

**PLANNING COMMITTEE
17 SEPTEMBER 2009**

Present :- Councillor Stephen Ford* (Chairman)
Councillor Sonia Lewis* (Deputy Mayor)
Councillors Mary Blandon*, Helen Chuah*,
Mark Cory, John Elliott*, Theresa Higgins*,
Jackie Maclean*, Jon Manning* and Ann Quarrie*

Substitute Members :- Councillor Peter Chillingworth
for Councillor Andrew Ellis*
Councillor Laura Sykes
for Councillor Ray Gamble*

(* Committee members who attended the formal site visit.)

96. Minutes

The minutes of the meeting held on 3 September 2009 were confirmed as a correct record, subject to minute no. 83 being amended by the addition of the words below being inserted in the seventh paragraph after the words "There were concerns that there should be disabled parking spaces for all those using the building":-

"and that access arrangements under DDA legislation to the court house and courts, for example induction loops, should be installed as part of the construction of the building rather than being added at a later date".

Councillor Jackie Maclean (in respect of her acquaintance with the Chairman of Chappel Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Peter Chillingworth (in respect of his home being in Vernons Road some half a mile distant from the site) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

97. 090891 Orchard Place, Vernons Road, Chappel

The Committee considered an application for the retention of an existing unauthorised use of land for the permanent stationing of twelve caravans on six pitches for occupation by gypsy families, and including the erection of small toilet/utility sheds and the laying of hardcore/chipping/tarmac surfaces.

The application is a resubmission of 090559. The Committee had before it a report in which all information was set out.

The Committee made a site visit in order to assess the impact of the proposal upon the locality and the suitability of the proposal for the site.

Mark Russell, Planning Officer, attended to assist the Committee in its deliberations. The site was in a Countryside Conservation Area but following a review the land now had no status. The site is visible from a public footpath and the entrance is set back 6 metres from the carriageway in Vernons Road. There are concerns that there may not be enough space to put in landscaping and there was no provision for a children's play area.

Sue Chamley, Chairman of Chappel Parish Council, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. Legal advisors have not confirmed the validity of the application, the identity of the owners, or that the correct fee has been paid. The design of the site is not definite, has been changed and is ambiguous. There are inaccuracies and contradictions including details of ownership, the size of the site, and size and construction of the proposed utility buildings. These are all essential assessment criteria. She referred to the Government policy which set out criteria for a good site, none of which were met by this site. A good site should be on brown field land; inside a settlement envelope; provide main services such as electricity, water and sewage. Good sites should have good transport links whereas this site has a very poor bus service and is close to a blind bend on a single track country lane subject to no speed limits. There should be access to education: but there is no footpath, no street lights, no nursery facilities and no secondary education. There is no dentist, hospital, supermarket or well designed play area for children. The catholic church is 6 or 7 miles away. There is no evidence to suggest the applicant or agent has investigated any alternative sites. This site fails to meet any, let alone all, of the criteria required by Government policy. The reported crime rate has increased. It is believed that the applicants are not homeless but have moved to this site on a voluntary basis and have no association with the area. The parish council endorse the recommendation on the basis that the proposal is contrary to highway safety. They accept that there are limited sites within the borough but that does not mean that this site should be accepted.

Matt Thorne, resident adjacent to the site, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He operates a Caravan Club site on his farm and the applicants are now their immediate neighbours. This application is unauthorised development, which has devastated his family life, health and business. He has been unable to sleep because of excessive noise levels

until the early hours of the morning. The planning officer's report refuses to accept that this development has had any impact on his business, but his guests have not enjoyed their holiday time in this situation. Indeed he has lost the vast majority of his business as a direct result of this development. Until this year he offered tranquility and beautiful views, both have gone along with his guests. His guests are disappointed with the site and the Caravan Club have expressed concerns about the impact of this development on their members. He asked the Committee not to allow the situation to continue; whether there are one or twelve caravans is irrelevant; the development must not be allowed and the site must be returned to its natural state.

