



The Ordnance Survey map data included within this publication is provided by Colchester City Council of Rowan House, 33 Sheepen Road, Colchester CO3 3WG under licence from the Ordnance Survey in order to fulfil its public function to act as a planning authority. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to licence Ordnance Survey map data for their own use. This map is reproduced from Ordnance Survey Material with the permission of Ordnance Survey on behalf of the Controller Of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Crown Copyright 100023706 2017

Item No: 7.2

Application: 230235

Applicant: Colchester City Council

Agent: Colchester Borough Homes Ltd

Proposal: Partial demolition, alteration and extension to existing Baling Shed

Location: Shrub End Depot, 221 Shrub End Road, Colchester, CO3 4SA

Ward: Prettygate

Officer: Mr Daniel Cooper

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 the applicant is Colchester City Council

2.0 Synopsis

- 2.1 This application seeks consent for the partial demolition, alteration and extension of the existing bailing shed. The proposal is not considered to impact upon the character and appearance of the area or highway safety.

- 2.2 The application is subsequently recommended for approval

3.0 Site Description and Context

- 3.1 The application site relates to a Council owned and well-established recycling/refuse centre located in Shrub End.

4.0 Description of the Proposal

- 4.1 This application seeks consent for the partial demolition, alteration and extension of the existing bailing shed. It should be noted that there is an extant consent for the partial demolition and replacement of the bailing shed. However this new application seeks to amend that permission with a change of design, mainly concerning the roof but also to retain the existing footprint where the extant consent proposed a slightly larger footprint.

5.0 Land Use Allocation

- 5.1 Employment Land

6.0 Relevant Planning History

- 6.1 F/COL/05/1475 - Liquid Petroleum Gas (LPG) storage facility, waste transfer site, recyclable material handling facility, staff car parking area and ancillary works including lighting, small works team workshop, compound and vehicle access. Approved 25/10/2005.
- 6.2 210492 – The erection of 4 canopies to replace temporary canopies. Approved 28/5/2021.
- 6.3 213353 - Replacement of the existing bailing shed with a new bailing shed at the same location and with a slightly larger footprint. (The extant planning permission).

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 Local Plan 2017-2033 Section 1

The shared Section 1 of the Colchester Local Plan covers strategic matters with cross-boundary impacts in North Essex. This includes a strategic vision and policy for Colchester. The Section 1 Local Plan was adopted on 1 February 2021. 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

7.3 Local Plan 2017-2033 Section 2

Section 2 of the Colchester Local Plan was adopted in July 2022. The following policies are of relevance to the determination of the current application:

ENV1 Environment
DM2 Community Facilities
DM15 Design and Amenity
DM22 Parking
DM23 Flood Risk and Water Management

7.4 The area is not subject to a Neighbourhood Plan.

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

External Materials in New Developments
EPOA Vehicle Parking Standards
Sustainable Construction

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 **Highway Authority** - The Highway Authority does not object to the proposals as submitted. Recommended Informative1: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

8.3 **Contaminated Land Officer** - The applicant is reminded of their duties under the Control of Asbestos Regulations 2012.

8.4 Environmental protection - Should planning permission be granted Environmental Protection wish to make the following comments:-

ZPD - Limits to Hours of Work

No demolition or construction work shall take outside of the following times;
Weekdays: 08:00-18:00

Saturdays: 08:00-13:00

Sundays and Bank Holidays: No working.

Reason: To ensure that the construction phase of the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise at unreasonable hours.

Hours of operation

Same as currently permitted.

Should permission be granted for development, Environmental Protection recommends inclusion of the following advisory note: -

NOTE: Demolition and Construction

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.

- 8.5 **Archaeological Officer** - The proposed development is in an area of broad archaeological potential, being a short distance to the north of the scheduled monument of Gosbecks. However, given the nature of the proposal, it is strongly unlikely that any undisturbed ground will be impacted. There is therefore no requirement for an archaeological condition.
- 8.6 **Landscape Officer** – The Western boundary is recorded as a field boundary on the 1881 OS mapping. This important historic boundary should therefore be proposed as to be conserved, enhanced and restored within any revised proposals. To do this, a drawing (revision & enlargement to 0004.P02) should be submitted clearly illustrating this historic field boundary line, and a minimum distance of 3m proposed and clearly illustrated between the proposed unit (and any associated hard landscape) and the historic field boundary line. This 3m offset should be proposed as to be soft landscaped, i.e., to be cultivated and sown with species rich native grasses and with a native hedge and hedgerow trees, this set 500mm in from along the historic boundary line.

