

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	09/02/2021
Planning Development Manager authorisation:	TC	10/02/2021
Admin checks / despatch completed	ER	11/02/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	11.02.2021

Application: 20/01613/FUL **Town / Parish:** Wix Parish Council
Applicant: Mr and Mrs Barnard
Address: Richwill Farm Oakley Road Wix
Development: Change of use of agricultural land to camping and touring caravans.

1. Town / Parish Council

Wix Parish Council No comments received.

2. Consultation Responses

Essex County Council Heritage
17.12.2020

Built Heritage Advice pertaining to an application for change of use of agricultural land to camping and touring caravans.

ORIGINAL COMMENTS The proposed site is located on the south-western side of Oakley Road and curtilage of the Grade II listed Parkers Farmhouse (List Entry ID: 1261009). The associated outbuildings to the north of the farmhouse, including the barn, are also curtilage listed.

The proposed site has been an integral to the farmstead, historically known as Fisher's Farm and then Parker's Farm. It currently forms the immediate setting of the listed farmhouse and contributes positively to the significance of the entire farm complex as an agricultural land.

Within such a context, the scheme seeking to permanently seize the agricultural use of the site would be harmful to the inherent setting of the listed farmhouse. While the majority of the site would remain undeveloped, retaining the existing open character, proposed plan earmarking the location for an amenity building may guarantee an in-principle acceptance for a permanent structure in the future. As such, I recommend further details for the intended amenity block to be included in the application for a better understanding of the overall impact of the proposals.

As it stands, I cannot support the current proposal due to the intended amenity building, which may cause considerable harm to the significance of a designated heritage asset through inappropriate development in its setting. Before this application is determined, I recommend the applicant either removes the requirement of an amenity block in knowledge that this might not be permitted in the future or provides further details of this feature now for consideration under the current application.

Essex County Council Heritage
12.01.2021

Built Heritage Advice pertaining to an application for change of use of agricultural land to camping and touring caravans.

AMENDED COMMENTS

Following my previous comments on the matter (dated 17/12/2020), the applicant has now removed the requirement of an amenity block for the campsite from the application. As such, the main concern of harm to the significance of a designated heritage asset through inappropriate development in its setting has been resolved. However, the Design and Access Statement has suggested that there might be a future application for an amenity block. It should be noted that this may not be supported as per my previous correspondence.

With regard to the permanent loss of the historic agrarian character of the site, albeit retaining the open setting, proposal will cause some harm to the inherent setting of the listed farmhouse. As regards the NPPF, this harm is considered at the lowest end of 'less than substantial' spectrum. Therefore, the local authority should weigh this harm against any public benefits of the proposal including, where appropriate, securing the optimum viable use of the site (Paragraph 196).

ECC Highways Dept
08.01.2021

The information that was submitted in association with this application has been fully considered by the Highway Authority. Due to the current COVID restrictions no site visit was undertaken in conjunction with this planning application. The information submitted has been thoroughly assessed and conclusions have been drawn from a desktop study with the observations below based on submitted material, google earth image dated April 2009. The proposal is utilising an established private vehicular access that has an in and out arrangement off Oakley Road that is to be retained. The proposal provides adequate room and provision for off street parking and turning, for the proposed site therefore:

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1. There should be no obstruction above ground level within a 2.4 m wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. Such vehicular visibility splays shall be provided before the field is first used by vehicular traffic and retained free of any obstruction at all times.

Reason: To retain adequate inter-visibility between users of the access and the public highway in the interests of highway safety in accordance with policy DM1.

2. An unbound material shall be used in the surface treatment of the proposed field access for a minimum distance of 12 metres from its junction with the internal layout/ car park area.

Reason: To avoid displacement of mud/ debris onto the highway in the interests of highway safety in accordance with policy DM1.

3. Prior to occupation of the development a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the boundary, shall be provided on both sides of the proposed field access. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.

Reason: To provide adequate inter-visibility between the users of the access and pedestrians on the definitive right of way in the interest of highway safety in accordance with policy DM1.

4. The public's rights and ease of passage over public footpath no. 20 (Wix_183) shall be maintained free and unobstructed at all times.

Reason: To ensure the continued safe passage of the public on the definitive right of way and accessibility in accordance with Policies DM1 and DM11.

5. 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 and in accordance with Policy DM1.

6. Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway.

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative:

1: The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public no.20 (Wix) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

2: 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

ECC SuDS Consultee

No comments received.

Essex Bridleways
Association

No comments received.

The Ramblers
Association

No comments received.

