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Item No: 7.1

Application: 181382

Applicant: British land Retail Warehouses Ltd

Agent: Montagu Evans

Proposal: Application for external alterations to front elevations of the units, along with the continued use for class A1 retail of the units along the main retail terrace.

Location: Tollgate Centre Shopping Park, Tollgate West, Stanway, Colchester

Ward: Stanway

Officer: Lucy Mondon

Recommendation: Approval

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 an objection has been received and the recommendation is to approve.

2.0 Synopsis

- 2.1 The key issues for consideration are the principle of development, highway impact, parking and design.
- 2.2 The report describes the site and its setting, the proposal and the consultation responses received. Material planning matters are then considered together with issues raised in representations.
- 2.3 The planning merits of the case are assessed leading to the conclusion that the proposal is acceptable and that a conditional approval is recommended.

3.0 Site Description and Context

- 3.1 The Tollgate Centre is an existing shopping centre that was originally granted planning permission in the late 1980s. The retail units are occupied by bulky goods retailers in the main (furniture and carpets stores), although the uses have diversified in recent years to include sports goods, toys, catalogue goods, and a small food store.
- 3.2 The units are arranged in a horseshoe terrace facing onto an open car park that is accessed via Tollgate West that connects to Tollgate Road to the east and the Stanway Western Bypass to the west. Since the site was first developed a coffee shop (Costa), pharmacy (Boots) and fast-food restaurant (McDonalds) have been added to the frontage of the site.
- 3.3 The site is allocated as an Urban District Centre and is located in Stanway Ward, immediately adjacent to Marks Tey and Layer Ward to the south.

4.0 Description of the Proposal

- 4.1 The application seeks planning permission for external alterations to the front elevations, as well as use of the units as A1. The proposal relates to the terraced units at the Tollgate Centre (units 1, 1a, 2a, 2b, 3, 3a, 4a, 4b, 5a, 5b, 6, 7, and 8). Currently the units are used for retail, but there are restrictions on the types of goods that can be sold so the application is seeking to relax this restriction to allow for open A1 use (within certain parameters concerning food and drink sales).
- 4.2 The application is accompanied by existing and proposed floor plans and elevations, as well as a Covering Letter (taking the form of a concise 'Planning Statement') and Transport Statement.

5.0 Land Use Allocation

5.1 Urban District Centre.

6.0 Relevant Planning History

- 6.1 The Tollgate Centre was granted planning permission in 1987 (ref: 86/0097). The permission was for a total of 8 No. units and was subject to conditions, of most relevance being condition 6 which limited the sales of goods as follows:

“6. The retail units shall be retained as not more than 8 separate units and only used for the sale of furniture, carpets, electrical white goods, home improvement products, D.I.Y goods and materials, garden and associated products or such other similar goods as may be agreed by the Local Planning Authority in writing that are of a weight and bulk which would impose inconvenience to the public if located in conventional centres and which would not represent a threat to the viability of such centres and for no other purpose including any other purpose in Class A1 of the schedule to the Town and Country Planning (use Classes) Order 1987.

Reason: For avoidance of doubt as to the scope of this permission. Unrestricted retail use would not be appropriate on this site.”

- 6.2 There have since been a number of permissions that have allowed for extensions to the units, mezzanine floors, and the sub-division of units. Permissions of note are:

- 91/0360 (sub-division of units to 10 No. units in total);
- 91/1709 (sub-division of unit 2 to form 2 No. units); and
- 102476 (sub-division of Unit 3 to create 3 No. units), the implementation of which has resulted in the Tollgate Centre now having a total of 13 No. units.

- 6.3 Up until 2011, the planning permissions maintained the limitation to the sales of goods to that set out in the 1987 decision. Since 2011 the types of goods permitted to be sold at individual units has been expanded to include:

- Unit 1A: the sale of home textiles, soft and hard furnishings and accessories;
- Unit 1B/2A: the sale of home textiles, soft and hard furnishings and accessories, with no more than 1,195sqm of net sales area being for the sale of clothing, footwear and fashion accessories;
- Unit 3A: the sale of pets and pet products;
- Unit 3B: the sale of arts and craft and hobby products;
- Unit 8: permitted to be used as a catalogue showroom retailer (subject to this being non-food goods, the goods being fully packaged, at least 50% of the gross floor area of the building to be used for storage and not open to the public, and the sale of jewelry and watches to be limited to display areas of no greater than 50sqm).

