

05 October 2023
Delivered via the Planning Portal

Mr Mike Ovenden
Planning Department
Brentwood Borough Council
Town Hall
Ingrave Road
Brentwood
CM15 8AY

Ref: GOOS3000

Dear Mr Ovenden,

MINOR-MATERIAL AMENDMENT APPLICATION (SECTION 73)
UNIT 3A, EAST HORNDON BUSINESS PARK, TILBURY ROAD, WEST HORNDON

On behalf of our client, Goodman, we are pleased to submit an application for a Minor-Material Amendment (Section 73) in relation to full planning permission ref. 22/01751/FUL which approved the construction of a Class B2 / B8 building at the site Land South of East Horndon Hall, Tilbury Road, West Horndon, Essex, CM13 3LR.

BACKGROUND

Full planning permission, granted on 6th June 2023 (ref. 22/01751/FUL), permits the development of a Class B2 / B8 building (industrial and storage and distribution including ancillary office provision), with associated access, vehicle and cycle parking, servicing, landscaping, and infrastructure.

The consented building has a total GIA of 4,722 sqm, of which 1,574 sqm is Use Class B2, and 3,148 sqm is Use Class B8.

A Non-Material Amendment application relating to a revised plant deck within Unit 3a was approved by the Council on 21st August 2023 (ref. 22/01751/NON/1).

PURPOSE OF THIS APPLICATION

This Section 73 application relates to minor changes to the internal layout of Unit 3a, as well as the addition of windows at certain elevations. The proposed amendments include:

- Provision of 774 sqm additional mezzanine floorspace at the first floor (to comprise B8 floorspace and ancillary office).
- Provision of three new windows and incorporation of a larger door on the northeast elevation.

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- Provision of three new windows on the southwest elevation.
- Change in the colour of the office feature flashing at the building entrance from green to blue.

The table in Appendix 1 of this letter provides a comparison between the currently approved plans, and the plans proposed to form this S73 application.

Unit 3a, which is subject to this S73 application, was originally designed to meet the specific requirements of an anticipated occupier, however, that occupier is no longer locating at East Horndon Business Park. Goodman (the applicant) is now in advanced discussions with a new occupier for Unit 3a. This new occupier requires some minor changes to the design of the building in order to suit their specific operational requirements.

Increase of Mezzanine

The new occupier requires an enlarged mezzanine area in order to provide additional flexibility for future operations within the building. The mezzanine also takes into account minor changes to the internal configuration of the ground floor including the formation of an ancillary customer area. This change is internal only and does not affect the external appearance of the building.

It is acknowledged that this internal change will result in an increased area of floorspace, with the addition of 774 sqm, resulting in a total building floor space of 5,496 sqm.

Highways Impact

The Transport Technical Note (ref. 18073/N01) has been prepared and submitted with this application to demonstrate that there will not be a negative impact on the highway network as a result of a minor increase in trip rates related to the increased floorspace.

The uplift in floor area is forecast to generate a total of 36 two-way trips in the morning peak hour and 30 in the afternoon peak hour. This is an increase of only 10 two-way trips in the morning peak hour and 9 in the afternoon peak hour, when compared to the consented scheme (ref. 22/01751/FUL).

It is also acknowledged that the increase in floor area for Unit 3A, and the resulting increase to the trip generation, will also increase the trip generation for the wider East Horndon Business Park. Table 6 within the Transport Technical Note demonstrates that whilst the trip generation for the wider Business Park will increase to 170 two-way trips in the morning peak hour and 145 two-way trips in the afternoon peak hour, this still falls below the maximum trip generation as set out in the outline consent ref. 19/00315/OUT (280 two-way trips in the morning peak hour and 233 two-way trips in the afternoon peak hour).

The parking arrangement will not change as a result of the updated layout for Unit 3a. This is due to there being sufficient capacity within the consented car parking provision to accommodate the additional trips by car to the site.

