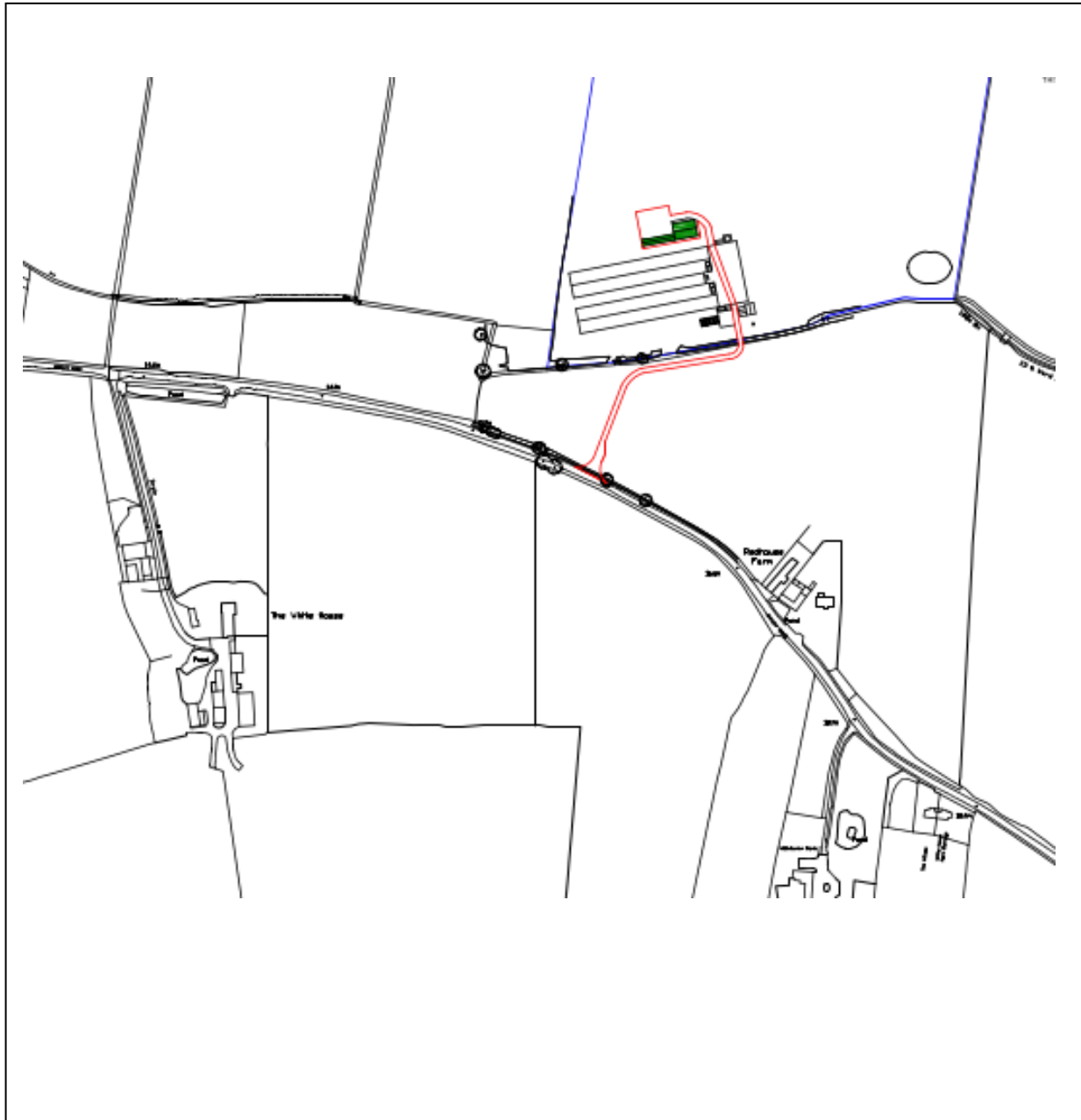


PLANNING COMMITTEE

17th February 2021

REPORT OF THE ASSISTANT DIRECTOR FOR PLANNING

A.2 PLANNING APPLICATION – 20/01498/FUL – LAND NORTH WEST OF REDHOUSE FARM OAKLEY ROAD WIX MANNINGTREE CO11 2SF



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Application: 20/01498/FUL

Town / Parish: Wix Parish Council

Applicant: Mr Adam Brown - A H Brown Farms

Address: Land North West of Redhouse Farm Oakley Road Wix Manningtree
Essex CO11 2SF

Development: Erection of an agricultural building to house a straw burning biomass boiler to provide a renewable heating system for the approved poultry farm.