- 6.4 In addition, there have been permissions relating to improvements to the public realm, and the addition of a coffee shop, pharmacy unit and fast food unit (refs: 102478; 90/0512; and F/COL/06/0511 respectively).

6.5 Recent decisions of particular relevance in the vicinity of the application site include:

- Tollgate Village (150239): Outline Planning Permission granted on appeal for a mixed use development comprising leisure uses (use class D2) including cinema and retail (use classes A1, A2, A3, A4 and A5) with associated parking including multi-storey car park, public realm improvements, access, highways, landscaping and associated works.
- Stane Park Phase 1 (146486 and 162005): Planning Permission granted on appeal for one pub/restaurant (with ancillary residential accommodation) and two restaurant units, with associated car parking, landscaping and 'cart lodge'; and one restaurant unit and two drive-through restaurant/cafe units (which will also facilitate the consumption of food and drink on the premises), with associated car parking, landscaping, access and servicing.

6.6 Proposed development at Stane Park Phase 2 (172935) for the erection of a retail unit with an external yard and retail space (A1), a retail terrace comprising six units with mezzanine cover (A1); two supermarkets (A1) and restaurant units (A1/A3/A5), with associated parking and landscaping was resolved for approval by the Planning Committee in August 2018. S106 matters are currently being finalised prior to a decision being issued.

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
CE2b - District Centres
UR2 - Built Design and Character
TA1 - Accessibility and Changing Travel Behaviour
TA2 - Walking and Cycling
TA3 - Public Transport
TA4 - Roads and Traffic
TA5 - Parking

- 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
DP17 Accessibility and Access
DP19 Parking Standards

- 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 STA3 Employment and Retail Uses in Stanway Growth Area
SA STA4 Transportation in Stanway Growth Area

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

The Essex Design Guide
External Materials in New Developments
EPOA Vehicle Parking Standards
Sustainable Construction
Air Quality Management Guidance Note, Areas & Order
Stanway Joint Design Statement and Parish Plan

- 7.6 Submission Colchester Borough Local Plan 2017-2033
The Council is developing a new Local Plan that has been submitted to the Planning Inspectorate (October 2017). An Inspector has been appointed and the formal examination commenced in January 2018. The examination is ongoing.

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.

The Emerging Local Plan is at an advanced stage and is, therefore, considered to carry some weight in the consideration of the application, but as it is yet to undergo examination, it is not considered to outweigh the material considerations assessed above in accordance with up-to-date planning policies and the NPPF.

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:

No objection from a highway and transportation perspective subject to a condition to require a Construction Method Statement to be submitted and approved by the Local Planning Authority.

Following consideration of the comments received as a result of public consultation, the Highway Authority maintained a recommendation of no objection and commented as follows:

- The trip rates and percentage of linked trips used in the Transport Statement are considered to be reasonable;
- The traffic flows are higher than those used in Intermodel's Tollgate Village Transport Assessment and, as such the assessment seems robust. The development flows are indicated to add 44 additional trips eastbound (i.e. towards Tollgate Road) and 45 westbound (i.e. towards Stanway bypass) in the busier Saturday peak period. The equates to approximately one new trip every 80 seconds. The additional traffic will have a negligible impact on the performance of the site access roundabout;
- Most traffic will disperse onto local roads rather than the A12 junction;
- In terms of parking, the site will be busy on a Saturday, but there is only one 15 minute period where parking exceeds 100% (101%). It is therefore likely that a handful of vehicles will be in the process of accessing/egressing the site and it is estimated that 5% will also be circulating traffic. Consequently, although busy, parking provision does not appear to raise significant concerns.

8.3 Planning Policy:

No objections given that the site lies within an area classified as an Urban District Centre in both the adopted and emerging Local Plans. Advice regarding a consistent approach to uses across the Tollgate area (including Tollgate Village).

9.0 Parish Council Response

9.1 Stanway Parish Council have confirmed that they have no objections to the proposal.

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 Comments from Barton Willmore on behalf of the Tollgate Partnership Limited (TPL)

- In respect of the submitted Transport Statement:
 - The traffic flows/trip generation calculations have been underestimated;
 - The trip linkage assessment is overly optimistic and differs from that proposed at the recent Tollgate Village appeal inquiry;
 - A different junction geometry is used to that agreed with Essex County Council and used at the recent Tollgate Village appeal inquiry;
 - The car park usage is underestimated;
- In respect of retail matters:
 - The application proposes conditions to be broadly in line with the restrictions that were imposed on the Tollgate Village (TV) permission, but neglects additional restrictions that control the TV development. Additional restrictions should be imposed as follows:
 - Control over the uses classes and floorspace (Condition 9 of the TV permission);
 - Control over the net sales area of the units (Condition 10 of the TV permission);
 - Control over the maximum and minimum unit sizes (Condition 13 of the TV permission);
 - Control over the provision of mezzanine floorspace within the units (Condition 14 of the TV permission); and
 - Control over dual representation/no poaching of town centre retailers (Condition 35 of the TV permission).

