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Item No: 7.1

Application: 212019

Agent: Miss Jessica Ferguson, MRPP

Proposal: Addition of up to 2,323sqm at first floor/mezzanine level to units A4, A5, A6 and C for use as retail floorspace

Location: Stane Park Site, Essex Yeomanry Way, Stanway, Colchester

Ward: Stanway

Officer: Lucy Mondon

Recommendation: Approval subject to conditions

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee because it constitutes a major planning application where a material planning objection has been received.

2.0 Synopsis

- 2.1 The application seeks planning permission for additional first floor/mezzanine floorspace in part of a retail development at Stane Park, Stanway. The application site is located in a strategic employment area in both the adopted and emerging local plan, although the site has been developed for retail purposes in accordance with planning permission (originally granted in 2019).
- 2.2 The key issues for consideration are the vitality of town centres (given the out of centre location and both national and local planning policy requirements) and highway impact.
- 2.3 Having given due regard to relevant planning policy requirements, as well as other material planning considerations, the application is subsequently recommended for approval subject to conditions.

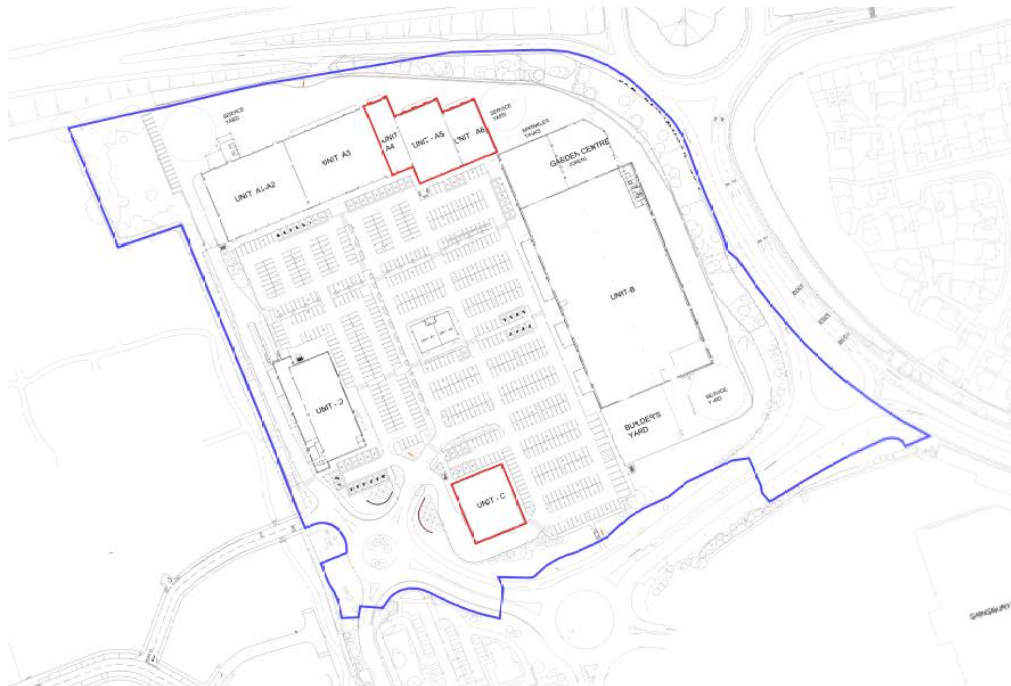
3.0 Site Description and Context

- 3.1 The application site forms part of Stane Retail Park, a recent development of a number of retail units nearing completion, with some units (such as B&Q and Aldi) having opened for business. The site measures approximately 6.89 hectares in total; the planning application relates to a small proportion of this. The site is bounded by the A12 to the north, Essex Yeomanry Way A1124 to the east and south, and residential development to the west. The site forms part of the wider 'Stane Park', the first phase of which was completed in 2018 with a range of restaurants and drive-through food/drink outlets in operation.
- 3.2 The site is on the westernmost boundary of Stanway Ward (adjoining Marks Tey and Layer Ward) and is allocated in the adopted local plan and emerging plan as a Strategic Employment Zone within the Stanway Growth Area. Immediately west of the site is the Wyvern Farm residential development, which is now largely completed; established residential development lies to the east. The Stanway Urban District Centre is located to the south-east of the site, comprising of a Sainsbury's supermarket and existing development at the Tollgate Centre, Tollgate West, and Tollgate East.
- 3.3 The site is recorded as being Grade 2 Agricultural Land (although it has now been developed as a retail park) and it is within a Flood Zone 1. There are no Public Rights of Way (PROW) within or adjacent the site; the closest PROW being number 149_4 approximately 300 metres to the south-west of the site, running south from London Road.

- 3.4 The site is relatively level with the road at the southern boundary, becoming lower in level than the road at the eastern and northern boundaries which are densely planted and screen the site from the road. The western boundary with the Wyvern Farm development is again generally level; separation between the two sites being a hedgerow (with additional planting having taken place as part of the previous planning permissions at this site).