1. Executive Summary

- 1.1 This application has been referred to Planning Committee at the request of Councillor Bush due to concerns relating to: the nature of the proposal being a substantial industrial process, rather than a typical agricultural facility; failure to satisfy Policy EN1 in that the design and size of the development would create an adverse visual impact on the surrounding countryside and rural landscape; highway access is unsuitable. If considered acceptable then conditions should be incorporated into the approval to ensure ongoing monitoring of emissions post construction and operation to ensure compliance. Also, to ensure that no associated vehicles carrying straw or other biomass burning materials are transported via Oakley Road, South of All Saints School.
- 1.2 The proposal involves the installation of a biomass boiler and back up LPG boiler within a new building constructed 10 m north of the recently approved two poultry sheds via application 20/00194/FUL. The host building is of a similar design to the poultry sheds having a typical agricultural building appearance; being of a steel frame construction covered by olive green profiled sheeting. Part of the building (18.6m x 13.3m) has a ridge 2m higher than the poultry sheds, two flues are also proposed that extend 2m beyond the ridge. Although the nearest public views are limited, over 200m away with few footpaths in the local area providing views of the buildings.
- 1.3 The site is in a rural locality, between the settlements of Wix and Great Oakley, within the parish of Wix. Although set within open countryside, the site is at a position which is not prominent in the landscape. The applicant has demonstrated the proposal will not unduly impact residential amenity, highway safety, drainage capabilities or local ecology. The proposal is in planning terms considered to be an agricultural use within an agricultural area, supported by the rural diversification Policy of Paragraph 83 of the NPPF in particular.

Recommendation:

That the Head of Planning be authorised to grant planning permission for the development subject to:-

- a) Subject to the conditions stated in section 8.2

2. Planning Policy

The following Local and National Planning Policies are relevant to this planning application.

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL3	Minimising and Managing Flood Risk
QL9	Design of New Development
QL11	Environmental Impacts and Compatibility of Uses
EN1	Landscape Character
EN6	Biodiversity
EN16	Agricultural and Related Development
EN23	Development Within the Proximity of a Listed Building
TR1A	Development Affecting Highways

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL3	Sustainable Design
PP13	The Rural Economy
PPL3	The Rural Landscape
PPL5	Water Conservation, Drainage and Sewerage
PPL9	Listed Buildings
CP1	Sustainable Transport and Accessibility

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice Tendring
Landscape Character Assessment
Essex Farm Buildings (1994)

Status of the Local Plan

- 2.1 The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. In this latter regard, as of 26th January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.
- 2.2 Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10th December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

- 2.3 The Council has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26th January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.
- 2.4 The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.
- 2.5 Where emerging policies are particularly relevant to a planning application and can be given weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices.

3. Relevant Planning History

18/30245/PREAPP	Proposed poultry farm comprising no.2 poultry buildings with associated feed bins, hardstandings, access road and a new highway access to Oakley Road.		29.01.2019
20/00194/FUL	Proposed erection of 2 No. agricultural buildings for poultry production together with associated infrastructure and a new highway access to Oakley Road.	Approved	27.10.2020
20/01551/DISCON	Discharge of condition 11 (Traffic Management Plan) of previously approved planning application 20/00194/FUL.	Current	

4. Consultations

ECC Highways Dept
30.12.2020

The information that was submitted in association with the application has been fully considered by the Highway Authority. No site visit was undertaken in conjunction with this planning application. The information submitted with the application has been thoroughly assessed and conclusions have been drawn from a desktop study with the observations below based on submitted material. It is noted that access to the development is via the new access road which has been approved under 20/00194/FUL, therefore:

The Highway Authority does not object to the proposals as submitted.

Informative:

1: 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 Team
Ardleigh Depot,
Harwich Road,
Ardleigh,
Colchester,
CO7 7LT

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

TDC Environmental Protection
18.11.2020

No comments to make in relation to the erection of this building. It must however be noted that the installation itself (Straw Burning Biomass Burner) maybe subject to an environmental permit administered by either us if the Environmental Agency.

ECC SuDS Consultee
01.02.2021

Lead Local Flood Authority position

As we have been consulted on a minor application, we are assuming that there is a potential flood risk on site, therefore we are considering the impact of increased run off rates. The cumulative impacts of minor developments can increase flood risk in an area.

Current processes for assessing major applications cannot be applied in the same way to minor applications as reduced orifice sizing to meet the greenfield 1 in 1 rate can increase the risk of blockages and therefore flood risk.

The required storage volume and run off for the site can be calculated using the UK SUDS website.

Having reviewed the application ECC SuDS do not object based upon the following:

The proposed development will only meet the requirements of the National Planning Policy Framework if the measures as detailed in the FRA and the documents submitted with this application are implemented as agreed.

ECC SuDS recommend that a covenant should be included within the deed to the land to ensure SUDS features are maintained in the future

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, ECC advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Summary

ECC Ecology have reviewed the Ecology Update Letter (Emms & Barnett, January 2021) relating to the likely impacts of development on designated sites, protected species and Priority species & habitats. They have also reviewed the Preliminary Ecological Appraisal (Emms & Barnett, December 2019) and the Response to Ecology Comments (Emms & Barnett, April 2020) submitted with planning application 20/00194/FUL for this site.

ECC Ecology are satisfied that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The Conservation of Habitats and Species Regulations 2017 (the Regulations) requires that where a plan or project is likely to result in a significant effect on a Habitats site, the competent authority is required to make an Appropriate Assessment (AA) of the implications of that plan or project on the integrity of the European site in view of its conservation objectives. Any likely significant effects arising from a development need to be considered alone and in combination with other development in the area, adopting the precautionary principle.

ECC Ecology have reviewed the Air Quality Assessment (AS Modelling and Data Ltd., December 2020) which states that "the predicted process contributions to annual mean nitrogen dioxide concentrations and nitrogen and acid deposition rate are below 1% of the relevant Critical Level/Critical Load at all receptors and would therefore normally be deemed insignificant or negligible."

