opinion of the Local Planning Authority require further investigation, no development *on Phase 2 as shown on plan Ref 23131-C4P-11-S01XX-D-A-1104_P02*, other than works that relate solely to demolition, shall take place until a scheme for the investigation of ~~the site~~ *Phase 2* and the identification of remediation measures *for that phase* (Site Investigation Proposal and Remediation Strategy) has been submitted to and approved in writing by the City Council as local planning authority.

The measures for investigating the site identified in the Site Investigation Proposal *for phase 2* shall be carried out, before development commences and a report prepared outlining what measures, if any, are required to remediate the land (the Site Investigation Report and/or Remediation Strategy) which shall be submitted to and approved in writing by the City Council as local planning authority.

b) When the development commences, the development *of each phase* shall be carried out in accordance with the previously agreed *for that phase* Remediation Strategy and prior to occupation *of each phase* a Completion/Verification Report shall be submitted to and approved in writing by the City Council as local planning authority.

In the event that ground contamination, groundwater contamination and/or ground gas, not previously identified, are found to be present on the site at any time before the development in each phase is occupied, then development shall cease and/or the development shall not be occupied until, a report outlining what measures, if any, are required to remediate the land (the Revised Remediation Strategy) is submitted to and approved in writing by the City Council as local planning authority and the development shall be carried out in accordance with the Revised Remediation Strategy, which shall take precedence over any Remediation Strategy or earlier Revised Remediation Strategy.

6) ~~No development~~ *Development of each phase shown on plan Ref 23131-C4P-11-S01XX-D-A-1104_P02*, other than works that relate solely to demolition, shall *not* take place until surface water drainage works have been implemented *for that phase* in accordance with Non- Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority.

7) ~~No development hereby permitted shall be occupied until~~ *Prior to occupation of each phase of development, as shown on plan Ref Ref 23131-C4P-11-S01XX-D-A-1104_P02*, details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- o Verification report providing photographic evidence of construction as per design drawings;
- o As built construction drawings if different from design construction drawings;
- o Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

8) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

9) Notwithstanding the planting details on the Landscape Masterplan ref: 49068 101 rev. A , no development on Phase 2 as shown on plan Ref 23131-C4P-11-S01XX-D-A-1104_P02, other than works that relate solely to demolition shall commence until a hard and soft landscaping treatment scheme (including tree planting) for Phase 2 has been submitted to and approved in writing by the City Council as local planning authority. The approved landscape scheme for Phase 1 Ref 23131-C4P-15-S01XX-D-A-1502_P03 and the future approved hard and soft landscaping scheme for Phase 2 shall be implemented not later than 12 months from the date the buildings are first occupied. If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place.

10) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained in the Arboricultural Method Statement Ref: TRE/BRM/Rev C 14th February 2022; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

11) The car parking for each phase indicated on plan ref: Proposed site plan ref: AS763-03 rev.H, as superseded by proposed site plan ref: 23131-C4P-80-S01XX-D-A-8003_P07 for phase 1; ~~received by the City Council, as Local Planning Authority, on 3rd August 2022,~~ shall be surfaced, demarcated and made available for use prior to the building in that phase

hereby approved being occupied. The car park **for that phase** shall then be available at all times whilst the development is occupied.

12) a) The electric vehicle charging points indicated on plan ref :Proposed site plan ref: AS763-03 rev.H, **as superseded by proposed site plan ref: 23131-C4P-80-S01XX-D-A-8003_P07 for phase 1; received by the City Council, as Local Planning Authority, on 3rd August 2022** shall be installed and made available for use prior to the building **in that phase** hereby approved being occupied. The electric vehicle charging points shall then be available at all times whilst **that phase of** development is occupied.

b) Finalised details of the additional ducting to enable cabling to ~~the~~ provided to the other parking spaces within **that phase of** development ~~for to~~ enable the future provision electric vehicle charging points, shall be submitted to and approved in writing by the City Council as local planning authority, prior to above ground works being undertaken **in that phase**.

13) a)The development hereby approved shall be completed in accordance with the scheme for the provision of space and facilities for bicycle parking indicated on plan ref :Proposed site plan ref: AS763-03 rev.H, **as superseded by proposed site plan ref: 23131-C4P-80-S01XX-D-A-8003_P07 for Phase 1.**

b) Finalised detailed design and colouration of the cycle shelters to be installed shall **for each phase** be submitted to and approved in writing by the City Council as local planning authority, prior to the occupation of the buildings **in that phase** hereby approved

The approved space and facilities shall then be retained and permanently reserved for bicycle parking.

14) The development hereby approved shall be carried out in accordance with the Air Quality Assessment Ref: MAN.1969.AQ.001 .R.0 02 February 2022, and the Construction Management Plan **approved for each phase as set out in Condition 2** (notwithstanding the work finish time on Saturdays). The approved details shall then be implemented **for each phase** and be in place prior to the first occupation of **each phase of** the development and thereafter retained and maintained in situ.

15) a) **Each phase of** the development hereby approved shall be completed in accordance with the physical security specifications outlined within Section 7 of the Crime Impact Statement Version 1.0 dated January 2022, received by the Local Planning Authority on 12th May 2022, in relation to the measures to be incorporated into the development to achieve the secure by design accreditation.

b) **Each phase of** the development hereby approved shall not be occupied or used until the Council as local planning authority has acknowledged in writing that it has received written confirmation of a secured by design accreditation.