3. Planning History

15/30073/PREAPP	Convert the single storey workshops to create an automotive training centre, use large barn for vehicle repairs and storage and possible on site residential accommodation.		27.04.2015
16/00577/FUL	Change of use of existing farm buildings to training centre and vehicle workshops, repairs and alterations to existing buildings.	Approved	20.07.2016
16/00578/LBC	Change of use of existing farm buildings to training centre and vehicle workshops, repairs and alterations to existing buildings.	Approved	20.07.2016
16/02114/DISCON	Discharge of condition 12 (ecological mitigation) of planning permission 16/00577/FUL.	Approved	09.01.2017
17/01780/FUL	Proposed use of main barn for weddings, conferences and events in addition to training and workshop. Conversion of workshop and cart shed to holiday accommodation.	Approved	12.01.2018
17/01781/LBC	Alterations to proposed cart shed to facilitate its use for holiday accommodation.	Approved	12.01.2018
18/00182/DISCON	Discharge of conditions 2 - Materials, 3 - Landscaping, 12 - Barn Owl Mitigation & 15 - Overspill Area to approved Planning Application 17/01780/FUL.	Approved	13.02.2018
19/01472/FUL	Proposed new holiday accommodation, amendments to use of former workshop building previously approved for holiday accommodation and diversion of public footpath.	Approved	12.12.2019
20/00299/FUL	Proposed Holiday accommodation for temporary use during the construction of proposed permanent new holiday accommodation previously granted under 19/01472/FUL.	Approved	28.05.2020

21/00024/FUL

Proposed construction of two barns for agricultural use in connection with farm. Current

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

ER16 Tourism and Leisure Uses

EN1 Landscape Character

EN23 Development Within the Proximity of a Listed Building

QL1 Spatial Strategy

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

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

PP8 Tourism

PPL3 The Rural Landscape

PPL4 Biodiversity and Geodiversity

PPL9 Listed Buildings

SPL3 Sustainable Design

CP1 Sustainable Transport and Accessibility

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

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.

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.

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.

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.

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.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is located on the south western side of Oakley Road in a rural location set within the parish of Wix. The application relates to Richwill Farm an established Wedding and Events Centre that was granted planning consent in 2018 (reference 17/01780/FUL) comprising a range of converted agricultural buildings and holiday let accommodation to support the venue (approved in December 2019 ref 19/01472/FUL). The application site itself comprises a field to the north west of the existing buildings. Access into the site will be from the existing access driveways serving Richwill Farm which will lead visitors past the current reception area before going on to the camping field. The application site is currently in agricultural use and set to grass. The boundary with the adjacent highway, to the south, is demarcated by an established hedgerow that provides a good level of screening.

Richwill Farmhouse (formerly Parkers Farmhouse) is a Grade II Listed Building with the associated outbuildings and barns to its north (subject of the events venue applications) all being curtilage listed.

Description of Proposal

The application seeks full planning permission for the change of use of the existing field approximately 1 hectare in size to a site for camping and touring caravans comprising 30 no. camping pitches and 30 no. touring caravan pitches.

It is proposed to further landscape the site boundaries and to form some compartmentalisation within the site using planting. Within the site, access roads will be defined and formed using reinforced grid with grass infill. An illustrative layout is included with the supporting statement that indicates the suggested level of landscaping and site layout.

Assessment

The main considerations in this instance are:

- Principle of Development;
- Visual and Landscape impact (including impact on Heritage Assets);
- Residential Amenities;
- Access, Highway Safety and Parking;
- Flooding and Drainage;
- Recreational Disturbance;
- Ecology;
- Contamination; and,
- Representations.

Principle of Development

Paragraph 83 of the National Planning Policy Framework 2019 states that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas including sustainable rural tourism and leisure developments which respect the character of the countryside.

Saved Policy ER16 of the Tendring District Local Plan 2007 states that proposals for tourism and leisure uses will be permitted provided that;

- a) The development is accessible to all potential visitors and users
- b) There is suitable vehicular and public transport access to the site and parking provision, especially where the proposal is likely to generate large traffic volumes. Proposals should be located close to the main road network and link to other public rights of way wherever possible
- c) The type of use proposed would not cause undue disturbance by reason of noise. Uses creating high levels of noise should be located well away from residential property and sensitive wildlife areas
- d) There will not be an adverse effect on agricultural holdings and the proposal would not result in an irreversible loss of high quality agricultural land
- e) Where appropriate opportunities are taken to improve the damaged and despoiled landscapes and enhance the landscape character of the area.

Furthermore, Saved Policy ER19a states that proposals for new facilities for touring caravans and tents will be allowed in appropriate locations.