Dave Cookson, agent to the applicants, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. The policy issues are fully covered in the report. He stated the guidance which requires councils to increase the number of pitches in the borough. The current Regional Spatial Strategy requirement is for a minimum of 30 pitches by 2011 to be provided, not just allocated. The comments from all consultees, apart from Highway Authority, are either favourable or not substantive. The Highway Authority does not explain why the vision splay is dangerous. They have not fully assessed the likely traffic impact. No assessment of traffic flows has been made, but there is very little traffic on this road, which gives access to only a few properties. Referring to policy H5, it was likely that many future sites will be located in the countryside not in villages, and it was unlikely that any site would be acceptable within a village envelope. Caravans are not heavy vehicles and would have no impact on the highway surface, neither do they require the same manoeuvring space as large vehicles. Towing vehicles will be medium size vans. Caravans will move only three or four times a year. Arguably the adjacent caravan site has a worse access on to the highway. Many residents walk along the road, and residents of this site can do likewise. He understood from Building Control that if the utility buildings are less than 30 square metres and are constructed of non-flammable material building regulations will not be required. There is no reason to suppose that children will be at risk, the site is fenced and parents will ensure their safety. Septic tanks are the responsibility of the Environment Agency. Mentioned has been made that potential problems may be caused by animals, but no mention has been made that animals will be kept on site, again therefore, it has been assumed it will be an issue. There are inaccuracies in the report; the gates were erected 5 years ago by a previous owner and are clearly visible on photographs, so this is not material to this application. The gates are set back 10.4 metres, not as stated in the report, and all but the longest vehicles can pull off from the road. The access is 3 metres wide and can accommodate 2 vehicles passing. He emphasised that:-

- the minimum number of pitches must be provided, not just allocated, and can include private as well as public sites, this looks unlikely;
- there is a marked lack of action on delivery of sites. Travellers prefer rural or semi-rural sites but this should not be an automatic reason to refuse;
- the LDF system is too slow to deliver sites.

The appeal Inspector is more likely to err in favour of sites where there is a lack of provision by councils. Sites are not required to be hidden from view.

The case officer explained that confirmation of the validity of the application and the fee is on the amendment sheet. There was some difficulty in getting a land registration survey and it was deemed sensible at that stage to invalidate the application. However, the correct fee for change of use has now been received. A preference for a brown field site within a village envelope is correct except for travellers' sites, for which it is accepted that they can be outside of settlement limits. The comment regarding access to educational facilities is noted, but in any case it would be true of any hamlet or scattered settlement and that is not sufficient reason for a refusal. There was no suggestion that children should play on the footpath, the point being made is that this is the only piece of land not privately owned. Apologies were given to Mr Thorne in respect of his comments about noise and the failure to recognise within the report that it had affected his business. It was acknowledged that building regulations alone are not sufficient reason for a refusal, but the mechanics of how a site is going to work is. A 30 metres square outbuilding would have to be fire resistant, i.e. not timber. Forty people in a small area will be more dominant than if there were fewer people. It was confirmed that there would be no overlooking or overshadowing. In respect of comments regarding animals, there have been sightings of travellers' horses grazing on land not belonging to them. Apologies were given in regard to inaccuracies concerning the gates.

Members of the Committee commented that the report was comprehensive and well balanced. The concerns of residents are listed in the report and many issues raised are not planning matters and cannot be taken into account. There was support for the general policy to provide gypsies/travellers with appropriate sites for those who want a permanent base and to educate their children, but also have a nomadic life. However, sites for settlement should be proper sites. A number of problems have occurred. There has been an occurrence where dogs nearly caused an accident when riders passed; rubbish has been thrown over the fence and spread around roads; loud music has been played, which has been turned down upon request, but with 40 people on the site there may be problems; stones have been thrown at the caravans on Mr Thorne's site. These are all very concerning to residents. Efforts have been made to find sites for