Elevational Changes

The six additional windows, as highlighted above, will provide enhanced daylight into the interior of the building, resulting in an improved working environment, and will also result in a more interesting external appearance of the building. The location of these windows are show on the submitted Elevation Plan (ref. 31795-FE-14 rev C) and will not result in any amenity issues such as overlooking.

The change to the feature colour of the building entrance, from green to blue, is required to reflect the branding colours of the new intended occupier. It was always anticipated that the colour of the building would need to change to reflect the specific occupier, and the green shown on the original plans acted as a place holder. The signage across East Horndon Business Park will still be consistent across all areas of the Park, providing a clear visual identity of this Business Park, despite the various occupiers within.

MINOR-MATERIAL AMENDMENT

Section 73 of the Town and Country Planning Act 1990 enables local planning authorities in England to make a change to any planning permission relating to land in their jurisdiction where they are satisfied that the change is not material.

It is worth highlighting that there is no definition of what constitutes a minor-material change within the legislation, as such, each Minor Material Amendment application is judged by the Council on its own merits.

In this case, the changes proposed are considered to be minor and do not materially change or alter the scheme from what has previously been approved.

The parameters established by the approved full planning permission, and the NMA approved in August 2023, are fully respected within this Section 73 application and the use, scale, form, height, mass, and materiality of the proposed development remain as originally approved. The design of the development proposal remains of a high quality, and is in accordance with Policy E13 (East Horndon Hall) of the Local Plan 2016 - 2033.

The submitted Transport Technical Note concludes that there will be a negligible increase and the overall trip generation forecast for the individual site and the wider the business park, which is within the maximum trip generation set out in the original outline consent.

As mentioned, the proposed changes have come about in response to specific requirements from a prospective occupier, and are therefore important to secure the occupancy of Unit 3a.

It is considered that the proposal provides acceptable amendments to the Unit 3a permission and this S73 application is made to regularise the currently approved plans and to ensure that they reflect what is intended to be built.

INFORMATION SUBMITTED

To enable the Council to consider the application, please find enclosed the following information, which has been submitted via the planning portal under reference PP-12489265:

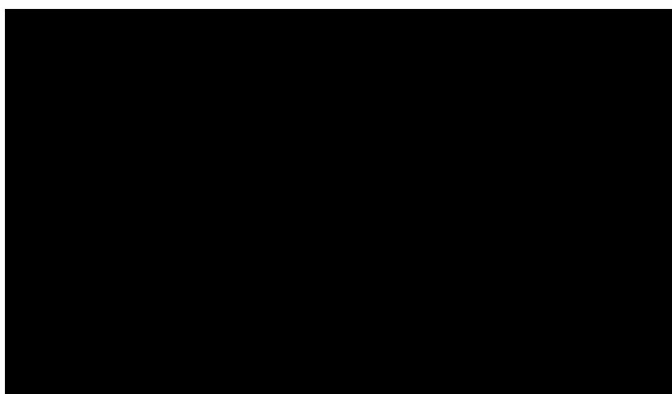
Plan / Document	Reference
Application Forms	PP-12489265
Cover Letter	05 October 2023
GA Floor Plans – Unit 3a	31795-FE-13 rev F
Elevations Plan – Unit 3a	31795-FE-14 rev C
Sections Plan – Unit 3a	31795-FE-16 rev B
Transport Technical Note	18073/N01

The requisite planning application fee of £298 has been paid via the Planning Portal.

The Planning Portal does not have specific application forms relating to Minor Material Amendment applications. The Planning Portal outlines that all Minor Material Amendment requests need to be submitted in writing using an existing section 73 procedure (*'Application for removal or variation of a condition following grant of planning permission'*). As such, this Minor Material Amendment application has been submitted using the *'Application for removal or variation of a condition following grant of planning permission'* forms.

I trust you will find the application to be in order and look forward to confirmation of validation. Should you require any further information or clarification please do not hesitate to contact me.