Without these additional controls, rather than operating from a 'level playing field' the Tollgate Centre will benefit from a distinct commercial advantage.

10.3 A holding objection was received from G L Hearn on behalf of M&G Real Estate (owners of Culver Square) on the following basis:

- Concerns that the proposal may be counter to the role and function of the District Centre, especially in the context of the recent quantum of retail floorspace granted at Tollgate Village and elsewhere in the Borough.

No further comment had been received at the time of drafting this report.

11.0 Parking Provision

11.1 There is currently a total of 446 car parking spaces (including 24 allocated for accessible parking, and 33 for parents with children) on site and 18 Sheffield type bicycle stands providing for 36 No. bicycles. There are approximately 40 car parking spaces for staff within the rear service yard.

11.2 The parking standards for A1 (retail) development is set out in the Vehicle Parking Standards SPD as follows:

Use	Vehicle	Cycle	PTW	Disabled
	Maximum	Minimum	Minimum	Minimum
A1 (excluding food stores)	1 space per 20 sqm	1 space per 400 sqm for staff and	1 space, + 1 per 20 car spaces (for 1 st 100 car spaces),	200 vehicle bays or less = 3 bays or 6% of total capacity, whichever is greater,
A1 (Food stores)	1 space per 14 sqm	1 space per 400 sqm for customers	then 1 space per 30 car spaces (over 100 car spaces)	Over 200 vehicle bays = 4 bays plus 4% of total capacity

12.0 Open Space Provisions

12.1 Not applicable for this proposal.

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 is a requirement for this proposal to be considered by the Development Team. Having considered the proposal, no planning obligations were requested.

15.0 Report

15.1 The main issues in this case are the principle of development, design and impact on the character of the area, and traffic implications.

Principle of Development:

15.2 The Tollgate Centre lies within an area classified as an Urban District Centre in both the adopted and emerging Local Plans. While the exact weight to be given to centres policies in both documents is subject to debate, appeal decisions involving existing policies are considered to have established the point that while those adopted policies might be out of date, this does not preclude Tollgate in practical terms serving the function of a town centre in terms of the NPPF sequential test.

15.3 Since the Tollgate Centre was constructed in the late 1980s as a bulky goods centre, its composition has gradually evolved to allow a wider range of commercial uses in response to changing market demand. In planning policy terms, the Council in practice has followed a flexible approach to uses which entails consideration of the relaxation of use conditions on a case-by-case basis. This has been accompanied by improvements to the public realm and the addition of a coffee shop, which has addressed the policy aspirations in Core Strategy Policy CE2b to enhance Urban District Centres. As a result of a number of permissions, a total of 13 retail units are permitted at the Retail Park, with a number of variations granted on particular units widening the range of goods that can be sold at the premises.

15.4 The proposal seeks to relax the restrictions of sale on the site and allow for open A1 use (with some restrictions for the sale of food and drink). In this case, Core Strategy Policies SD1, CE1, CE2, and TA1 are relevant, along with Site Allocation Policy SA STA3. These policies relate to the following:

- SD1 seeks to locate growth at the most accessible and sustainable locations in accordance with the settlement hierarchy (Colchester Town and Stanway being at the top of that hierarchy).
- CE1, and CE2 deal with centres and employment matters, promoting employment generating developments through the regeneration and intensification of previously developed land and through the allocation of land necessary to support employment growth at sustainable locations. Policy CE1a sets out the centres and employment classification hierarchy which includes the Town Centre at the top of the hierarchy extending down to Edge of Centre Locations, District Centres, and Local Centres.
- TA1 seeks to improve accessibility and change travel behaviour as part of a comprehensive transport strategy for Colchester. A key aspect of this is the improvement of accessibility by enhancing sustainable transport links and encouraging development that reduces the need to travel. Developments that are car-dependent or promote unsustainable travel behaviour will not be supported.
- SA STA3 covers employment and retail uses in the Stanway Growth Area and provides specific requirements for the types of uses that would be considered to be appropriate (e.g. research and development, light industrial, vehicle repair, indoor sport and conferencing centres, and business incubation space), making clear that new town centre uses will not be permitted within the Stanway Growth Area.