The line of hedge/hedgerow trees and soft landscape strip within which it is set should be clearly proposed (verbatim) as:

'Any existing dead or failing hedge stock and areas of bramble will be removed along this historic field boundary, and the resulting cleaned boundary fully planted-up, gapped up, reinforced and any missing sections/gaps replaced with new hedging and hedgerow tree planting. The hedge & hedgerow tree planting used will be complementary in makeup to existing local field hedges, planted out at a suitable size and spacing (with hedgerow trees set irregularly a minimum 10m apart), suitably protected, supported and mulched and maintained sufficient to allow the hedge/hedgerow trees to establish and thrive. The soft landscaped strip within which the hedge is set (including between the built form and boundary) will be cleaned, new topsoil bought in where necessary, cultivated and sown with species rich native grasses. During the establishment period failed/failing hedging stock and grassed areas will be replaced and the

hedge and grassed strip maintained in situ through to maturity/until fully established, the hedge will be maintained at a minimum height of 2m and trees allowed to form natural crowns, the landscape will be maintained in line with good practice thereafter. Both hedge and grassed areas will be planted out and maintained in accordance with the relevant British Standards and implemented during the first planting season following substantial completion of any development consented to under planning application 230235.'

9.0 Parish Council Response

9.1 Non parish

10.0 Representations from Notified Parties

10.1 None received

11.0 Parking Provision

11.1 The proposal does not change the parking provision on site.

12.0 Accessibility

12.1 The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. In terms of the proposal, the bailing shed does not include any steps. Based on the submitted information, the scheme is not considered to cause discrimination in terms of The Equality Act.

13.0 Environment and Carbon Implications

13.1 The Council has declared a Climate Emergency and has committed to being carbon neutral by 2030. The purpose of the planning system is to contribute to the achievement of sustainable development as defined in the National Planning Policy Framework. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic, social and environmental objectives. The consideration of this application has taken into account the Climate Emergency and the sustainable development objectives set out in the NPPF. It is considered that as the proposal makes provision for the recycling of waste, on balance the application is considered to represent sustainable development.

14.0 Air Quality

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

15.0 Planning Obligations

15.1 This application is not classed as a "Major" application and therefore there was no requirement for it to be considered by the Development Team and it is considered that no Planning Obligations should be sought via Section 106 (s.106) of the Town and Country Planning Act 1990.

16.0 Report

Principle

16.1 The site relates to an existing recycling and waste processing centre, which is very well established within Colchester. While the proposal would not result in any expansion of the recycling/waste centre or additional activity, it would assist the recycling centre in continuing to meet the needs of local customers by assisting with waste management overall and increasing capacity, which is considered to be in accordance with the principles of the NPPF and National Planning Policy for Waste.

16.2 The extant planning permission should also be given great weight in these considerations as alterations and improvements to the existing bailing shed under planning reference 213353 benefit from extant planning permission. This new application is essentially to apply for alterations to the previous consent. The main alterations include mesh netting to the top half of the building.

16.3 The applicant has outlined the proposed changes as below:

- Taking down the superstructure to the existing baling area, whilst retaining the superstructure to the existing sweeper bay.
- Constructing a 3.5 m high reinforced in-situ concrete wall to the rear and end of the baling area.
- Installing 3.5 m high mesh netting above the new concrete wall to the rear and end of the baling area on new steel columns (*7.0 m high overall*), including a return above the roof at the other end.
- Replacing the corrugated (asbestos) fibre cement sheet cladding to the roof of the existing sweeper bay (*new storage bay*) with new profiled steel sheet cladding, including new gutters and rainwater downpipes.
- Removing the existing metal framed window and concrete cill to the rear wall of the existing sweeper bay and bricking up opening.
- Installing a new vertical lifting door to the front of the existing sweeper bay.
- Constructing a new sweeper bay on the end of the existing building, comprising steel frame, dwarf brick walls and profiled steel sheet cladding, all as previously proposed.
- Laying an unbound path to the rear of the building.

16.4 The above stated changes are intended to modify the building rather than demolish and build again under the extant permission.

Impact on Residential Amenity

16.5 Policy DM15 Design and Amenity states that all development must be designed to a high standard and achieve good standards of amenity. This includes protecting existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance, pollution (including light and odour pollution), daylight and sunlight. The adopted Supplementary Planning Document (SPD) the Essex Design Guide also provides guidance on the safeguarding of residential private amenity.

16.6 Given the site is already in active use as a waste sorting and recycling centre and the proposal is for works and alterations to the existing bailing shed, impact

upon residential amenity is considered to be neutral. The new bailing shed will not result in significant additional vehicle movements and is located a good distance away from the nearest neighbouring dwelling. In addition, the new bailing shed will be in the same location as the existing therefore, additional impact through introduction of new built form will be minimal and not incongruous with the existing setting. Given the above and nature of the proposal, the proposal is considered to be acceptable in this regard.

Impact upon Surrounding Area

- 16.7 Policy ENV1 seeks to conserve and enhance Colchester's natural and historic environment. Policy DM15 states that development must respect and, wherever possible, enhance the character of the site, its context and surroundings in terms of its layout, architectural approach, height, scale, form, massing, density, proportions, materials, townscape and/or landscape qualities, and detailed design features.
- 16.8 The scheme will refurbish a dilapidated structure that has come to the end of its life and is not considered to be of good quality due to its age and condition. The bailing shed will be located within the existing site at the same location as the existing bailing shed. Wider public views will be limited to those approaching the site by road from the West heading East, with the majority of other view points well screened from the public. Therefore, the proposal is not considered to create a harmful impact upon the street scene or the wider area. The addition of the mesh netting is not considered to result in significant and unacceptable visual impact to the wider area. On balance, the proposal is considered to be of an acceptable design and appearance is in compliance with the aforementioned policies.