In addition, Saved Policy ER20 states that the occupation of all types of holiday units, including chalets and caravans, will not be permitted between 14 January and 1 March in any year. Occupancy may be further restricted to the period 1 March and 31 October where the site;

- i. Lacks the necessary and appropriate infrastructure and services for longer occupation
- ii. Is located in an area of flood risk, or adjacent to a site designated for reasons of nature conservation.

Emerging Policy PP8 of the Draft Plan states that to attract visitors to the Tendring District and support economic growth in tourism, the Council will support proposals that would help to improve the tourism appeal of the District to visitors.

Whilst it is recognised that the application site is remote, it is not isolated and has easy access to the A120. The proposal will directly support the existing wedding and function facilities when it is possible to trade again and will support the continuity of the business while Covid restrictions continue to apply. The proposed location is sufficiently far from residential properties so as not to cause undue distance by reason of noise. The application site is not located within a flood zone. Furthermore, the size of the site and reversible nature of the proposals will not result in an adverse impact on the agricultural holding.

On this basis, subject to the detailed considerations discussed below, there is no objection to the principle of the development.

Visual and Landscape impact (including impact on Heritage Assets)

Paragraph 8 of the National Planning Policy Framework 2019 (NPPF) sets out the overarching objectives for achieving sustainable development, one being the environmental objective which requires the planning system to contribute to protecting and enhancing our natural, built and historic environment. Furthermore, Paragraph 127 of the NPPF requires that development should respond to local character and history, and reflect the identity of local surroundings. It goes on to say that local distinctiveness should be promoted and reinforced. Saved Policy QL9 and EN1 of the Tendring District Local Plan (2007) and Policy SPL3 and PPL3 of the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) seeks to ensure that development is appropriate in its locality and does not harm the appearance of the landscape.

The proposed site lies within the curtilage of the Grade II listed Richwill Farmhouse (formally Parkers Farmhouse List Entry ID: 1261009) and the curtilage listed outbuildings and barn to the north of the farmhouse which form the wedding and functions venue.

Paragraph 184 of the NPPF states that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Specifically Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Furthermore, Saved Policy EN23 of the adopted Tendring District Local Plan (2007) states that proposals for development that would adversely affect the setting of a listed building will not be permitted. The sentiments of these policies are carried forward in Draft Policies PPL8 and PPL9 of the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

Paragraph 189 of the National Planning Policy Framework (2019) states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. A Heritage Statement has been provided in compliance with Paragraph 189.

The site has been integral to the farmstead, historically known as Fisher's Farm, then Parker's Farm and now Richwill Farm. The site currently forms the immediate setting of the listed farmhouse and contributes positively to the significance of the entire farm complex as an agricultural land. The change of use of the land from agriculture will therefore result in some harm to the setting of the listed farmhouse.

Upon consultation with Essex County Council Heritage, concerns were raised. Firstly, with impact from the loss of the agricultural land and its resultant impact on the setting of the farmhouse and secondly, with the proposed amenity block structure which has the potential to cause considerable harm to the significance of the heritage asset through inappropriate development in its setting.

Having discussed the issues with the agent it became apparent that the requirements for the amenity block facilities are unknown at present and therefore can be agreed at a later stage once the demand for the site has been established. Officers recognise that the construction of an amenity building to provide facilities for future users of the camp site will need to be carefully considered in the context of the significance of the heritage assets. However, officers are satisfied that a small scale, single storey building can be achieved provided it appears well associated with the existing structures on the adjacent and is well screened by vegetation. On this basis, the proposed amenity block has now been removed from the proposal. As such, the main concern of harm to the significance of a designated heritage asset through inappropriate development in its setting has been resolved.

With regard to the permanent loss of the historic agrarian character of the site, albeit retaining the open setting, the proposal will cause some harm to the inherent setting of the listed farmhouse. As regards to the NPPF, this harm is considered at the lowest end of 'less than substantial' spectrum. Therefore, in weighing up the economic benefits of the proposed new tourism use together with the

benefits it provides in supporting the longevity of the existing events business (following the adverse impacts of Covid-19), the development is considered acceptable in heritage terms.

There is an existing sewage treatment plant near to the access that serves the existing buildings that has the capacity to serve the proposed development. The existing buildings will be able to provide accommodation for any events linked to the camping site and has existing bar and lounge facilities available. The support of the existing facilities minimises the requirements for new build facilities.

Within the site, access roads will be defined and formed using reinforced grid with grass infill to maintain the look of a field without causing any impermeable areas. The eastern boundary adjacent to the existing car park for the adjacent Wedding Venue is demarcated by a short Hawthorn hedge. In order to facilitate access to the application site a short section of this hedge would need to be removed. This will not have a significant impact on the character of the area. No other significant trees or hedgerows will be adversely affected by the development proposal.