ECC Ecology note Natural England's comments on the scope of the proposals and the proximity to several statutory designated sites; the email from Richard Hack dated 2 October 2020 states: *"At the screening assessment stage for agricultural proposals acting alone the threshold is 4% for both SSSI and N2K sites. For combustion proposals the threshold is 1% for both."* We consider this is an adequate assessment trigger in light of the Ruling

made by the Court of Justice of the European Union (the CJEU) on the interpretation of the Habitats Directive in the case of Cooperatie Mobilisatie (aka the Dutch Nitrogen Case) Joined Cases C-293/17 and C-294/17. This is necessary prior to decisions on individual authorisations for farms which cause nitrogen deposition.

ECC Ecology are therefore satisfied that this combustion proposal is not likely to result in significant effects on the interest features of the Stour & Orwell Estuaries SSSI, SPA and Ramsar site and Hamford Water SAC, SPA and Ramsar site and no further assessment of air quality impacts is necessary. ECC Ecology recommend that this can be referenced in the LPA bespoke HRA screening report and there is no need for further consultation with Natural England.

The mitigation measures identified in the Preliminary Ecological Appraisal (Emms & Barnett, December 2019) and the Ecology Update Letter (Emms & Barnett, January 2021) should be secured and implemented in full. This is necessary to conserve and enhance protected and Priority Species.

ECC Ecology support the planting recommendations made in the Preliminary Ecological Appraisal (Emms & Barnett, December 2019) to support nitrogen sequestration onsite.

ECC Ecology also support the proposed reasonable biodiversity enhancements included in the Preliminary Ecological Appraisal (Emms & Barnett, December 2019), which have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 170d of the National Planning Policy Framework 2019. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured as a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013.

Submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended conditions:

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

"All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecology Update Letter (Emms & Barnett, January 2021) Preliminary Ecological Appraisal (Emms & Barnett, December 2019) and the Response to Ecology Comments (Emms & Barnett, April 2020) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details."

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006

(Priority habitats & species).

2. PRIOR TO BENEFICIAL USE: BIODIVERSITY ENHANCEMENT STRATEGY

"A Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter."

Reason: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

Natural England

No response received.

TDC Tree & Landscape Officer
18.12.2020

The Design and Access Statement submitted in support of the planning application make reference in Section 6 ' Landscaping to the impact of the structure on the local landscape character.

It states that the 'The building will appear within the landscape as part of a larger agricultural development'. This is considered to be a reasonable and accurate description of the potential impact of the development proposal on the countryside in the vicinity of the application site.

It is clear from a site visit that fairly extensive soft landscaping has commenced that will soften and screen the appearance of the previously approved development.

In terms of the current development proposal it would be desirable to secure additional soft landscaping to similarly soften and screen the proposed new building. This information could be provided prior to the determination of the application or should be secured by a condition attached to any planning permission that may be granted

Environment Agency
14.12.2020

No objection to this application at this stage, we note that a permit application has been submitted and is currently under review.

Essex County Council Heritage
01.02.2021

ECC Heritage are unopposed to this application subject to the following recommended condition:
• Prior to commencing operation of the boiler, the flues and ash auger shall be painted matt black to match that of the ventilation towers of the sheds permitted under 20/00194/FUL.

5. Representations

5.1 There have been 59 local people consulted by letter and 4 site notices erected. Three written comments have been received (two from Wix Parish) including a petition containing 4 signatures. The main issues raised are:

- This is an industrial development in the countryside that should be refused.
- What will happen to the waste generated on site
- There is an LPG boiler proposed has this been considered in the assessment
- How will the LPG gas be stored on site
- There shall be additional traffic movements to the site that have not been assessed as part of the original application
- The site is within an area that is prone to flood and on a water course, there is no flood risk assessment submitted
- There are no surface water Suds features
- Impact on the landscape will be significant
- Site Notices have not been erected
- This is creeping Industrialisation
- The Environmental Assessment should consider the whole development including the Poultry Farms and biomass boilers

5.2 Wix Parish Council objects to the proposal for the following seven reasons.

- Extra movements bringing materials in.
- Concerned they will be burning waste from the poultry barns
- Concerns over pollution from disposal of ash waste
- Concerns over noxious and / or toxic emissions to atmosphere
- Industrial site (on agricultural land)
- Creeping industrialisation
- Concerns over storage of hazardous materials (LPG)

6. **Assessment**

Site Context

6.1 The site is set in the Countryside between Wix, to the west, and Great Oakley, to the east. The site is formed from the southern part of an agricultural field and a means of vehicular access macross another field. The vehicular access would be on the northern side of the road some 170m northwest of Redhouse Farm.

6.2 Access to the A120 from the site would be along Oakley Road to the junction with Harwich Road and then onto the A120.

Planning History

6.3 The host site obtained Full planning permission (ref: 20/00194/FUL), for the 'Proposed erection of 2 No. agricultural buildings for poultry production together with associated infrastructure and a new highway access to Oakley Road'. The decision to grant planning permission was taken at Planning Committee in October 2020 and was subject to 20 Planning Conditions, including Suds features, highway related conditions, landscaping, ecology mitigation, external lighting and maintenance records.

