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Item No: 7.3

Application: 210573

Applicant: Mr John Rix

Agent: James Williams, Thurlow Nunn Standen Ltd

Proposal: Proposed agricultural steel portal framed grading building and relocation of existing gas tanks

Location: P G Rix (Farms) Ltd, Lodge Farm, Boxted Road, Great Horkesley, Colchester, CO6 4AP

Ward: Rural North

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 major development where an objection has been received.

2.0 Synopsis

- 2.1 The application seeks planning permission for an agricultural building and the relocation of existing gas tanks. The application site is within an existing farm and is publicly visible from an adjacent public right of way (PROW). The key issues for consideration are:
- Principle of development
 - Flood Risk and Drainage
 - Highway safety and efficiency
 - Impact on landscape and trees
 - Impact on the character of the area
 - Design and appearance
- 2.3 The above matters are considered in the report, alongside other material planning considerations and consultation responses. The application is subsequently recommended for approval subject to conditions.

3.0 Site Description and Context

- 3.1 The application site forms part of P G Rix Farms, a 2,460ha farm on the Essex/Suffolk border. The farm grows, packs, and supplies onions and currently employs approximately 260 people.
- 3.2 The site lies in between two existing buildings within the farmyard. At the time of the site visit, there were a number of crates stored in the site area. The wider site comprises of a large collection of agricultural/industrial buildings that sit either side of the road.
- 3.3 A PROW runs east west along the northern boundary and a tree/hedge boundary filters views of the site, although the farm buildings can still be seen. Some recent tree planting has been undertaken along the northern boundary adjacent the footpath (as part of a planting scheme associated with the 2018 planning permission for a grading building, now built).
- 3.4 The site is served by the existing HGV access. An area for car parking is located to the south of the site adjacent Bosted Road, although there are additional parking areas in the vicinity of existing buildings throughout the site.
- 3.5 The site is recorded as being grade 2 agricultural land, although it should be noted that the application site comprises of hardstanding for the most part so would not be useable for growing.

4.0 Description of the Proposal

- 4.1 The application seeks planning permission for an agricultural building and the relocation of existing gas tanks. The proposed building would be steel framed and would measure 6m in height to the eaves, and 8.47m high to the ridge. The proposed building would be sited on land partially used to store gas tanks, which would be moved to the east of the application site. The gas tanks would stand at 1.45m high.
- 4.2 The operational hours for the building would be the same as for the remainder of the site:
0730 to 1830 Monday to Saturday
0730 to 1830 Sundays (limited out-loading and harvest work)
- 4.3 The application is supported by the following documents:
- Design and Access Statement
 - Drainage Layout
 - Existing and Proposed Site Plans
 - Flood Risk Assessment and Flood Risk Assessment Addendums
 - Floor Plans and Elevations
 - Relocated Gas Tank Detail
 - Site Block Plan
 - Tree Protection Plan

5.0 Relevant Planning History

- 5.1 Lodge Farm has an extensive planning history for various farm buildings and facilities dating from the 1960s. The most recent planning history is as follows (all approvals):

110310	Steel portal framed side extension building clad with insulated sheeting.
112249	Application for prior notification of agricultural or forestry development - proposed building.
112471	Installation of photovoltaic modules on the roof of the sprayer store
120589	Erect a two storey extension with new quality control room on ground floor and conference room on first floor. Erect a new single storey entrance porch.
132245	Proposed agricultural steel portal framed end extension to provide additional boxed onion storage.
132246	Proposed agricultural steel portal framed end extension to provide additional storage and packing facilities including welfare.

162139	Extension to form additional welfare and office space
180632	Proposed agricultural steel portal framed grading and compost buildings.

6.0 Principal Policies

6.1 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.

6.2 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
CE3 - Employment Zones
UR2 - Built Design and Character
TA1 - Accessibility and Changing Travel Behaviour
TA2 - Walking and Cycling
TA4 – Roads and Traffic
ENV1 - Environment
ENV2 - Rural Communities

Please note: SD1 has been partially superseded. Please see section 6.4 below.

6.3 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
DP5 Appropriate Employment Uses and Protection of Employment Land and Existing Businesses
DP8 Agricultural Development and Diversification
DP9 Employment Uses in the Countryside
DP17 Accessibility and Access
DP19 Parking Standards
DP20 Flood Risk and Management of Surface Water Drainage
DP21 Nature Conservation and Protected Lanes

6.4 Adopted Local Plan and Emerging Local Plan Status – March 2021

Overview

The Section 1 Local Plan was adopted on 1 February 2021 and is afforded full weight. The Section 2 Emerging Local Plan has now been examined with the Inspectors report awaited, hearing sessions having taken place between 20 and 30 April 2021. Section 2 policies must be assessed on a case by case basis in accordance with NPPF paragraph 48 to determine the weight which can be attributed to each policy.