affordable housing within the village envelope but on each occasion sites have been turned down on highways grounds. This site is not on the edge of the village envelope, but there are similar highway concerns and residents feel that this application should be dealt with in the same way as it would be for housing. The road can be busy and contrary to the suggestion it does not lead from nowhere to nowhere; it is used by walkers, horse traffic and vehicles. The objection on highway grounds was supported. The proposal is over-development of the site because it does not comply with requirements applied to an authorised site. Forty people who chose to live a nomadic life are being imposed on the community. The parish council have listed the problems that the proposal will create. There is a possible third reason for refusal; the impact on the amenity of local residents. The effect on Mr Thorne's business, noise, rubbish, etc. has also been affecting people's amenity in the wider community. It was acknowledged that there is a shortage of sites in the borough. The site at Severalls has formal planning consent but is not yet developed. It is believed that Essex County Council are about to go out to tender and when completed it will provide 12 pitches in north Colchester; in due course this will be a suitable alternative site for travellers. There was support for the council's policy to find appropriate and suitable sites for gypsy and traveller communities. This site however cannot be sustained; the report explains that sites should be sustainable with access to suitable accommodation, health and welfare provision. This site does not provide proper space, adequate sanitation, adequate recreation space, and there are unresolved highway issues. There is no proper provision for travellers in the borough and sites like this are coming to the Committee. This site is retrospective and difficult to support because the work has already been carried out. The proposal is over-development and if it were for any other kind of housing it would not be allowed. There is no mutual respect where applications like this are retrospective. Well-maintained sites are very nice places to live but this site is unsuitable.

It was confirmed that noise is included in the reason for refusal and it is correct that there is other legislation such as environmental health to control noise, however, it is included here because so many people are living in such a small space and the noise is greater than would normally be expected. The rubbish being dumped may have been put there by anyone, however in planning terms a condition could be added requiring waste storage facilities which are adequate for the purpose to be provided. The effect on a business is difficult to use as a reason for refusal where the noise is disturbing a neighbour's guests. The planning system is not available to protect the neighbour's business. In terms of material planning considerations the relevant impact on a business is the issue of loss or creation of jobs. Planning legislation is not able to protect a business from an alternative use.

RESOLVED (UNANIMOUSLY) that the application be refused on the grounds that the site is too small to accommodate the proposal in a satisfactory manner, and would dominate its surroundings. In addition the site does not have sufficient visibility splays to achieve highway safety.

98. 090725 Land to the east of Port Lane, Colchester

The Committee considered an application for the erection of 224 dwellings and had before it a report in which all information was set out.

The Committee made a site visit in order to assess the impact of the proposal upon the locality and the suitability of the proposal for the site.

Bradly Heffer, Principal Planning Officer, attended to assist the Committee in its deliberations. The main access to the site would be from Port Lane. The development would comprise character areas within the site and whilst there would be some three and four storey units, the majority of the properties would be two stories to reflect the general character in the area. There would be no visual distinction between the affordable housing and market housing. The development follows the Essex Design Guide in terms of materials and form, and garden sizes reflect the close proximity to open space. The land slopes gently down from west to east and there will be some material required to replace any removed as a result of the decontamination process. Unlike the earlier application in which it was proposed that St Leonards Street be a cul de sac, it is now proposed that St Leonards Street remain unchanged but with new residential properties along the southern side. It is considered that this scheme has addressed the points raised when the previous application was presented in terms of size, density, affordable housing and private amenity areas. The response to the surrounding character of the area is constrained by the presence of the factory but the conditions as suggested can adequately mitigate its impact on the residential development.

Frances Sparrow addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. She resided in St Leonards Street on the sharp corner with St Leonards Terrace. Her remaining concern was the narrow corner which causes problems with heavy vehicles, delivery lorries, etc. She acknowledged that the access had changed but she remained concerned that residents of St Leonards Terrace have their own off street parking but she does not. She wanted some means of dealing with the problems of the corner.

It was explained that there is on street parking at this location but that there would be no worsening of the situation as a result of the new development

because those properties have their own parking spaces. There could be emergency vehicles entering the new development at that point but the main entrance into the development would be from Port Lane. The Highway Authority are content with this arrangement.

Members of the Committee recognised that this application had addressed all the concerns raised on the earlier application; this proposal is a complete turnaround in as much as a poor proposal was rejected and something much better is now proposed. There are only twenty-five flats within the proposal and family homes are now included. It was suggested that the Committee ask for yellow lines to protect the corner that the public speaker mentioned.

It was explained that it would be possible to add an Informative that the Highway Authority be requested to consider the use of yellow lines to protect the corner of St Leonards Street.