Proposal

- 6.4 This application proposes the erection of a building to house a straw burning biomass boiler which will provide a renewable heat source for the poultry farm. The building also includes a section for use as a tractor shed and is located 10m north of the two recently approved poultry sheds via application 20/00194/FUL. The two poultry sheds are not currently built or under construction.
- 6.5 The development will utilise straw produced by the applicant's arable farming as a heating fuel for the poultry unit. The biomass boiler will be the Linka HE Boiler 1.5kw (1500) type, only clean straw will be burnt. This shall be located within the proposed new building on site.
- 6.6 The proposed biomass building has two elements. The western section accommodates a straw conveyor belt which feeds straw into the biomass boiler which is located in the eastern section of the building. The northern elevation of the building will be open sided to enable straw bales to be placed on the conveyor belt using an agricultural telehandler.
- 6.7 The proposed biomass building shall be of a steel frame construction, with the walls and roof clad in olive green profile sheeting to match the approved materials associated with the poultry unit redevelopment.
- 6.8 Within the eastern section of the building there shall also be an LPG boiler. It was originally proposed that the poultry units would be heated with LPG boilers which, on the original scheme would have been located within the poultry shed service areas. LPG bulk storage tanks have already been approved as part of the original planning permission for the poultry sheds (20/00194/FUL) and are shown on the approved plans.
- 6.9 The applicant now propose a straw burning biomass boiler as the primary heating system for the poultry sheds. If biomass is used for primary heating, the regulations require that the site also has a backup heating system. The LPG boiler will be used as the backup system, should the biomass fail for any reason.
- 6.10 The applicant has said that due to the biomass boiler development, it is easier 'in terms of plumbing and pipework that both boilers are situated in the same place and hence the LPG boiler is to be located in the new boiler house rather than in the service area of the poultry sheds'.

Principle of Development

- 6.11 The principle of the development has been established via the approval of the poultry farm application 20/00194/FUL.
- 6.12 It has been demonstrated that the proposed development is reasonably necessary for the purpose of the agriculture activity to be carried out on what would become its own self-contained holding. As such, the proposal accords with the relevant part of Policy EN16.
- 6.13 The National Planning Policy Framework (NPPF) states at paragraph 83 that planning decisions should enable the development of agricultural and other land-based rural businesses.

Appearance, Layout and Scale

- 6.14 The proposed building shall appear as a typical utilitarian agricultural building. As highlighted in the proposal section, there are two sections of the proposed biomass building. The eastern section which houses the biomass boiler measures 18.508m x 13.296m with an eaves height of 6m and a ridge height of 7.698m. There are also two flues proposed one for the LPG Boiler and one for the Biomass Boiler extending 2m above the ridge reaching a total height of 9.698m. The western section of the building which houses the straw conveyor extends to 26.992m x 5.096m with an eaves height of 4.1m and a ridge height of 5.1m and no flues are proposed on this section.
- 6.15 The location of the proposed building would be immediately north, approx. 10m from, one of the two poultry sheds approved as part of application, 20/00194/FUL. In comparison, these poultry buildings are some 114m in length, having eaves of some 3m and a ridge of 5.7m. The proposed biomass building has an approximate footprint of 352sqm. Each approved poultry shed has an approximate footprint of 2,280sqm.
- 6.16 Therefore, the eastern section of the biomass building would have a ridge two metres greater in height than the poultry sheds to the south. The two associated flues connected with the biomass boiler would extend a further 2 metres in height beyond the biomass building's ridge.
- 6.17 The proposed biomass building would be of a steel frame construction, with the walls and roof clad in olive green profile sheeting to match the approved materials associated with the poultry unit redevelopment. ECC Heritage have requested the flues and ash auger be painted matt black to match that of the ventilation towers of the sheds permitted under 20/00194/FUL. Officers agree with this request and have recommended a condition to this effect.
- 6.18 When taken in totality the host building and poultry sheds next door, would be in keeping with other agricultural buildings in the area. The associated landscaping subject of the previous application, will be further enhanced, via a new landscaping condition allowing the buildings to blend into the wider landscape. Given the isolation distance from the road (nearest views are some 200 m away), officers are of the view that the relatively small scale of the additional built form proposed, is acceptable. There have been no objections from specialist consultees on Landscape or Heritage matters and only 4 letters of objection to the proposals generated from the 59 neighbourhood letters sent out and the 4 site notices erected in and around the site.
- 6.19 Overall, the appearance of the building is considered to be in character with the locality and the proposal is considered acceptable with regard to Policy QL9 and that part of Policy EN16 generally relating to appearance, scale and layout.

Highway Safety/Parking

- 6.20 Access to the development is via the new access road which has been approved under the poultry farm application, 20/00194/FUL. That application had a series of highways conditions associated with the access construction and implementation. These included, a Construction Management Plan; design of the vehicular access as per the detailed amended plans and no unbound material for the first 30m; a visibility splay; provision of the vehicular turning facility/loading facility; no discharge of surface water onto the highway; and, provision of a Traffic Management Plan from the site to the A120.