Yours sincerely,



Appendix 1: Comparison of Plans

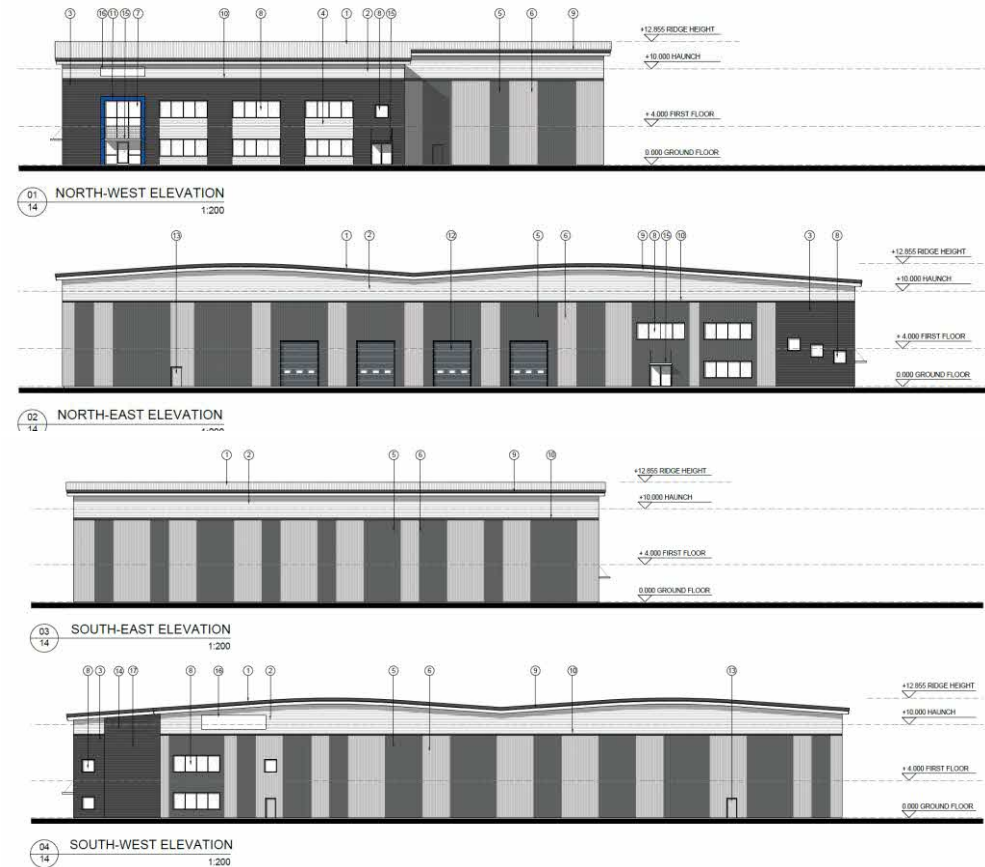
Approved Plan

Elevations (ref. 31795-RE-450 rev B)



Proposed Plan

Elevations (ref. 31795-FE-14 rev C)