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.

In so far as it relates to this planning application, and as a result of Section 1 of the Local Plan being adopted, Core Strategy Policy SD1 is partially superseded by policies SP3. The remaining elements of policies SD1 is relevant for decision making purposes.

Section 2 will be afforded some weight due to its advanced stage. However, as it is yet to undergo 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.

6.5 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
Sustainable Drainage Systems Design Guide
ECC's Development & Public Rights of Way
Planning Out Crime

7.0 Consultations

7.1 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.

7.2 Air Quality: No comments received.

7.3 Arboricultural Officer: Tree Constraints and Tree Protection Plan required in order to assess impact.

- 7.4 Archaeological Adviser: No requirement for archaeological investigation as the site has already been developed and the proposed groundworks are minimal.
- 7.5 Building Control: No comments received.
- 7.6 Environmental Protection: No objection subject to conditions relating to hours of construction/demolition and site boundary noise levels following development.
- 7.7 Essex Bridleways Association: No comments received.
- 7.8 Essex County Fire and Rescue Service: Advisory comments regarding access; Building Regulations; water supplies; and sprinkler systems.
- 7.9 Health and Safety Executive: The proposed development site does not currently lie within the consultation distance of a major hazard site or major accident hazard pipeline.
- 7.10 Highway Authority: No objection. Recommended informative in respect of works within or affecting the highway requiring prior arrangement with the Highway Authority.

Case Officer Update: Further comments were sought from the Highway Authority in respect of local residents concerns regarding the condition of the road and its capacity for additional farm traffic. The comments are summarised as follows:

- There is no indication that the size of vehicles delivering to the farm would be in excess of what may be using the route already;*
- The highway is open for all users (and the condition, maintenance, and inspection of the highway is not a planning matter);*
- The farm is in a rural location and it is reasonable to expect agricultural vehicles to use the rural network. In addition, traffic associated with the farm is seasonal;*
- It would not be reasonable for the Highway Authority to recommend refusal in this case when the impact of the proposed development is not demonstrated to be severe.*

- 7.11 Landscape Officer: No objection subject to a native shrub and tree planting belt on the northern boundary of the site in order to filter views of the proposed development in the interests of the character of the site and the public amenity of users of the adjacent public right of way (PROW).
- 7.12 Minerals and Waste Planning: No comments as the site area is below the Minerals Local Plan 2014 Policy S8 threshold of 5ha.
- 7.13 Natural England: No comments.
- 7.14 SUDs: Holding objection awaiting confirmation that the area for the relocated gas tanks is included in the drainage scheme.

8.0 Parish Council Response

- 8.1 Great Horkesley Parish Council have not submitted an objection, but have confirmed that they have received concerns from residents regarding additional traffic (including heavy goods vehicles) using the busy Boxted Road.
- 8.2 Boxted Parish Council have not submitted an objection, but have commented that the surrounding roads are used by large HGV lorries in connection with the farm and that, with the exception of Straight Road, all of the roads are unclassified and suffer from deterioration. The representation includes a suggestion that the HGV lorries be directed west towards the A134 when they exit the farm as the A134 is considered to be a safer road for the HGV lorries to use and would restrict the wear and tear on the road to a smaller length of road.

9.0 Representations from Notified Parties

- 9.1 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.

Three objections received from local residents, summarised as follows:

- Overdevelopment of the site due to traffic and effect on local community;
- Impact on the rural environment;
- The roads are not suitable for the size and volume of agricultural equipment and vehicles and drivers are not courteous to other road users;
- The roads are in a poor state and are damaged by farm vehicles;
- The number of vehicle movements have altered the rural character of the road;
- Additional noise, pollution, and disturbance to local residents (due to vehicle movements and working hours);
- Intensification of use to factory in an unsuitable village location.

Two of the objections recommend conditions to limit the number of vehicle movements, operating hours (to exclude weekends and evenings); and the ensure that floodlights only operate during operating hours and are designed so as to reduce light spill.

One General Comment received from local residents, summarised as follows:

- Light pollution as floodlights are on outside working hours;
- The roads are unsuitable for large lorries;
- Vehicles arrive late into the night;
- The farm tractors are increasing in size every year and the drivers are inconsiderate of other road users. Some vehicles are wider than the road and damage the side verges.

10.0 Parking Provision

10.1 Parking provision remains unchanged onsite. There is a car park to the south of the application site, adjacent Boxted Road, as well as parking in the vicinity of individual buildings.