- 3.5 The surrounding area has seen considerable development in recent years, that in immediate vicinity of the application site include the Sainsburys site (permitted 2010), Wyvern Farm (permitted 2015), and Stane Park Phase 1 (permitted 2016).

4.0 Description of the Proposal

- 4.1 The application seeks planning permission for up to 2,323sqm of additional first floor/mezzanine within part of a recently constructed retail park. The additional floorspace would be distributed between the units (units A3, A5, A6, and unit C) outlined in red below:



- 4.2 These units, along with the remainder to the northern retail terrace (units A1/A2 and A3) currently benefit from 6,309sqm net retail floorspace, which includes 4,273sqm of mezzanine floorspace, by virtue of planning permission 202105. The current application would essentially enable full first-floor coverage of the retail terrace (units A1-A6 inclusive) and unit C when taking into account the previous permission.

- 4.3 The application is supported by the necessary planning application form and location plan, as well as the following:
- MRPP Covering Letter, dated 15th July 2021
 - Planning and Retail Statement
 - Transport Note
- 4.4 Further retail impact submissions have been made by the Agent throughout the course of the planning application in response to retail consultant and Case Officer comments.

5.0 Land Use Allocation

- 5.1 The site is part of the Stanway Strategic Employment Zone. Site Allocations Policy SA STA3 relates to the Strategic Employment Zone and states:

‘Within the Strategic Employment Zone allocated on the Proposals Map, the following uses will be considered appropriate;

- a) Research and Development, Studio’s, Laboratories, Hi-tech (B1b), Light industrial (B1c), General industrial (B2), Storage and Warehousing (B8). Any such development will be restricted by way of condition to prevent change of use to B1a.
- b) Display, repair and sale of vehicles and vehicle parts, including cars, boats and caravans
- c) Indoor sport, exhibition and conferencing centres.
- d) Business Incubation space (including land within Stane Park).’

- 5.2 The site remains allocated as the Stanway Strategic Employment Zone in the emerging Local Plan (Policy WC1), although it should be noted that the site has been developed for retail purposes in accordance with appeal decisions and planning permission. At the time of writing, at least two of the units (B&Q and Aldi supermarket) are in operation at the site.

6.0 Relevant Planning History

- 6.1 The application site benefits from planning permission (ref: 202105) for a retail park with retail (A1) and restaurant (A1/A3/A5) units. This permission was a variation of an earlier planning permission 193163, which was itself a resubmission of the original planning permission for the retail development of the site (ref: 172935). The permission was subject to a legal agreement and number of conditions.
- 6.2 Immediately south of the application site is Stane Park Phase 1 (Stane Leisure Park) which was granted planning permission following a planning appeal for the development of a pub/restaurant, three restaurant units, and two drive-through restaurant/café units, with associated car parking and landscaping. The details of the applications are as follows:
- 146486 (Appeal Ref: APP/A1530/W/15/3139492)
Pub/restaurant; two restaurant units, with associated car parking and landscaping.
 - 150945 (Appeal Ref: APP/A1530/W/15/3139491)

One restaurant unit and two drive-through restaurant/café units (later varied under planning reference 162005 to allow for an earlier opening time for one unit).