16) a) The development hereby approved shall be implemented in full accordance with the measures as set out within the Energy Statement completed by Complete Sustainability Solutions Ltd (ref:CSS 1108) dated 16th February 2022, received by the Local Planning Authority on the 12th May 2022 including measures to secure predicted carbon emissions and the attainment of specified environmental efficiency and performance.

b) Within 3 months of the completion of the construction of the authorised development a verification statement shall be submitted to and approved in writing, by the City Council as local planning authority, confirming the incorporation of the specified measures in the development, including dated photographic documentary evidence of the implementation and completion of required works.

17) *Each phase of the development hereby approved shall be constructed and operated in accordance with the recommendations and mitigation measures detailed section 5 of the submitted E3P Noise Impact Assessment reference 50-110-R1- 4 dated February 2022 in relation to the control of any noise impacts of the operation of the that phase of development outlined in the City Council's Planning & Noise Technical Guidance. The development shall be operated in accordance with this scheme for as long as the development is in operation.*

18) a) *Externally mounted ancillary plant, equipment and servicing for each phase shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.*

The A scheme for each phase shall be submitted to and approved in writing by the City Council as local planning authority in order to secure a reduction in the level of noise emanating from the site. The approved scheme for each phase shall be completed before the premises in that phase is occupied.

b) *Upon completion of the development a verification report for each phase will be required to validate that the work undertaken throughout the development conforms to the recommendations and requirements in the approved acoustic report. The report shall also undertake post completion testing to confirm that the noise criteria has been met. Any instances of non-conformity with the recommendations in the report shall be detailed along with any measures required to ensure compliance with the agreed noise criteria.*

19) *Prior to the first occupation of each phase the development hereby approved, a HGV Routing Strategy for that phase shall be submitted to and approved in writing by the City Council as the Local Planning Authority. The Each phase of the development shall then be operated in strict accordance with the approved strategy for that phase for as long as the development is operational.*

20) *The details of the approved Waste Management Scheme (including waste management plan and waste proforma) shall be implemented for each phase as part of the development and shall remain in situ whilst the use or development is in operation.*

21) *Prior to the first occupation of each phase the development hereby approved, finalised designs of bin stores for that phase shall be submitted to and approved in writing by the City Council as the Local Planning Authority. The development shall then implemented in accordance with the approved scheme*

22) *Deliveries, servicing and collections, including waste collections to the buildings hereby approved, shall not take place outside the following hours: 07:30 to 20:00, Mondays to Saturdays, with no deliveries/waste collections on Sundays/Bank Holidays*

23) a) *The external lighting shall be implemented in accordance with the locations shown on plan ref: Lighting plan ref: D40759/RD/B (notwithstanding parking layout) as superseded by the lighting plan to be provided for Phase 1.*

b) *Prior to the installation of the proposed lighting for each phase, finalised details of the location of the wall mounted lanterns on that phase shall be submitted to and approved in writing by the City Council as local planning authority. The details of the approved scheme for each phase shall be implemented as part of the development of that phase and shall remain in situ whilst the use or development is in operation.*

24) If any lighting ~~at~~ **on each phase of** the development hereby approved, when illuminated, causes glare or light spillage which in the opinion of the Council as local planning authority causes detriment to adjoining and nearby properties, within 14 days of a written request, a scheme for the elimination of such glare or light spillage shall be submitted to the Council as local planning authority and once approved **on that phase** shall thereafter be retained in accordance with details which have received prior written approval of the City Council as Local Planning Authority.

25) The development hereby approved shall be completed in accordance with the proposed boundary treatments shown on plan ref: Proposed site plan ref: AS763-03 rev.H., **as superseded by proposed site plan ref: 23131-C4P-80-S01XX-D-A-8003_P07 for Phase 1**, and Proposed perimeter fencing elevations ref: AS763-14; in relation to the positions, design, materials and type of boundary treatment to be erected in this area of the site. The boundary treatment **for each phase** shall be completed before **that phase of development** is first occupied. The development shall be carried out in accordance with the approved details **for each phase** and shall thereafter be retained.

26) No removal of or works to any hedgerows, trees or shrubs **on each phase** should take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

27) Prior to any above ground works of **each phase of** development hereby approved, a scheme for delivering biodiversity enhancement **for that phase** at the site, shall be submitted to and approved in writing by the City Council as the local planning authority. The biodiversity enhancement measures for **each phase of** the development shall be implemented in accordance with the approved scheme, prior to the occupation of the building **in that phase**.

28) (a) Three months prior to the first use of ~~the either of the two buildings~~ **each phase** hereby approved, a Local Benefit Proposal Framework **for that phase**, that outlines the approach to local recruitment for the end use(s), shall be submitted for approval in writing by the City Council, as Local Planning Authority. The approved document shall be implemented as part of the occupation of **that phase of** the development.

In this condition a Local Benefit Proposal means a document which includes:

- i) the measures proposed to recruit local people including apprenticeships
- ii) mechanisms for the implementation and delivery of the Local Benefit Proposal
- iii) measures to monitor and review the effectiveness of the Local Benefit Proposal in achieving the objective of recruiting and supporting local labour objectives

(b) Within 6 months of the first use of the **each phase of** development, a Local Benefit Proposal **for that phase**, which takes into account the information and outcomes about local labour recruitment pursuant to items (i) and (ii) above shall be submitted for approval in writing by the City Council, as Local Planning Authority. Any Local Benefit Proposal approved by the City Council, as Local Planning Authority, shall be implemented in full at all times whilst the use is operation.

29) The two units hereby approved be shall each be occupied as a Class B8 use and for no other purpose in the Town and Country Planning (Use Classes) Order 1987 , (as amended), or in any provision equivalent to that Class in any statutory instrument revoking

and re-enacting that Order with or without modification. The first use of each of the units to be implemented shall thereafter be the permitted use of that unit.