Type of vehicle	Existing number of spaces	Total proposed (including spaces retained)	Difference in spaces
Cars	40	40	0
Light goods vehicles / public carrier vehicles	5	5	0
Motorcycles	5	5	0
Disability spaces	5	5	0
Cycle spaces	10	10	0
Other HGV/Tractor	15	15	0

11.0 Accessibility

11.1 The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. The proposed development does not raise any issues of discrimination; the site is accessible by a number of modes of transport (car, bus, cycle, foot) and accessible car parking can be provided. There would be level access into the building.

12.0 Air Quality

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

13.0 Planning Obligations

13.1 As a “Major” application, there was a requirement for this proposal to be considered by the Development Team in order to establish whether any planning obligations are required to mitigate the impact of the proposed development. It was considered that no planning obligations are necessary in this case.

14.0 Report

14.1 The main issues in this case are:

- Principle of development
- Highway safety and efficiency
- Impact on landscape and trees
- Impact on the character of the area
- Design and appearance

Principle of Development

- 14.2 Section 1 Policy SP3, which partially supersedes Core Strategy Policy SD1, establishes that existing settlements will be the principal focus for additional growth. The policy goes on to state that beyond the main settlement areas, diversification of the rural economy will be supported. Support for the rural economy is also included in the National Planning Policy Framework (NPPF) which requires planning policies and planning decisions to enable the sustainable growth and expansion of all types of businesses in rural areas, including the development and diversification of agricultural and other land-based businesses, both through the conversion of existing buildings and well-designed new buildings.
- 14.3 Development Policy DP8 also provides general support for existing agricultural uses and gives particular encouragement to sustainable forms of agriculture which include environmentally sensitive, organic, and locally distinctive food production, together with its processing, packing, marketing and retailing. New agricultural buildings requiring planning permission will be guided to farm locations which are sensitive to their environment.
- 14.4 The planning application is supported by a justification which explains that the farm business is required to react quickly to the 'changing demands of the end consumer and stay ahead of the competition' and that the proposed building would allow for additional relief capacity as well as spread existing packing lines over a larger footprint, thereby reducing the risk should any incidents occur (e.g. fire, virus outbreak). The justification goes on to state that the additional space would go towards Health and Safety goals for the site, allowing for a slower paced operation and better segregation of people, machinery and vehicle movements. In addition, spreading production with additional capacity allows for staffing the facility within normal working hours rather than pushing towards 24-hour production and a reliance on agency staff with zero-hour contracts. The introduction of new technology as part of the development would also enable recyclable packaging to be used in the packing process.
- 14.5 The proposed development is considered to be acceptable in principle given the support for rural businesses in both National and Local planning policy. The proposed building would be located within an existing farm which would allow for linked trips and staffing, as well as the modernisation of working practices, which contributes to the sustainability of the scheme in accordance with planning policy. Consideration will need to be given to other material planning considerations as set out in the remainder of this report.

Flood Risk and Drainage

- 14.6 Core Strategy Policy SD1 and Development Plan Policy DP20 require proposals to promote sustainability by minimising and/or mitigating pressure on (inter alia) areas at risk of flooding. Policy DP20 also requires all development proposals to incorporate measures for the conservation and sustainable use of water, including the appropriate use of SUDs for managing surface water runoff.
- 14.7 The site is located within Flood Zone 1 which means that there is low probability of flooding (less than 0.1%). The development itself is, therefore, unlikely to be susceptible to flooding. It is still important, however, to assess whether/how the development could affect flood risk elsewhere in terms of surface water flooding. Essex County Council SUDs Team (as Lead Local Flood Authority) have been consulted on the application and initially requested further information with regards to the submitted drainage strategy. Upon receipt of revised information, the SUDs team has issued a holding objection, but only in the absence of confirmation as to whether the relocation of the gas tanks is included in the drainage strategy calculations. A further addendum to the Flood Risk Assessment has subsequently been submitted which provides calculations to take into account the gas tank area. This information is currently being considered by the SUDs team. Provided that the further information is acceptable to Essex County Council SUDs, the proposal would be acceptable in respect of policies SD1 and DP20.

Highway Safety and Efficiency

- 14.8 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.
- 14.9 The proposed development would utilise an existing HGV access from Boxted Road. The Design and Access Statement confirms that the proposed development would result in one additional lorry movement per day.
- 14.10 The Highway Authority have been consulted on the application and do not have any objections. Local representations are concerned with traffic movements, the condition of surrounding roads, and damage caused to the roads as a result of use by large vehicles, although these concerns relate to the existing use of the site rather than directly related to the proposal in hand. The concerns of local residents are sympathised with, but on the basis that the proposed development would only result in one additional lorry movement per day, the additional impact is minimal. Paragraph 109 of the

NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Given that the impact of the proposed development would be minimal, there is not considered to be grounds for refusal in respect of highway impact.