RESOLVED (UNANIMOUSLY) that –

(a) Consideration of the application be deferred for completion of a Section 106 Agreement to secure contributions as follows:- £92,000 towards education; £400,000 towards Open Space, Sport and Recreational Facilities; £30,000 towards community facilities; £378,000 towards business and enterprise; and £190,000 towards improvements to the highway network in the vicinity of the proposal site as considered necessary and/or appropriate by the Highway Authority; together with the incorporation of additional elements:- provision of 25% affordable housing units in accordance with the location, mix and tenure shown in the submitted application; the provision of a Transport and Marketing Scheme which shall include, amongst other features, free season tickets and timetable information as well as publicity, e.g. by poster and leaflet.

(b) Upon receipt of a satisfactory Section 106 Agreement, the Head of Environmental and Protective Services be authorised to grant consent with conditions and informatives as set out in the report.

(c) The case officer to contact Essex County Council Highway Authority to request an investigation into whether yellow lines can be provided where Standard Road meets St Leonards Road.

99. 090909 East View, Straight Road, Boxted

The Committee considered an application for a change of use from a doctor's surgery to a domestic dwelling, together with alterations to the roof

to form three bedrooms. The Committee had before it a report in which all information was set out, see also Amendment Sheet.

RESOLVED (UNANIMOUSLY) that the application be approved with conditions and informatives as set out in the report, see also Amendment Sheet.

100. 090984 13a Nayland Road, Colchester

The Committee considered an application for a new disabled dental clinic. The application is a resubmission of 090550. The Committee had before it a report in which all information was set out, see also Amendment Sheet.

John More, Principal Planning Officer, attended to assist the Committee in its deliberations. The proposed building is sited at the rear of the existing building. There is a current permission for two offices. The original permission for a dental practice was conditioned to limit the number of treatment rooms to one and there is an ongoing investigation on the number of rooms being used following objections to this application. Currently the parking arrangements are not controlled and in respect of the new application, parking is the contentious issue.

Anthony Welham addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application on the grounds of over development of the site and insufficient off-street parking to support the use leading to an increase in on-street parking. There are three treatment/consulting rooms, which results in a high number of vehicles parking at the rear where the permission is for only four vehicles. He wanted the planning permission to be enforced by reducing the number of employees to three from the number that are currently working in the practice. He believed there were two consulting rooms with a third currently being set up, leading to the increase in the number of cars. The four spaces at the front of the building are not connected to the practice. He was of the opinion that at least four spaces are required for each consulting room.

Sam Matthews addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. A previous owner had planning permission to build five offices on the site. They needed to comply with the Disability Discrimination Act and were obliged to make their services available to all. Their facilities on first floor were not suitable and there was a need to improve access. They are able to carry out most treatments in their clients' homes, but for extractions and fillings all clients had to attend at the clinic. However, getting them up to the first floor is proving difficult. The new surgery on the ground floor is

therefore important but its construction would not attract new patients. The objections on the grounds of car parking are noted and in the new arrangements parking spaces would be marked out. They are on a good route for public transport and they employ local staff who could walk. There are also plans for a car sharing scheme.

Members of the Committee accepted that there was a problem where the access to no. 15 Nayland Road was being obstructed and that it was intended to mark out the parking spaces but it was difficult to prevent parking in front of the garage. It was recognised that the facility was needed and the existing permission would result in more demand for parking spaces. It was noted that no objections had been received from the Highway Authority regarding on street parking.

It was explained that there would be twelve parking spaces and two disabled spaces marked out. It would be possible to require hatching in front of the garages to ensure that clients do not obstruct the access. The disabled parking spaces would be to the current adopted parking standards, but they would not necessarily be sufficient for two large ambulance vehicles.

RESOLVED (UNANIMOUSLY) that the application be approved with conditions and informatives as set out in the report, see also Amendment Sheet, together with an additional condition requiring the area to the front of the garage of no.15 Nayland Road to be marked out with hatching to prevent blocking the access to the garage and a notice to be displayed within the waiting room to ask patients to park considerately and not to obstruct the hatched area.

101. 091002 Abbots Wick Farm, Abbots Wick Lane, Great Wigborough

The Committee considered an application for a change of use and the minor alteration of a barn to form a granny annexe and ancillary leisure space. The Committee had before it a report in which all information was set out.