15.5 The Focused Review of the 2008 Core Strategy and 2010 Development Policies, the Inspector's report in connection with that review, and subsequent planning appeal decisions, provides the basis for assigning weight to policies in the adopted Local Plan. In particular, the Stane Park Phase 1 Inspector's decision (paragraph 46) provides guidance by relating weight to consistency with the NPPF. Plan policies that are consistent with the NPPF accordingly should be given full weight. Other policies can be given weight commensurate with their compatibility with the NPPF. In terms of the relevant policies in this case, this approach translates into the following interpretations:

- SD1 and TA1 full weight to be applied;

- CE1, CE2, and STA3 out-of-date and consequently limited weight should be afforded.
- 15.6 In accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission must be determined in accordance with the development plan, unless there are material considerations that indicate otherwise. The fact that certain policies have been deemed to be out-of-date with the NPPF is a material planning consideration that needs to be reflected in the weight to be applied to certain policies in decision making.
- 15.7 This interpretation of adopted planning policy means that consideration of sustainable development and accessibility needs to follow the provisions of Core Strategy Policies SD1 and TA1. Given the limited weight of the policies relating to centres and employment, the provisions of the NPPF will be relevant.
- 15.8 The site is located in Stanway, which (along with Colchester Town) is at the top of the settlement hierarchy of policy SD1. The requirements of TA1 are such that development needs to be focussed on highly accessible locations to reduce the need to travel. In this case a retail development (albeit restricted to bulky goods in the main) already exists on site and the proposal to widen the range of goods that can be sold is not considered to have a significant impact on how staff or customers travel to the site and the proposal is supported in broad sustainability terms given the settlement hierarchy.
- 15.9 Whilst the proposals fit with town centre planning policies, the application should be governed in the first instance by the NPPF policies given the limitations on weight to be given to the Council's centres and employment policies. The requirements of paragraphs 86 and 89 of the NPPF for the sequential test and retail impact assessments accordingly need to be considered. They, however, apply only to 'applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan' and to 'applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan'. Given that the proposal lies within a centre where town centre uses can and are located, it is agreed that the applicants were not obliged to submit information further to the sequential test or the retail impact assessment and that the proposal does not fail in this respect.
- 15.10 It is therefore accepted that an open retail use is acceptable in this centre location. In terms of whether any controls are required, the Applicant has proposed the following:
- Only one unit to be used for the primary sale of frozen foods [NB this would allow for the existing Iceland unit]; and
 - A maximum allowance on floorspace to be used for the sale of food and drink 1,117 sq. m [NB: this allowance is in addition to the use of one unit for the sale of frozen foods].
- 15.11 These suggested conditions are considered to be appropriate in order to ensure that a range of uses (i.e. not solely food stores) will be located at the site so that it can maintain its role as a District Centre.

- 15.12 Looking at consistency with surrounding developments, it is not considered necessary to replicate the conditions put in place on the recent Tollgate Village permission. The Tollgate Village site was only partially in a District Centre, the majority of which being out of centre on land allocated for employment and, therefore, additional controls would have been required in terms of floorspace and the range of goods sold in order to justify the permission and mitigate any retail impacts on existing centres, including the Town Centre. It is, however, considered necessary to include conditions that require further planning permission for mezzanine floors so that the Local Planning Authority can assess any impacts arising from increased floorspace such as traffic and car parking. It is also considered necessary to remove permitted development rights under Schedule 2, Part 7, Class A (extensions or alterations) for the same reason.
- 15.13 Subject to conditions the proposal is considered to be in accordance with the provisions of the Development Plan and the NPPF.

Design and Impact on the Surrounding Area:

- 15.14 In considering the design and layout of the proposal, Core Strategy policy UR2 and Development Plan policy DP1 are relevant. These policies seek to secure high quality and inclusive design in all developments, respecting and enhancing the characteristics of the site, its context and surroundings.
- 15.15 In terms of design, the proposal retains the general existing appearance of the retail terrace, but introduces some additional double-height glazing. The extent of glazing is not considered to have a detrimental impact on the visual character of the terrace; the appearance of which is what one would normally expect of a modern functional retail terraced frontage. The insertion of additional glazing is considered to 'lift' the appearance of the retail terrace and therefore improve its character in accordance with the aforementioned policies.