- 6.21 Officers consider it therefore vital that the host application shall only be commence following implementation of/or simultaneously with the construction of the poultry production units approved under planning permission ref. 20/00194/FUL. Furthermore, that biomass boiler shall not be brought into first operation prior to the commencement of the poultry production activity. A Grampian style planning condition is worded to that effect in the Decision Notice.
- 6.22 The host application requires the delivery of straw using tractors and trailers, however, this will negate the requirement for gas deliveries to the site for heating fuel. The proposed development of the biomass boiler house adds 7 No. tractor and trailers per annum (14 movements), amounting to a 2% increase in commercial vehicle movements. There has been a condition requested by Cllrs to limit tractor movements passed All Saints School on Oakley Road South. However, given the limited number of tractor trips expected this is considered unreasonable.
- 6.23 ECC Highways has confirmed in a written response dated 30th December 2020 that from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority. No additional conditions were recommended from the original poultry farm application as discussed above.
- 6.24 Subsequently, the proposal is considered, subject to condition, acceptable with regard to Policy TR1A.
EIA Screening Opinion
- 6.25 The requirements of the Environmental Impact Assessment (EIA) are provided within the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The EIA regulations require that any development which is listed in Schedule 1 be subject to an EIA.
- 6.26 The two poultry sheds neighbouring the host site falls within the definition of Section 17 of Schedule 1 ' Installation for the intensive rearing or poultry or pigs' as it exceeds the threshold of 85,000 broilers (the total capacity extended to 100,000 birds).In that instance an EIA was mandatory under Schedule 1 of the 2017 EIA regulations therefore a screening opinion was not required.
- 6.27 The applicant duly submitted an EIA that provides the following scope of assessment
- Landscape and Visual Impact
 - Highways and Transportation
 - Noise, Odour and Dust
 - Ecological Issues
 - Drainage and Flood Risk
- 6.28 The applicant has provided an update to this original research incorporating the proposed development as part of this application. The findings are detailed below.

Subject Area Considered within the EIA for application reference: 20/00194/FUL	Additional Impact as a result of 20/01498/FUL	Conclusions
Landscape and Visual Impact. The original poultry unit	The proposed development of the biomass boiler house adds 384 sq m of floor space which is	The additional landscape and visual impacts are minor.

<p>proposals extended to 4962.5 sq m of new floor space and was assessed as having a minor impact on landscape character and a moderate visual impact.</p>	<p>a 7.7% increase in development. The original EIA identified Viewpoint 1 and Viewpoint 3 where there would be a noticeable change in the view to an observer. The impact as a result of the additional boiler house from viewpoint one would be subject to a minor change. The impact from Viewpoint 3 would be subject to no change as the boiler house will be hidden behind the approved poultry farm and not visible.</p>	
<p>Highways Impact.</p> <p>The original poultry unit proposals were predicted to generate 90 commercial vehicle movements per flock cycle (675 commercial vehicle movement per annum). The impact was assessed in accordance with the NPPF as not severe.</p>	<p>The proposed development of the biomass boiler house adds 7 No. tractor and trailers per annum (14 movements), amounting to a 2% increase in commercial vehicle movements.</p>	<p>The additional highway impacts are negligible.</p>
<p>Noise</p> <p>Noise Assessment within the EIA predicted a BS4142 low noise impact for the poultry unit development. The original noise assessment assessed 34 ventilation fans, each noise rated at 70 dB (A).</p>	<p>The proposed development of the boiler house adds a biomass boiler with a noise emission rating of 80dB within the building. The acoustic shielding of the building walls will provide a minimum attenuation of 25dB with an external noise emission of 55 dB. This is well below the emissions already assessed with the 34 ventilation fans.</p>	<p>The noise impacts of the biomass boiler will be indistinguishable, and are assessed as negligible.</p>
<p>Odour</p> <p>The odour assessment within the EIA predicted the poultry unit to have a maximum odour impact of 1.33 odour units, against an Environment Agency threshold of 3 odour units.</p>	<p>The biomass boiler does not create odours and therefore would not add to the odour emissions from the site.</p>	<p>The odour impacts of the biomass boiler negligible.</p>

<p>Dust</p> <p>The original EIA for the poultry units confirmed that dust assessment screened out due to distance from the nearest receptor.</p>	<p>The biomass boiler application is accompanied by a detailed air quality assessment.</p>	<p>The dust assessment 20/01498/FUL confirms no exceedances of environmental emission levels. The impact is therefore negligible.</p>
<p>Ecological Issues</p> <p>The original EIA included a Phase 1 Ecology Survey which confirmed that the sites habitats are common and widespread and considered to be of low biodiversity value</p>	<p>The proposed biomass boiler house is within the red line of the poultry unit application and therefore the Phase 1 Ecology Survey applies to this application.</p>	<p>The sites habitats are common and widespread and considered to be of low biodiversity value. The additional impact is negligible.</p>
<p>Flooding</p> <p>The original EIA includes a flood risk assessment. The location of the buildings is outside the flood plain, and not at risk of flooding. The approved access road to the site passes through the flood plain.</p>	<p>The location of the proposed biomass boiler house is outside of the flood plain.</p>	<p>The development is not at risk of flooding. The approved access road passes through the flood plain, and has already been deemed acceptable. The impact of the development is therefore negligible.</p>

6.29 Officers have reviewed and accept these finding other than a minor disagreement with the visual impact assessment. Views to the south and west would be diminished to a minor degree as the height of part of the roofline of the building proposed will not be fully screened by the poultry farm. However, overall Officers accept the view that this proposal is 'screened out' of requiring an additional Environmental Impact Assessment under the Environmental Regulations 2017 when viewed in totality. This conclusion is backed by no objections from any consultee including the Landscape Officer, ECC Highways, ECC Ecology and the Conservation Officer.