The Committee made a site visit in order to assess the impact of the proposal upon the locality and the suitability of the proposal for the site.

John More, Principal Planning Officer, attended to assist the Committee in its deliberations. He explained that the applicant was willing to enter into a legal agreement to tie the barn to the dwelling house and thus prevent it being sold off separately. It was also noted that the Highways Authority had recommended refusal on highway grounds and that they had successfully defended appeals in respect of this site on those grounds.

Ted Gittins addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. The applicant had tried to find a use for the barn to limit traffic generation. The barn is not within the curtilage of the main building so it cannot be listed. There was a similar barn alongside which was lost in the 1987 storm. The aim of the application was to find a low key use associated directly and tied legally to the farmhouse to provide accommodation for a carer for the applicant's elderly mother. The house and barn would be tied so they cannot be used separately. In respect of the highway objection, he commented that the traffic generation from this use is minimal.

Councillor Ellis attended and, with the consent of the Chairman, addressed the Committee. The parish council supported the application and would like to see the barn put to a beneficial use rather than it be allowed to fall into disrepair. The site had a long history but he did not believe this applicant had submitted any of the previous applications. He has agreed to sign a legal agreement to tie the barn into the main house so it cannot be sold separately. The parish council keeps a record of any reported accidents and to date there have been none in this location, even though the Highway Authority consider this to be an inadequate junction. The only extra vehicle being used is that belonging to the carer; the elderly person does not have a vehicle, although this situation could change. There are two large farms using this lane and he considered that one extra vehicle was a price worth paying to retain the landscape. He believed that this proposal will not cause unacceptable harm and hoped the Committee would agree with local people and grant the application.

Members of the Committee considered that the Highway Authority must have a strong case. This application is different from previous applications, which had been refused because most of them had the potential for increasing traffic. The barn itself, although not listed is interesting and in excellent condition, and there is a risk it will be lost. If there is an acceptable reuse it should be looked at carefully. The sight line to the south of the junction is very good, but in the other direction it is below the standard that the Highway Authority would normally require. In any case there was nothing to prevent an increase in traffic occurring from the main house. It was suggested that the applicant could make a small contribution towards improving the junction or any other purpose the Highway Authority might nominate.

It was explained that if members were to indicate they wanted to grant permission it would be appropriate to consult the Highway Authority to seek any conditions which may be required.

RESOLVED (UNANIMOUSLY) that –

(a) Consideration of the application be deferred for completion of a satisfactory Legal Agreement to tie the use and occupation of the building as ancillary to the main house in perpetuity.

(b) Upon receipt of a satisfactory Legal Agreement, the Head of Environmental and Protective Services be authorised to grant consent with any conditions and informatives considered appropriate, including materials, timber windows.

102. 090588 17 East Mersea Road, West Mersea

The Committee considered an application for a change of use of an existing swimming pool for non-domestic purposes. The Committee had before it a report in which all information was set out.

John More, Principal Planning Officer, attended to assist the Committee in its deliberations. The Highway Authority had asked that the access be narrowed to improve road safety in this situation. It was 45 metres to the nearest residential property. Environmental Control had received no complaints during the seven years of operation of the swimming pool.

Moira Davidson addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. On the website there were over 60 comments in favour of the development. She considered it unfair to impose that level of use in a residential area. The swimming pool is nearer to her house than to Mr Banks' and both she and her neighbours had tolerated the situation for some time. She would like stringent conditions and a time of opening as currently there did not appear to be any time when the pool was not being used, except for the middle of the night. She was able to hear children screaming from inside her house and there was no means of drainage.

David Banks addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He accepted all the conditions discussed including the access with the Highway Authority and would be able to comply with their conditions. It is a local asset and a benefit to the community and letters of support had been received. The only alternative open to their customers would be to go to Colchester or not be able to learn to swim. It is possible to ensure the neighbours are not upset by the proposal. Before they bought the house the site was used for demolition and reconstruction. He was willing to comply with noise reduction conditions and the Highway Authority conditions were a very valuable asset. The town council supported the application and he hoped the problems raised by the neighbours could be resolved.

Members of the Committee appreciated the shortage of swimming pool spaces in the south of the borough, but had concerns about the length of time the pool is open for use by groups, particularly the use on Sundays, and also any pollution caused by chemicals used in the pool.