Highway Matters:

- 15.16 Core Strategy policy TA4 seeks to make the best use of the existing highway network and manage demand for road traffic. The policy makes it clear that new development will need to contribute towards transport infrastructure improvements to support the development itself and to enhance the broader network to mitigate impacts on existing communities. Development Plan policy DP17 requires all development to maintain the right and safe passage of all highways users. Development Plan policy DP19 relates to parking standards in association with the Vehicle Parking Standards SPD (see Section 11 of this report for details of parking requirements).

- 15.17 The application is accompanied by a Transport Statement that has been assessed to be acceptable by the Highway Authority. Certain queries were raised in local representations and these were forwarded to the Highway Authority for further comment, the conclusion being that the Transport Statement is robust and that the proposal would not result in any significant impacts on the highway network [a summary of the Highway Authority response is set out in paragraph 8.2 above].
- 15.18 In terms of car parking, the proposal does not increase any floorspace and would essentially maintain the same use (retail), albeit with a wider range of goods than are currently sold, so it is not considered that there would not be any justification for requiring additional parking. It is important to note that car parking standards, as set out in the Vehicle Parking Standards SPD, are a maximum standard so additional parking would not be considered to be appropriate in any case. With regards to cycle parking and disabled parking, the site offers parking for 36 bicycles and 24 disabled spaces; currently, this provisions is slightly lower than policy standards, being deficient by 11 bicycle spaces and 2 disabled spaces. Any extensions or additional mezzanines would require planning permission where parking requirements can be considered.

Other matters:

- 15.19 The proposal would result in the units being retained in commercial use and no building works (other than alterations to the frontages) would take place, nor would any additional floor space be created. On this basis, there are not considered to be any implications with regards to flood risk or drainage, ecology, or contamination.

16.0 Conclusion

- 16.1 This application site is located in an Urban District Centre where the types of uses proposed would be acceptable in planning policy terms. Having considered other material considerations and the representations that have been received the proposal is considered to be acceptable subject to conditions.

17.0 Recommendation to the Committee

- 17.1 The Officer recommendation to the Committee is for APPROVAL of planning permission subject to:
- Agreement with the Agent/Applicant to any pre-commencement conditions as required under the Town and Country Planning (Pre-commencement Conditions) Regulations 2018 and delegated authority to make changes to the wording of these conditions as necessary; and
 - The Permission being 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

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 the submitted Drawing Numbers

AL(00)001 Rev A	Location Plan
AL(00)010 Rev C	Proposed Ground Floor Plan
AL(00)011 Rev B	Proposed Front Elevations

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

3. Non Standard Condition - Removal of Permitted Development Rights

Notwithstanding the provisions of Schedule 2, Part 7, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no extensions shall be erected unless otherwise subsequently approved, in writing, by the Local Planning Authority.

Reason: In the interest of visual amenity and in order to assess the impacts of any such development that would result in an intensification of use at the site.

4. Non Standard Condition - Sale of frozen food

No more than one unit of the development hereby approved shall be used for the primary sale of frozen food.

Reason: In order to maintain the function of the site as an Urban District Centre by ensuring an adequate mix of uses on the site.

5. Non Standard Condition - Floorspace for the sale of food and drink

Other than the unit used for the sale of frozen food, no more than 1,117sqm of floorspace shall be used for the sale of food and drink.

Reason: In order to maintain the function of the site as an Urban District Centre by ensuring an adequate mix of uses on the site.

6. Restriction on Mezzanine Floor Space

Notwithstanding the definition of 'development', the creation of any mezzanine level or intermediate floorspace within any building or part of a building within the development hereby approved is not permitted without the further grant of planning permission for the expansion of floorspace from the Local Planning Authority.

Reason: For the avoidance of doubt as to the scope of the permission and because the impacts of the proposal, along with necessary forms and levels of mitigation, have been assessed on this basis.

7. Non Standard Condition - Construction Method Statement

No development shall take place, including any ground works or works of demolition, until a Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and under body washing facilities
- v. the means or method of protecting the travelling public within the highway whilst working from height above and adjacent to the footway.

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur, in the interests of highway safety.

18.0 Informatives

18.1 The following informatives are also recommended:

1. 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.

2. 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.

3. Informative on Any Application With a Site Notice

PLEASE NOTE that a site notice was erected in a publicly visible location at the site. Colchester Borough Council would appreciate your co-operation in taking the site notice down and disposing of it properly, in the interests of the environment.

4. Highway Informative

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.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 – Essex Highways
Colchester Highways Depot,
653 The Crescent,
Colchester
CO4 9YQ