Landscaping/Biodiversity

6.30 Saved Policy EN1 (Landscape Character) states that the quality of the District's landscape and its distinctive local character will be protected and, where possible, enhanced and any development which would significantly harm landscape character or quality will not be permitted.

6.31 The application site forms part of the previously approved poultry shed development. Therefore, it has already been accepted that the visual appearance of the area will change.

6.32 The proposed development of the biomass boiler house adds 385sqm of floor space which is an overall 7.7% increase in development. The eastern biomass building (18.6m x 13.3m) is 2m taller to the ridge and has an eaves 3m higher than the neighbouring significantly larger in footprint, poultry sheds. The poultry sheds are some 114m x 20m in layout.

- 6.33 The original application included a Landscape and Visual Impact Assessment (LVIA). This refers to a degree of harm caused by the changes to both the character and appearance of the area. The applicant has stated the original assessment identified views from the south and west from the public realm as being the only sensitive receptors. Officers accept that this assessment remains the case with this application due largely to the topography of the land and the mature boundary vegetation acting as visual barrier.
- 6.34 With regards views from the South, due to the fact that the host building is in part shielded by the larger two poultry sheds only the eastern section of the biomass building (18.6m x 13.3m) shall have a ridge extending 2 metres beyond the ridge of the poultry building's roof tops. Consequently, officers do not consider the proposal would have any significant impact on the visual landscape of the area. This conclusion is similar with views from the west. The design of the building aids the visual impact in this regard as does importantly the distances of views from the footpaths involved.
- 6.35 The host building is some 200m from Oakley Road and there are no public footpaths in the nearby area with significant views of the host site. The closest public footpath is some 300 metres to the west, footpath 18 to Bowl Farm; equally footpath 21 to the south east is approximately 450m away. However, there is a mature tree belt between the two sites partially obscuring the views. Outside the entrance to the host site again there is no public footpath, and only isolated residential dwellings with strong mature hedging in most places. One would mostly expect fast moving receptors passing the site such as car and motorbikes and views across would be very limited.
- 6.36 Therefore, given the site is set back from the highway and separated from it by another field with hedging that helps screen the site, together with the previous poultry farm approval that had significant additional landscaping associated with its approval, officers have no objections to this proposal. The Council's Tree & Landscape Officer and Conservation Officer has raised no objections to the host application subject to a further enhanced landscaping condition. Officers have included this within the recommendation.
- 6.37 In conclusion, subject to a suitable Landscaping plan the proposal is acceptable with regard to Policy EN1.
- 6.38 With regard to biodiversity, Policy EN6 states that development proposals will not be granted planning permission unless local biodiversity is protected and enhanced. Appropriate compensating measures to outweigh the harm caused by the development must be provided.
- 6.39 Natural England and ECC Ecology were consulted on the application. ECC Ecology have reviewed the Air Quality Assessment (AS Modelling and Data Ltd, December 2020) which states that "*the predicted process contributions to annual mean nitrogen dioxide concentrations and nitrogen and acid deposition rate are below 1% of the relevant Critical Level/Critical Load at all receptors and would therefore normally be deemed insignificant or negligible.*" This is below the level Natural England would request for a screening assessment which is over 1%. Therefore, ECC Ecology were satisfied that this combustion proposal is not likely to result in significant effects on the interest features of the Stour & Orwell Estuaries SSSI, SPA and Ramsar site and Hamford Water SAC, SPA and Ramsar site and no further assessment of air quality impacts is necessary.

- 6.40 Further to this, the mitigation measures identified with the updated ecological details should be secured and implemented in full. This is necessary to conserve and enhance protected and Priority Species.
- 6.41 As such, subject to conditions, the proposal is considered acceptable with regard to Policy EN6.

Impact on Residential Amenity and Air Quality

- 6.42 The applicant submitted an Air Quality Assessment (AS Modelling and Data Ltd, December 2020), regarding the biomass boiler used on site, using the Linka HE Boiler operational data. The objective was to assess the impact of emissions on nitrogen oxides, particulate matter and carbon dioxide. With regards to nitrogen oxides outside the site boundaries the impact was described as negligible. This same conclusion was drawn for particulate matter, while carbon dioxide was said to have no exceedances of the Environmental Assessment level. These findings have been verified by the Council's Environmental Protection Team. Officers agree with the request from Cllrs to have a monitoring system in place to check the efficiency of the boiler going forward to protect residential amenity. A planning condition to cover this point is included in the recommendation..
- 6.43 It is considered that there is sufficient distance retained to the nearest residential properties to ensure any impact upon residential amenity would be minimal. There is a 430m distance to the nearest property to the south-west and 250m to 'Redhouse Farm' to the south-east. Any noise or odours associated with the development, due to distances involved, would not cause nearby residents unacceptable nuisance.
- 6.44 In relation to noise, the proposed development of the boiler house adds a biomass boiler with a noise emission rating of 80dB within the building. The acoustic shielding of the building walls will provide a minimum attenuation of 25dB with an external noise emission of 55 dB. This is well below the emissions already assessed with the 34 ventilation fans of the poultry farm next door that emits 70dB per fan.
- 6.45 The Council's Environmental Protection team has assessed the application and offered no comments towards the proposal. There shall be some waste material generated on site, the applicant has accepted this, therefore a planning condition is included to manage that eventuality.
- 6.46 A condition regarding any unexpected ground contamination indications encountered during construction and a condition for details of any external lighting scheme are also recommended.
- 6.47 The applicant has also applied for an Environmental Permit. This is because, all poultry units above 40,000 birds require an environmental permit to operate from the Environment Agency. The permit includes the detailed operations of the site, including the heating system. The permit as issued for the poultry unit noted the heating to be LPG. Following the change to biomass, the applicant has applied for a variation to the permit to include the biomass heating.
- 6.48 In summary, the proposal is considered acceptable subject to conditions with regard to Policy QL11.