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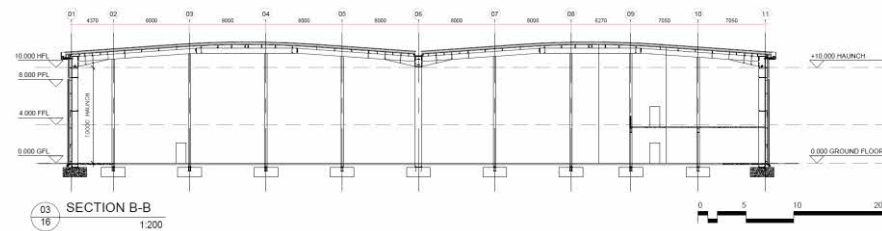
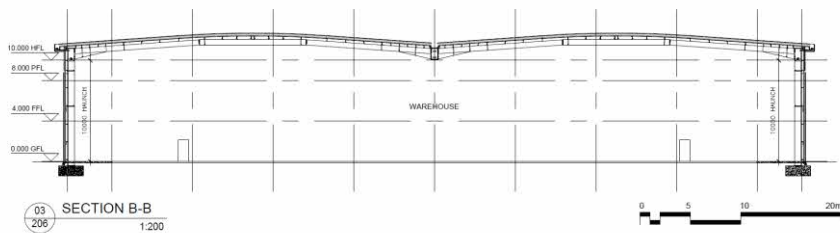
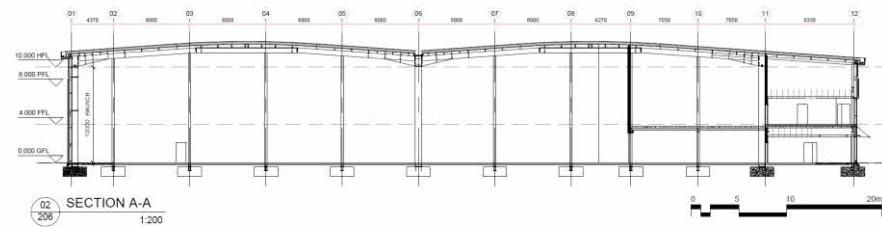
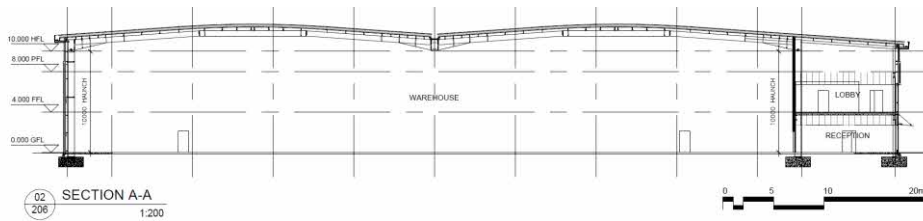
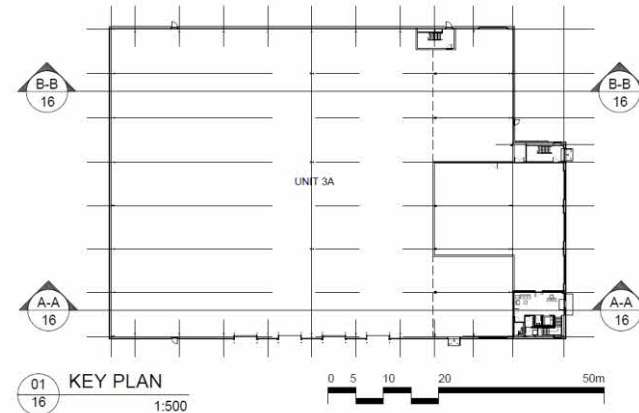
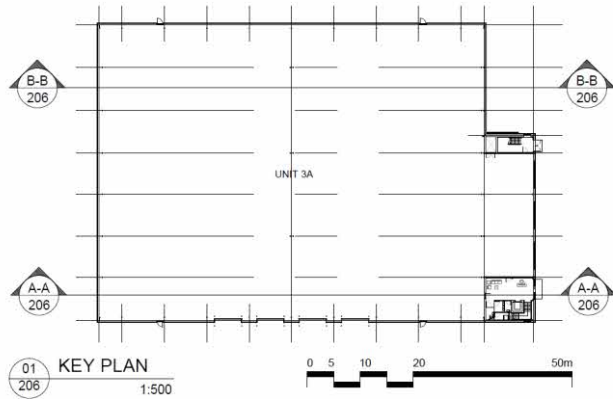
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Approved Plan

Sections (ref. 31795-PL-206)

Proposed Plan

Sections (ref. 31795-FE-16 rev B)



Approved Plan

GA Floor Plan (ref. 31795-RE-410 rev C)

Proposed Plan

GA Floor Plan (ref. 31795-FE-13 rev F)