- 14.11 In terms of parking, the Essex Vehicle Parking Standards do not include any requirements in respect of agricultural development. In any case, car parking for business uses is a maximum standard, so even if the proposed building were to be considered on the basis of a B8 storage and distribution use, the lack of associated car parking would not be a reason for refusal. Cycle parking and disabled parking are minimum standards, but as agricultural uses are not included in the parking standards, it would be unreasonable to insist upon additional provision on site.

Impact on the Character of the Area (including Landscape and Trees)

- 14.12 Core Strategy Policy ENV1 seeks to conserve and enhance Colchester's natural and historic environment, countryside and coastline, with Development Plan Policy DP1 requiring development proposals to demonstrate that they, and any ancillary activities associated with them, will respect and enhance the character of the site, context and surroundings in terms of (inter alia) its landscape setting.
- 14.13 The northern boundary of the application site is adjacent to a public right of way (PROW) and, whilst the site is not overly visible at ground floor level from public vantage points, any buildings would be visible above the hedgerow and tree boundaries as demonstrated by views of the existing buildings on site. The proposed building would be positioned between two existing farm buildings so it would not appear overly incongruous or dominant within the surroundings and wider landscape. Nonetheless, there would be a visual impact that would be readily visible from immediate views on the PROW and the Council's Landscape Officer has recommended that additional planting be provided along the northern boundary of the wider site so as to filter views in the interests of preserving the character of the surrounding landscape. The Agent has confirmed that they are content with this condition.
- 14.14 There are existing trees adjacent to the application site, although some of these are segregated from the farm by a large ditch that runs along the length of the PROW. These trees are not protected by Preservation Orders, but they do have a positive contribution on the rural setting. It is therefore considered appropriate to condition that these trees are retained and that tree protection is provided during construction; the condition will also ensure that should any of the retained trees die or fail to thrive within 5 years of the development they will be replaced.
- 14.15 The relocated gas tanks are low in height at 1.45m so would not be readily visible in the landscape. As such, the relocated gas tanks are considered to

have a minimal impact on the landscape setting and do not require additional mitigation, although the additional landscaping required in respect of the proposed building will be beneficial in reducing the visual impact to a negligible amount.

- 14.16 Local residents have expressed concern that the current farm had has a marked impact on the rural character of the area. The farm is noticeably large in scale, with a number of farm buildings on site, and there would be associated vehicle movements in connection with the use. The land use as agricultural is, however, typical of rural areas and the proposed development would not have a significant impact on the character of the area given the existing land use and farm buildings.
- 14.17 Subject to the mitigation measures that would be secured by condition, the proposed development is considered to comply with planning policy.

Design and Appearance

- 14.18 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.
- 14.19 The proposed farm building would be sited between existing farm buildings and would have a similar appearance to these buildings in terms of overall appearance. The height and scale of the proposed building would be lower than its neighbours, but that would not result in an uncomfortable or inappropriate relationship given the functional nature of the buildings and the range of building forms within the wider farmyard. The proposed materials would also be similar to those of the existing buildings, with the colour finishes of Goosewing Grey and Merlin Grey being suitable in terms of reducing the visual impact as they would blend in with grey skies from longer views.
- 14.20 The proposal is therefore considered to be appropriate in design terms given the context of the existing built environment.

Other Matters

- 14.21 The application site is predominantly hardstanding and in use as part of the active farmyard (the site was being used to store crates at the time of the site visit). The site is not, therefore, considered to have a high value in terms of habitats. There are no records of protected species at the application site so there are no mitigation requirements, although the additional landscaping required to mitigate the visual impact will have the added benefit of enhancing the biodiversity of the wider site.
- 14.22 In terms of amenity, the application site is not within close proximity to residential properties so the impact on residential amenity would be low. In the interests of amenity, the Council's Environmental Protection Team have

recommended a condition to control hours of work during demolition/construction, as well as a condition to ensure that any noise does not exceed current noise levels at the boundaries of the site.