- 6.3 The Inspector's closing comments in respect of both of the above appeals were as follows:

'Overall, therefore, I conclude that there would be no unacceptable loss of employment land, either in quantitative or qualitative terms and that the proposals pass the sequential test. There would be some harm arising from conflict with the development plan, from the significant level of car-borne customers and to the setting of a listed building. However, the totality of that harm is limited and is significantly outweighed by the benefits of the schemes as identified above. There is conflict with the development plan but in respect of both appeals this is outweighed by the other material considerations. I conclude that both appeals should succeed.'

- 6.4 The benefits of the scheme were identified as being: bringing a vacant site into beneficial use; the design of the buildings enhancing the appearance of the area; and the provision of jobs close to residential areas.

- 6.5 A further relevant planning decision of note is the 2017 approval of planning permission (on appeal) for a mixed-use leisure and retail development at Tollgate Village (Application Ref: 150239; Appeal Ref: APP/A1530/W/16/3147039). In this case, the Secretary of State agreed with the Planning Inspector's recommendation of approval, with their conclusions being as follows:

'For the reasons given above, the Secretary of State considers that the appeal scheme is not in accordance with Policies CE1, CE2, CE3 and STA3 of the development plan, and is not in accordance with the development plan overall. However, these policies are not consistent with the Framework, are out of date and attract limited weight. The Secretary of State has gone on to consider whether there are material considerations which indicate that the proposal should be determined other than in accordance with the development plan.

The Secretary of State considers that both the sequential and impact tests set out in the Framework have been passed. The proposal would not be premature and the location is accessible. The retail scheme would have a slight impact on the vitality and viability of the Town Centre but not the severe impact required by the third bullet point in paragraph 32 of the Framework to prevent development. In addition, the proposal would provide a number of social, economic and environmental benefits, as set out above, to which the Secretary of State gives significant weight. These benefits and the fact that the proposal does not conflict with national policy on ensuring the vitality of town centres and promoting sustainable transport, amount to material considerations that would justify a decision other than in accordance with the development plan in this case.'

- 6.6 There has been a subsequent revision to the Tollgate Village Outline Permission (193133) which allowed for additional/revised service vehicle

access points, as well of the retention of an existing unit on site. Reserved Matters proposals, setting out the detailed scheme, have since been approved (193134 and 201503). There is a current application for Tollgate Village (211610) which puts forward an alternative scheme for a lesser amount of retail, but with the addition of leisure, office, and hotel uses; this application is yet to be determined.

7.0 Principal Policies

7.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) must be taken into account in planning decisions and is a material consideration, setting out national planning policy. Colchester's Development Plan is in accordance with these national policies and is made up of several documents as follows below.

7.2 The adopted Colchester Borough Core Strategy (adopted 2008, reviewed 2014) contains local strategic policies. Particular to this application, the following policies are most relevant:

- SD1 - Sustainable Development Locations
- SD2 - Delivering Facilities and Infrastructure
- CE1 - Centres and Employment Classification and Hierarchy
- CE2 - Mixed Use Centres
 - CE2a - Town Centre
 - CE2b - District Centres
 - CE2c - Local Centres
- CE3 - Employment Zones
- UR2 - Built Design and Character
- PR2 - People-friendly Streets
- TA1 - Accessibility and Changing Travel Behaviour
- TA2 - Walking and Cycling
- TA3 - Public Transport
- TA4 - Roads and Traffic
- TA5 - Parking
- ENV1 - Environment
- ER1 - Energy, Resources, Waste, Water and Recycling

7.3 The adopted Colchester Borough Development Policies (adopted 2010, reviewed 2014) sets out policies that apply to new development. Specific to this application are policies:

- DP1 Design and Amenity
- DP2 Health Assessments
- DP3 Planning Obligations and the Community Infrastructure Levy
- DP5 Appropriate Employment Uses and Protection of Employment Land and Existing Businesses
- DP6 Colchester Town Centre Uses
- DP7 Local Centres and Individual Shops
- DP17 Accessibility and Access

DP18 Transport Infrastructure Proposals
DP19 Parking Standards
DP20 Flood Risk and Management of Surface Water Drainage
DP21 Nature Conservation and Protected Lanes
DP25 Renewable Energy

- 7.4 Some “allocated sites” also have specific policies applicable to them. The adopted Site Allocations (adopted 2010) policies set out below should also be taken into account in the decision making process:

SA STA1 Appropriate Uses within the Stanway Growth Area
SA STA2 Phasing of Greenfield sites in Stanway Growth Area
SA STA3 Employment and Retail Uses in Stanway Growth Area
SA STA4 Transportation in Stanway Growth Area

- 7.5 Adopted Local Plan and Emerging Local Plan Local Plan 2017-2033 status:
The Section 1 Local Plan was adopted on 1 February 2021 and is afforded full weight. The following policies are considered to be relevant in this case:

- SP1 Presumption in Favour of Sustainable Development
- SP5 Employment
- SP6 Infrastructure & Connectivity
- SP7 Place Shaping Principles

Core Strategy Policy SD1 is fully superseded by policies SP5 and SP6 of the Section 1 Local Plan. Policies SD1, H1 and CE1 are partially superseded by policies SP3, SP4 and SP5 in relation to the overall housing and employment requirement figures. The remaining elements of policies SD1, H1 and CE1 are relevant for decision making purposes.

Section 2 is at an advanced stage having undergone examination hearing sessions in April 2021 and subsequently undergoing consultation on the Inspector’s modifications. Section 2 will be afforded some weight due to its advanced stage. However, as it is yet to undergo full and final examination, the exact level of weight to be afforded will be considered on a site-by-site basis reflecting the considerations set out in paragraph 48 of the NPPF. Proposals will also be considered in relation to the adopted Local Plan and the NPPF as a whole.

Paragraph 48 of the Framework states that decision makers may give weight to relevant policies in emerging plans according to:

1. The stage of preparation of the emerging plan;
2. The extent to which there are unresolved objections to relevant policies in the emerging plan; and
3. The degree of consistency of relevant policies to the policies in the Framework.

- 7.6 Regard should also be given to the following adopted Supplementary Planning Documents (SPD):

EPOA Vehicle Parking Standards
Cycling Delivery Strategy
Street Services Delivery Strategy
Air Quality Management Guidance Note, Areas & Order
Stanway Joint Design Statement and Parish Plan
Tollgate Vision Statement

8.0 Consultations

- 8.1 The stakeholders who have been consulted and who have given consultation responses are as set out below. More information may be set out on our website.
- 8.2 Essex County Fire and Rescue: No comments received.
- 8.3 Highway Authority: No objection from a highway and transportation perspective. Confirmation that no further mitigation is required and that the proposal accords with the Highway Authority's Development Management Policies.
- 8.4 National Highways: No objection. There would not be a severe impact on the strategic road network.

9.0 Parish Council Response

- 9.1 No comments have been received from Stanway Parish Council.

10.0 Representations from Notified Parties

- 10.1 The application resulted in a number of notifications to interested third parties including neighbouring properties. The full text of all of the representations received is available to view on the Council's website. However, a summary of the material considerations is given below.
- 10.2 One General Comment has been received which expresses disappointment that cycling is not mentioned in the Planning Statement or Transport Note, with comment that convenient secure cycle parking should be provided for the additional floor area.
- 10.3 One objection has been received which is concerned with the additional retail space resulting in further disruption, pollution, and pressure on infrastructure.

11.0 Parking Provision

- 11.1 No additional car parking is being proposed.