Drainage

- 6.49 Policy QL3 is concerned with minimising and managing flood risk. Although the site is in Flood Zone 1, the location of the host site is in an area susceptible to surface water flooding, also there is a sewage works downstream some 0.5 miles due west.
- 6.50 Accordingly, a Flood Risk Assessment was submitted to support the application which incorporates both the host building and the two poultry sheds into the calculations and Suds drainage features. Essex County Council SuDS team has confirmed in writing that it does not object to the granting of planning permission subject to the measures detailed in the FRA and the documents submitted with this application are implemented as agreed.
- 6.51 The proposal is considered acceptable with regard to Policy QL3.

Heritage Assets

- 6.52 ECC Heritage has confirmed that they do not in principle oppose the proposed development, subject to the flues and ash auger being painted matt black to match that of the ventilation towers of the sheds permitted under 20/00194/FUL.
- 6.53 The separation distance between the proposed development and the Listed Building known as 'The White House' is approximately 400m. Due to this significant distance and the lack of inter-visibility between the two sites any impact upon its historic setting is minimal.
- 6.54 Subject to conditions as recommended, the proposal is acceptable with regard to Policy EN2

Other Matters

- 6.55 Officers consider it necessary that this proposal shall only be commenced following implementation of/or simultaneously with the construction of the poultry production units approved under planning permission ref. 20/00194/FUL. Furthermore, the biomass boiler shall not be brought into first operation prior to the commencement of the poultry production activity. Therefore, a Grampian Condition worded to that effect is included in the decision notice.

7. Conclusion

- 7.1 As with all planning applications, this application is to be considered on its planning merits. The previous proposal on the site for two poultry sheds was very contentious with over 17,400 objections. The host application Officers have reviewed has only 4 objections from members of the public.
- 7.2 In planning terms, the proposal is for agricultural buildings in the countryside. This is supported by local and national policy. The building would have a similar character to the other agricultural buildings next door and nearby. The building proposed is of limited footprint in comparison, albeit part of the building is taller in height than the extensive poultry sheds. However, subject to an enhanced landscaping proposal there is not considered to be a significant impact on the visual setting of the countryside.
- 7.3 No objections have been received from any consultee, Officers have considered the application carefully and are of the opinion, subject to the conditions set out below the application represents a sustainable development that shall not harm residential

amenity or ecological wellbeing in the locality. Importantly, these conditions include an instruction to carry out the poultry shed works via approval 20/00194/FUL before or simultaneously with commencement of works on the biomass building.

8. Recommendation

8.1 The Planning Committee is recommended to grant planning permission subject to the following conditions and informative.

8.2 Conditions and Reasons

1. 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. The development hereby permitted shall be carried out in accordance with the following approved drawings:

Ip/ah/b03 a Amended proposed elevations and plan
Ip/ahb/b02 Site layout plan

Reason – For the avoidance of doubt and in the interests of proper planning.

3. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan 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 underbody washing facilities
- v. prior to the commencement of any work on the site, a joint inspection of the route to be used by construction vehicles should be carried out by the Applicant and the Highway Authority, including photographic evidence.
- vi. a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works
- vii. noise control
- viii. emission control
- ix. dust control

Reason - To ensure that parking on the highway does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and to ensure that construction does not lead to excess water being discharged from the site.

4. The vehicle turning facility as shown on Site layout plan Ip/ahb/b02 shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

Reason - To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

5. No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in relation to design, demolition and construction."

Reason - In the interest of visual amenity and the character of the area.

6. All changes in ground levels in relation to the soft landscaping, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason - To ensure that the development provides a satisfactory setting, in the interests of the character and appearance of the landscape and the visual amenity of the site.

7. Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

Reason - To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety.

8. No means of external lighting shall be installed unless the prior written consent of the local planning authority is given in writing to any external lighting. Any external lighting shall be part of a lighting design scheme for biodiversity which shall have been submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason - To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside

Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with Policy EN6 of the adopted Local Plan.

9. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecology Update Letter (Emms & Barnett, January 2021) Preliminary Ecological Appraisal (Emms & Barnett, December 2019) and the Response to Ecology Comments (Emms & Barnett, April 2020) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.”

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

10. Prior to beneficial uses, a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.”

Reason: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

11. All drainage and Suds features shall be carried out in accordance with the details contained in the Hydro International Drainage (L0321) report dated 28/01/2021, and maintained for the lifetime of the development.