- 14.23 Local residents have objected to the proposal on noise grounds, although these objections are directed at the current use of the site. The proposed building is not considered to increase noise levels due to the low level of use (one additional lorry movement per day) and being subject to the noise condition recommended by Environmental Protection. Some of the objections held that the hours of operation are detrimental, but the hours of operation are 0730 to 1830 per day and these hours are not considered to be excessive as they do not extend into night time hours. It is noted that the site would operate seven days a week, although the Sunday working hours are more seasonal (e.g. during harvest) according to the supporting Design and Access Statement.
- 14.24 In terms of matters of heritage, the application site would not have an impact on the setting of any listed buildings. The Council's Archaeological Adviser has considered the application and, although the site is within an area of archaeological interest, no further archaeological investigation is required as the site has already been developed and the proposed development would require minimal ground works.
- 14.25 It is noted that the Essex Fire and Rescue Service have commented on the application and have made a number of advisory comments; these comments can be included in an informative as part of the decision notice.

15.0 Conclusion

- 15.1 The proposed development, relating to further development of an existing agricultural business, is supported in principle as part of both national and local planning policy. Subject to further specialist comment in respect of SUDs, the impacts of the development can be satisfactorily mitigated so that the proposal satisfies planning policy requirements. The planning benefits of the proposed development, such as increased employment and improvements in sustainable processes in terms of recyclable packaging, also weight in favour of the application.
- 15.2 Provided that the Essex County Council SUDs team (as Lead Local Flood Authority) have no objection to the proposed development, the proposal is considered to be acceptable and can be supported on policy grounds.

16.0 Recommendation to the Committee

16.1 The Officer recommendation to the Committee is to resolve to

- Approve the application subject to the recommended conditions, following confirmation from the Essex County Council SUDs team that they have no objection to the application and including any conditions recommended by them;
- In the event that the Essex County Council SUDs team object to the application, allow delegated authority to the Planning, Housing and Economic Growth Lead to seek amendments to address the objection and negotiate any related planning conditions as necessary;
- In the event that the Essex County Council SUDs team objection to the application and their objection cannot be resolved, to refuse the application as per the Essex County Council recommendation.

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 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

Site Block Plan (2171:01:02 Revision A)

General Arrangement and Elevations (2171:04:01)

Relocated Gas Tank Detail (2171:04:02)

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

3. 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.

4. Tree and Hedgerow Protection: General

All existing trees and hedgerows shall be retained throughout the development construction phases, unless shown to be removed on the approved drawing and all trees and hedgerows on and immediately adjoining the site shall be protected from damage as a result of works on site in accordance with the Local Planning Authorities guidance notes and the relevant British Standard. All existing trees and hedgerows shall then be monitored and recorded for at least five years following contractual practical completion of the development. In the event that any trees and/or hedgerows die, are removed, destroyed, fail to thrive or are otherwise defective during such a

period, they shall be replaced during the first planting season thereafter to specifications agreed, in writing, with the Local Planning Authority. Any tree works agreed to shall be carried out in accordance with BS 3998.

Reason: To safeguard the continuity of amenity afforded by existing trees and hedgerows.

5. Landscape Works

No part of the development shall be occupied or brought into use until a scheme of hard and soft landscape works has been submitted to and agreed, in writing, by the Local Planning Authority. The scheme shall include any significant changes in ground levels and also accurately identify positions and spread of all existing trees, shrubs and hedgerows on and immediately adjacent the site, proposed planting (including a 5-10m wide locally compatible native shrub and tree screen planting belt within the blue line site area to the northern boundary of the site), the implementation of which 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 end of the first planting and seeding season following 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 soft landscape works which, within a period of 5 years of being implemented fail, are removed or seriously damaged or seriously diseased shall be replaced, like for like, in the next planting season with others of similar specification/size/species, 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.

6. Site Boundary Noise Levels

No part of the development shall be occupied or brought into use until a competent person has ensured that the rating level of noise emitted from the site's plant, equipment and machinery shall not exceed 0dB(A) above the background levels determined at all facades of (or boundaries near to) noise-sensitive premises. The assessment shall have been made in accordance with the current version of British Standard 4142 and confirmation of the findings of the assessment shall have been submitted to, and agreed in writing by, the Local Planning Authority and shall be adhered to thereafter.

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance, as there is insufficient information within the submitted application.

17.0 Informatives

17.1 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. Highway Authority 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 – Development Management
Essex Highways Ardleigh Depot,
Harwich Road,
Ardleigh,
Colchester,
Essex
CO7 7LT

4. Essex Fire & Rescue Informative

Water Supplies: The applicant and/or developer is reminded that additional water supplies for firefighting may be necessary for this development. Please contact the Water Technical Officer at Service Headquarters, telephone 01376-576344 for further advice.

Sprinkler Systems: There is clear evidence that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire & Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can

reduce the risk to life, business continuity and limit the impact of fire on the environment and to the local economy.

Even where not required under Building Regulations guidance, ECFRS would strongly recommend a risk based approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. Developers are encouraged to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met.

5. 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.