12.0 Accessibility

- 12.1 The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. The proposed development is not considered to discriminate future employees or visitors. The application site is readily accessible via a range of transport modes and the proposed first-floor retail space will need to meet Building Regulations in respect of accessibility.

13.0 Air Quality

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

14.0 Planning Obligations

- 14.1 As a “Major” application, there was a requirement for this proposal to be considered by the Council’s Development Team. The Development Team confirmed that no mitigation is required by way of planning obligations.

15.0 Report

Procedural Matters:

- 15.1 Previous planning applications for the retail development of the Stane Park site have been considered as a departure to the Local Plan and have therefore subsequently been referred to the Secretary of State following Planning Committee resolution. In this case, the proposed development would fall below the thresholds set out in The Town and Country Planning (Consultation) (England) Direction 2021 so there is no requirement to refer to the Secretary of State.
- 15.2 The application has undergone an Environmental Impact Assessment (EIA) screening under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and it is concluded that the proposed development is not EIA development.

Impact on Town Centres:

- 15.3 The National Planning Policy Framework (the Framework), at paragraph 87, states that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. This is relevant to this application as the site is not within a defined centre.

- 15.4 The Framework goes on to state that main town centre uses (such as retail uses) should be located in town centres, then edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and Local Planning Authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.
- 15.5 The relevant adopted town centre and employment policies CE1, CE2, CE3, UR1, STA3 and DP5 are considered to be out of date given relatively recent planning appeal decisions, particularly the appeal decision in respect of Stane Park Phase 1 to the south (Stane Leisure Park). The Emerging Local Plan is however considered to carry significant weight in accordance with paragraph 48 of the Framework. It is clear that the proposed development would not accord with requirements for the Strategic Economic Area (primarily emerging policy WC1), but the emerging Local Plan does acknowledge that Stane Park provides retail and leisure uses. Emerging Local Plan Section 2 policy SG6 (Town Centre Uses) reflects the requirements set out in the Framework as summarised above. The policy states that where proposals for main town centre uses are considered to meet the sequential test, they must also comply with a number of requirements, summarised as follows: that the proposals are of a type, proportion and scale that would not threaten the primacy of Colchester Town Centre; the proposals would enhance the diversity of the centre; would not give rise to detrimental effects through smell, litter, noise, or traffic problems; and would not have a significant adverse impact on the town centre (including any committed and/or planned investment). These matters will be considered below.

Sequential Test

- 15.6 The main thrust of the Applicant's argument in respect of the sequential test is that the proposed development would provide additional retail floorspace to serve existing/future units within the scheme and that this has specific market and locational requirements which 'outweighs the rigid application of the sequential test'. They assert that the proposed development is spatially constrained by its host as it would sit within the existing building and that a planning condition could be applied to ensure that the first floor/mezzanine space would only be used in conjunction with the related ground floor occupier.
- 15.7 Following comments on the sequential test, further information has subsequently been put forward to consider sequentially preferable sites, particularly that of Tollgate Village which is approximately 300 metres from Stane Retail Park. Tollgate Village would have sufficient capacity to accommodate the proposed floorspace and, given the extant planning permission for the site, would potentially be available, particularly as there is no immediate urgency for the proposed floorspace given that it is being applied for on the basis of providing additional space should it be required by future tenants. Nonetheless, in applying the flexibility required by the Framework it is appreciated that the Tollgate Village development would be a complex development that would take a longer period of time to be constructed and made

available. In addition, retail consultants have expressed some scepticism as to whether Tollgate Village would be developed as approved given that it would provide extensive retail floorspace which may not be supported in the current retail climate, as well as the fact that an alternative scheme has been applied for in any case (the planning application is ongoing). It is therefore doubtful that Tollgate Village would be available within a reasonable timeframe taking all matters into account. On a sequential basis, the proposed development being within an edge of centre site is considered to meet the requirements of the Framework and the emerging Local Plan.