Reason: To ensure the surface water drainage system is installed as intended to ensure mitigation against flood risk.

12. Prior to commencing operation of the boiler, the flues and ash auger shall be painted matt black to match that of the ventilation towers of the sheds permitted under 20/00194/FUL.

Reason: In the interest of visual amenity, in accordance with Policies QL9, EN1 and EN23 of the adopted Local Plan.

13. Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

14. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

15. No development shall take place, including any grounds works or demolition, until an appropriate Traffic Management Plan and Route Card, to include inbound and outbound routings at the junctions of the A120/Harwich Road and Harwich Road/Oakley Road, and which shall outline a designated route to and from the development for all construction vehicles, has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The Traffic Management Plan and Route Card shall subsequently be implemented as approved, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason - To control the location and direction of construction vehicle movements to and from the site in the interests of highway safety.

16. All new external work and finishes shall match the materials used on the two poultry sheds approved via application 20/00194/FUL.

Reason: In the interests of visual amenity and the character of the area.

17. No building or use hereby permitted shall be occupied or use commenced until a waste management plan setting out how waste will be stored and collected has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved waste management plan for the lifetime of the development.

Reason: To ensure appropriate waste management facilities are provided to accommodate all waste generated by the development.

18. Only clean straw, unused for any purpose, shall be used in connection with the biomass boiler.

Reason: In the interests of air quality and the Clean Air Act 1993

19. The building shall be constructed so as to provide sound insulation against internally generated noise of not less than 25 dB, with windows shut and other means of ventilation provided. The sound insulation works shall be completed before the use of the building begins and retained thereafter.

Reason: To control the noise emitted from the site in the interests of residential amenity

20. No development shall take place until a monitoring and maintenance scheme to demonstrate the effectiveness and accuracy of the predicted air quality of the biomass boiler has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented, and records kept of a 5 year timeframe.

If any of these reports identifies any discrepancy with the Air Quality Assessment (AS Modelling and Data Ltd, December 2020) then a protocol, including timescale, for the necessary remediation shall be submitted to the local planning authority within a further 40 days and approved in writing within 40 days of receipt. Thereafter, any necessary remediation and verification shall be carried out in accordance with the approved protocol.

Reason: In the interests of public health and safety

21. The development hereby permitted shall only be commenced following implementation of/or simultaneously with the construction of the poultry production units approved under planning permission ref. 20/00194/FUL. Furthermore, the biomass boiler shall not be brought into first operation prior to the commencement of the poultry production activity.

Reason: The biomass boiler is considered to be intrinsically linked to the approved poultry production facility and has been assessed and supported on this basis. Furthermore, in the interests of visual amenity, the character of the area and highway safety.

22. No development shall commence until an assessment of the risks posed by any contamination is carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the local planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the Local Planning Authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the Local Planning Authority. The

remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the Local Planning Authority within 20 days of the report being completed and approved in writing by the Local Planning Authority.

Reason - To ensure that any risks (to future users of the land and neighbouring land and to controlled waters, property and ecological systems) arising from any land contamination are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

8.1 Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Highways

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

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 Team
Ardleigh Depot,
Harwich Road,
Ardleigh,
Colchester,
CO7 7LT

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

9. Additional Considerations

Public Sector Equality Duty (PSED)

- 9.1 In making your decision you must have regard to the PSED under section 149 of the Equality Act 2010 (as amended). This means that the Council must have due regard to the need in discharging its functions to:
- 9.2 A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;

- 9.3 B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s); and
- 9.4 C. Foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
- 9.5 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, being married or in a civil partnership, race including colour, nationality and ethnic or national origin, religion or belief, sex and sexual orientation.
- 9.6 The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in section 149 and section 149 is only one factor that needs to be considered, and may be balanced against other relevant factors.
- 9.7 It is considered that the recommendation to grant permission in this case would not have a disproportionately adverse impact on a protected characteristic.

Human Rights

- 9.8 In making your decision, you should be aware of and take into account any implications that may arise from the Human Rights Act 1998 (as amended). Under the Act, it is unlawful for a public authority such as the Tendring District Council to act in a manner that is incompatible with the European Convention on Human Rights.
- 9.9 You are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property) and Article 14 (right to freedom from discrimination).
- 9.10 It is not considered that the recommendation to grant permission in this case interferes with local residents' right to respect for their private and family life, home and correspondence or freedom from discrimination except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Finance Implications

- 9.11 Local finance considerations are a matter to which local planning authorities are to have regard in determining planning applications, as far as they are material to the application.
- 9.12 The New Homes Bonus (NHB) is one local finance consideration capable of being a material consideration to which the weight given shall be determined by the decision maker. The NHB is a payment to local authorities to match the Council Tax of net new dwellings built, paid by Central Government over six consecutive years. In this instance, it is not considered to have any significant weight attached to it that would outweigh the other considerations.

10. Background Papers

- 10.1 In making this recommendation, officers have considered all plans, documents, reports and supporting information submitted with the application together with any amended documentation. Additional information considered relevant to the assessment of the application (as referenced within the report) also form background papers. All such information is available to view on the planning file using the application reference number via the Council's Public Access system by following this link <https://idox.tendringdc.gov.uk/online-applications/>.