Highway Safety and Parking

- 16.9 Policy DM20 seeks to change travel behaviour to more sustainable modes of transport and improving accessibility of development through the promotion of walking and cycling as an integral part of development. Policy DM22 states that parking Standards for non-residential development should be agreed through joint discussions with the local Highway Authority and the Local Planning Authority in accordance with the most recent local Parking Standards
- 16.10 In this instance, the proposal is located away from the access road and designated parking. The Highway Authority has been consulted and does not raise an objection to the scheme. As such, it is considered that the proposed development would accord with relevant development plan policies.

Contamination

- 16.11 The Council's Contaminated Land Officer has not objected or identified any significant risks and has recommended precautionary informatives to be included as part of this approval.

Landscaping

16.12 The Council's Landscape Officer has not objected to the proposal however, it is important to ensure that the new bailing shed does not harm the landscape character of the surrounding area. While it is stated above that the new shed will replace the existing at the same location, it is noted that the rear (West) boundary is in a poor condition with a chain link fence that has fallen down in some sections.

16.13 The Landscape Officer seeks to enhance and protect the Western boundary and the applicant notes that this resubmission includes the bailing shed to remain on the current footprint and will be over 4m away from the boundary rather than the previous consent being only 3m away. With regards to built form impact, this revised application results in less impact to the boundary. However, it is noted that a condition was included in the previous approval requiring a boundary treatment scheme to be submitted. In the interests of enhancing and protecting this western boundary, the same condition will be carried over to this permission.

17.0 Conclusion

17.1 To summarise, given the context of the existing consent and the alterations to that proposed here, the proposal is considered to be acceptable and in conformity with relevant plan policies and is consequently recommended for approval.

18.0 Recommendation to the Committee

18.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to the following conditions:

1. ZAA - 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. ZAM - *Development to Accord With Approved Plans*

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers 003 Rev P02, 004 REV P02 dated October 2021 and 621 REV P02 and 622 REV P02 dated November 2021.

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

3. ZBB - Materials As Stated in Application

The external materials to be used shall be those specified on the submitted application form and drawings, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure that materials are of an acceptable quality appropriate to the area

4. ZPD - Limits to Hours of Work

No demolition or construction work shall take outside of the following times;

Weekdays: 08:00-18:00

Saturdays: 08:00-13:00

Sundays and Bank Holidays: No working.

Reason: To ensure that the construction phase of the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise at unreasonable hours.

5. ZGR - *Light Pollution for Minor Development*

Any lighting of the development (including resultant sky glow, light trespass, source intensity and building luminance) shall fully comply with the figures and advice specified in the CBC External Artificial Lighting Planning Guidance Note for zone EZ2 RURAL, SMALL VILLAGE OR DARK URBAN AREAS.

Reason: In order to safeguard the amenity of the surrounding area by preventing the undesirable, disruptive and disturbing effects of light pollution.

6. Z00 – Landscape Boundary Treatments

No boundary fence, wall or any other boundary treatment shall be constructed until a scheme of enclosure has been submitted to and agreed, in writing, by the Local Planning Authority. This scheme shall include details of the boundary enclosure to the site, specifying the type and height of fencing in a green RAL colour complementary to the wider rural landscape. The implementation of the enclosure works shall comply with the recommendations set out in the relevant British Standards current at the time of submission. The approved landscape scheme shall be carried out in full prior to the first occupation of the development or in such other phased arrangement as shall have previously been agreed, in writing, by the Local Planning Authority. Any enclosure which is removed or seriously damaged shall be replaced without delay, like for like, with enclosure of similar specification, unless the Local Planning Authority agrees, in writing, to a variation of the previously approved details.

Reason: In order to ensure that there is a sufficient landscaping scheme for the relatively small scale of this development where there are areas to be laid out but there is insufficient detail within the submitted application.

19.1 Informatives

19.1 The following informatives are also recommended:

ZT0 – 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.

INS – Asbestos in Existing Buildings

In accordance with the applicant's obligations under The Control of Asbestos Regulations 2012, prior to undertaking the permitted development works, an appropriate pre-demolition asbestos survey should be undertaken, by suitable qualified and experienced persons, and any relevant identified material managed,

removed safely, and appropriately disposed of at a suitable waste acceptance facility. The enforcing authority for this type of work is the Health and Safety Executive and it is recommended that you contact them directly to discuss their requirements.

Reason – insufficient detail has been supplied in support of this application and the potential presence of asbestos containing materials (ACM's) on the site therefore cannot be discounted and Environmental Protection wish to ensure that no new contamination pathways are created by the proposed development.

INS – Highways

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.