Retail Impact

- 15.8 Turning to retail impact, further information was submitted by the Applicant in order to consider a number of points raised by the independent consultant; in particular, an assessment of the impact in the context committed development at Tollgate Village (both in terms of the approved scheme and current planning application as a plausible scenario) having regard to the current local circumstances in terms of the health of Colchester Town Centre.
- 15.9 The independent consultant has concluded the following on the basis of the Applicant submissions:
- The 'town centre investment' limb of the impact test is satisfied on the basis there is no evidence that any investment is likely to be put at risk by the application proposals for Stane Retail Park.
 - An appropriate 'worst case' scenario has been considered in terms of the 'town centre vitality and viability impact test' (taking into account the more extensive Tollgate Village approved scheme rather than the current planning application for a reduced scheme).
 - Despite some disagreement on the estimated turnover of the proposed additional floorspace, the 'solus' retail impacts arising from the proposals are likely to be relatively modest in percentage terms. Although the cumulative retail impacts on Colchester Town Centre would be much greater, it is considered that the potential retail impacts associated with the additional mezzanine floorspace are not sufficient (at least in percentage terms of 10-15%) to tip the balance of adverse impacts to 'significant' under the terms of the Framework.
 - There is an assumption that no retailers would relocate to the proposed development from Colchester Town Centre, although there is no evidence to support this and the further expansion of Stane Park would increase its attractiveness to retailers.
 - Ultimately, on the basis of the evidence available, it is concluded that the proposed development is unlikely to have a significant adverse impact on the vitality and viability of Colchester Town Centre.

- 15.10 There are concerns that the proposed development would make Stane Park a more attractive option for town centre retailers, but given the lack of evidence to substantiate these concerns, as well as overall assessment that the proposed development would not have a significant adverse impact on the principle centre Colchester Town Centre, it is not considered to be reasonable to refuse planning permission on these grounds. Conditions can be imposed to stipulate the amount of net retail floorspace and to avoid subdivision of units which will prevent further intensification of the use and related impacts.

Highway Matters

- 15.11 A Transport Note accompanied the planning application which concentrates on the impacts upon the highway network. The note concludes that the proposed development would result in a negligible impact, with trip rates calculated to be an additional 2 vehicles in the AM peak, 20 vehicles in the PM peak, and 26 vehicles during the weekend peak. Parking provision has also been reviewed and it has been demonstrated that there is sufficient car parking provision for a theoretical worse case.
- 15.12 Both National Highways (previously Highways England) and the Highway Authority have confirmed that they have no objections to the proposed development and that no mitigation is required in respect of the road networks.
- 15.13 Development Policy DP19 and the Council's adopted Parking Standards have a maximum limit for car parking at destinations so there is no requirement for additional car parking as a result of this development. There are, however, minimum requirements for accessible car parking, motorcycle parking, and cycle parking. The requirements for both accessible car parking and motorcycle car parking is based upon a proportionate provision in relation to the amount of car parking being provided; this was considered as part of the previous permissions and as there is no additional car parking being required or provided as part of this proposal it is not considered reasonable to require additional accessible or motorcycle parking. It is however, considered appropriate to require additional cycle parking in the interests of encouraging more sustainable modes of transport. The parking standards require 2 cycle spaces per 400sqm of floorspace to provide for both staff and customers; for the proposed development this would equate to 12 cycle spaces in total (6 for staff and 6 for customers). It is considered that the provision of additional cycle parking can be secured via condition.

Other matters

- 15.14 The proposed development would consist of internal alterations only so there would not be any physical or visual impacts (such as ecology, flood risk, landscape impact etc) that require further consideration. Impacts on residential amenity can be mitigated via conditions to control the opening hours and delivery hours associated with the floorspace.

- 15.15 Local representations have expressed concerns that the proposed development would cause further disruption and pressure upon infrastructure. It is acknowledged that this site and the surrounding area has undergone considerable development in recent years. In considering the planning application on its own merits however, the impacts are concluded to be negligible. There are not considered to be any grounds for refusal in this regard.
- 15.16 Comments on cycle parking have been noted and it has been considered reasonable and necessary to secure further cycle parking in association with the increased floorspace in accordance with adopted planning policy and planning guidance.