It was explained that the Condition 2 setting out hours of use could be amended to prohibit opening on Sundays other than for the owners of the dwelling. Condition 3 specifies that when groups are using the pool the doors and windows are to remain closed. The proposed informative regarding a noise reducing measure on the boardwalk could be added to the conditions which would enable the enforcement team to take action if there were any complaints relating to noise. The application is for a change of use and conditions regarding drainage are inappropriate as the building and pool are permitted developments.

RESOLVED (MAJORITY voted FOR) that the application be approved with conditions and informatives as set out in the report, subject to condition 2 being amended to preclude business use on Sundays, no more than 10 school children to be permitted in any one session, and the proposed informative to be reworded as a condition.

Councillor Peter Chillingworth (in respect of his acquaintance with Richard Tattersall, the Council's independent consultant) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

103. 090755 Woodhouse Lane, Coach Road, Great Horkesley

The Committee considered an application for a proposed livestock building plus a change of use of land for the temporary stationing of a mobile home. The Committee had before it a report in which all information was set out.

John More, Principal Planning Officer, attended to assist the Committee in its deliberations. Consultants have confirmed that the barn would be suitable for keeping livestock. The proposal has passed the tests for functional and financial need. Objections received were on the grounds of noise and pollution.

Michael Foley addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He was a joint owner of the adjacent property, which was a business centre comprising a consultant engineering business. They work in a studios

atmosphere and environment. This application caused him concerns, specifically those relating to the impact of noise on his business, his employees and visitors; and that odours and waste may affect their environment. He was also representing Dr Marfleet, the occupier of a house also adjacent to the site. Dr Marfleet was concerned about the run off of effluent from the site and that any issues of waste disposal which may affect his property should be properly addressed. According to the officer's report before the Committee, the report on environmental issues appears to have been simply 'noted'.

Tim Knighton addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He has farmed all his adult life as have two generations of his family before him. He is based in Great Horkelesley where he farms 700 acres of arable land, which he manages single-handed. However, he has experience of keeping cattle having managed a dairy herd on a nearby farm prior to 2002. The herd was sold because it was uneconomic but he now wanted to return to beef production and to enjoy the benefits of a mixed farm, particularly now as there was a high demand for quality beef and prices were buoyant. He was of the opinion that cattle kept on straw in a properly designed farm building produced virtually no odours or noise. They would be away from any other properties. A beef unit would justify the employment of an additional worker and he asked the Committee for their support.

Members of the Committee commented that agriculture in the countryside sometimes produces side effects such as smells and noise which people living there accept it if they are near a farm. The point regarding pollution should be properly addressed and it was hoped that a requirement to provide information on the storage of manure, straw bedding and any effluent control would be required. The functional need for a cattle building and the business plan has been accepted by the Council's own consultant; the Council is not just relying on the applicant's consultant.

It was explained that Condition 7 requires details of foul and surface water drainage to be submitted but an additional condition could be included for details of a septic tank for the mobile home to be submitted. An Informative is included indicating that the Environment Agency require details of a scheme for pollution provision, effluent storage and disposal, but this could be reworded as a condition. Condition 2, which permits a temporary mobile home for 3 years, could be reworded so that it cannot be occupied until the commencement of the livestock business.

RESOLVED (UNANIMOUSLY) that the application be approved with conditions and informatives as set out in the report, and including the following amended and additional conditions:

- Condition 2 to be reworded to ensure the removal of the caravan after 3 years and the site returned to its former condition. The mobile home is not to be occupied for residential purposes until the cattle shed is functioning for the purpose permitted;
- an additional condition to require details of a septic tank or private treatment plant to be submitted and agreed; and
- an additional condition to require details of pollution prevention measures, including details of manure storage and disposal, to be submitted and approved.

104. 090823 Unit 2, Tollgate East, Stanway

The Committee considered an application for a change of use from class A1 Retail, to B1 Business, B2 General Industrial, and B8 Storage and Distribution, with ancillary retail under Colchester Borough Council Planning Policy EMP1. The Committee had before it a report in which all information was set out.

RESOLVED (UNANIMOUSLY) that the application be approved with conditions and informatives as set out in the report.