16.0 Conclusion

- 16.1 The proposed development would result in additional main town centre uses (retail floorspace) outside a designated Centre but within an edge of centre location. Given the nature of the proposed development it is considered that there are relevant functional and locational requirements that would require a pragmatic assessment of the necessary sequential tests and ultimately, given the lack of availability of alternative centre sites, the location of the site edge of centre, and there being no significant adverse impact on the viability and vitality of Colchester Town Centre, the proposed development is considered to be acceptable in terms of town centre impact subject to necessary conditions. The proposed development is not considered to require any further mitigation in respect of impacts on the highway network, although it is considered necessary to condition additional cycle parking in accordance with planning policy in the interests of sustainability. There are not considered to be any adverse impacts in terms of other material planning matters.

17.0 Recommendation to the Committee

- 17.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to the following conditions:

1. Time Limit for Full Permissions

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

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

2. Development to Accord With Approved Details

With the exception of any provisions within the following conditions, the development hereby permitted shall be carried out in accordance with the details shown on Site Location Plan, drawing number 7128 Revision 01.

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

3. Use and Permitted Development Rights Removal

The development hereby approved shall relate solely to first-floor/mezzanine floorspace for retail purposes at units A4, A5, A6 and C (as shown on Site Location Plan, drawing number 7128 Revision 01) and the total net sales area of the development hereby approved shall not exceed 1,728sqm.

Reason: In order to provide clarity as to what has been approved and in the interests of ensuring that the development would not lead to a significant adverse impact on designated centres.

4. Tied to Ground Floor Unit

No part of the hereby approved mezzanine floorspace shall be occupied other than in conjunction with the occupation of its related ground floor space as a single unit.

Reason: In the interests of ensuring that the development would not lead to a significant adverse impact on designated centres and because the impacts of the proposal, along with necessary forms and levels of mitigation, have been assessed on this basis.

5. Delivery Times

No deliveries shall be received at, or despatched from Units A4, A5, or A6 outside of the following times:

Weekdays: 06:00 to 22:00

Saturdays, Sundays and Public Holidays: 06:00 to 22:00

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

6. Opening Hours

The use hereby permitted shall not OPERATE/BE OPEN TO CUSTOMERS outside of the following times:

Weekdays: 07:00 to 23:00

Saturdays, Sundays and Public Holidays: 07:00 to 23:00

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

the submitted application, and for the avoidance of doubt as to the scope of this permission

7. Cycle Parking

The development hereby approved shall not be brought into use until additional cycle parking (to provide 6 cycle spaces for staff and 6 cycle spaces for visitors) has been provided in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. The details must show the location and design of the cycle parking facilities and demonstrate that the parking facilities will be secure, convenient and covered. The parking facilities shall then be provided before the development is brought into use and then retained for the purposes of cycle parking at all times thereafter.

Reason: To ensure that appropriate cycle parking is provided in the interests of sustainable development and modes of transport.

Informatives

The following informatives are also recommended:

Electric Vehicle Charging Points

The Developer is encouraged to implement additional electric vehicle charging points for both cars and cycles in the interests of promoting sustainable transport.

Advisory Note on Construction & Demolition

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

Informative on Conditions Stating Prior to Commencement/Occupation

PLEASE NOTE that this permission contains a condition precedent that requires details to be agreed and/or activity to be undertaken either **before you commence the development or before you occupy the development**. This is of critical importance. If you do not comply with the condition precedent you may invalidate this permission and be investigated by our enforcement team. Please pay particular attention to these requirements. To discharge the conditions and lawfully comply with your conditions you should make an application online via www.colchester.gov.uk/planning or by using the application form entitled 'Application for approval of details reserved by a condition following full permission or listed building consent' (currently form 12 on the planning application forms section of our website). A fee is also payable, with the relevant fees set out on our website.