Details of soft landscaping, including tree planting to strengthen screening and to both soften and enhance the appearance of the development will be secured by condition. Planting a new hedgerow with specimen trees on both the southern and western boundaries will help to 'enclose' the site for future users and provide additional screening from those perspectives.

The proposal for touring caravans and tents ensures a low key, transient visual and landscape impact further minimised by being almost fully screened by existing and proposed boundary planting.

For the reasons set out above, the proposed use will not result in any significant or demonstrable harm to the landscape character or setting of the heritage assets.

Residential Amenities

The NPPF, at paragraph 127 states that planning should always seeks to secure a good standard of amenity of all existing and future occupants of land and buildings. In addition, Policy QL11 of the Saved Plan states that amongst other criteria, development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013 -2033 and Beyond Publication Draft (June 2017).

The proposal seeks to deliver 60 pitches overall amounting to a density of 24 pitches per acre which is slightly less than the 30 pitches per acre maximum usually required by licencing authorities. The spacing on site between pitches is therefore considered acceptable.

The nearest neighbour to the site is White House Farm Cottage with the house being just over 80 metres from the edge of the application site.

Due to the separation distance to residential dwellings and ample screen planting, the proposal will not result on any undue noise or disturbance to neighbouring residents or result in any harm to other residential amenities.

Access, Highway Safety and Parking

Paragraph 108 of the National Planning Policy Framework 2019 seeks to ensure that safe and suitable access to a development site can be achieved for all users. Saved Policy QL10 of the adopted Tendring District Local Plan 2007 states that planning permission will only be granted if amongst other things; access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate and the design and layout of the development provides safe and convenient access for people. The sentiments of this policy are carried forward within draft Policy SPL3 of the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017.

Access into the site will be via the existing access that has an established in and out arrangement with good visibility. The entrance filters visitors past the reception area and the site, from that point,

is straight ahead. Parking is also available on the existing car park should there be the need for overflow parking.

Essex County Council Highway Authority raise no objection subject to conditions.

Flooding and Drainage

The site and immediate surrounds are within Flood Zone 1 as defined by the Environment Agency and not at risk of flooding. The site gently slopes towards the north and a ditch runs alongside Oakley Road. No impermeable areas are proposed, and the rainwater run off from modest tents and caravans over a short period is considered to be of no significance.

Recreational Disturbance

The proposal is for holiday units is outside the scope of the Essex Coast RAMS. However, Natural England state applications involving tourist accommodation could still potentially have recreational disturbance impacts (and other impacts) on designated sites.

With the imposition of an appropriately worded condition restricting the occupation of the site for holiday use only, no harm to designated sites will result from the development and therefore no financial contribution toward mitigation is required in this instance.

Ecology

The existing field is used for growing and cutting of hay and the remaining area of land is to continue with this use. The existing hedges are not affected by the proposals other than the removal of a small section for access. There is no proposal within this application for a permanent building which will be addressed in detail as a separate application. It is considered that the impact on the existing habitat will be minimal. It is also proposed to provide additional planting in and around the application site primarily to increase privacy on the site, but it presents the opportunity for improving the habitat potential generally.

Contamination

Due the historical use of the land, the Council's Environmental Protection Team would like to see the imposition of a condition requiring a watching brief for contaminated land. This would require the use of olfactory measures in the identification of potential contamination; should any contamination be identified on the site, this must be reported immediately to the Local Planning Authority, for further investigation and guidance. An appropriately worded condition will be added accordingly.

Representations

No comments have been received from Wix Parish Council.

No letters of representation have been received.

Conclusion

In the absence of any material harm resulting from the proposed development, the application is recommended for approval subject to conditions.

6. Recommendation

Approval - Full

7. Conditions

- 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 At any one time no more than 30 caravans shall be stationed on the site subject of this application.

Reason - To ensure compliance with the description of the development hereby approved.

- 3 At any one time no more than 30 tent pitches shall be stationed on the site subject of this application.

Reason - To ensure compliance with the description of the development hereby approved.

- 4 The development hereby permitted shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The operators of the site shall maintain an up-to-date register of the names of all occupiers of the holiday accommodation and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority.

Reason - To prevent the use of the site for permanent accommodation in the interests of the tourism economy and local community infrastructure.

- 5 Details of any outdoor lighting shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Development shall be carried out in accordance with the approved details.

Reason - In the interests of landscape impact and biodiversity in this rural location.

- 6 No caravan or tent shall be occupied between 1 November and 28 February inclusive in any year.

Reason - To ensure that the accommodation remains in holiday use in support of planning policies aiming to encourage tourism and does not become a permanent residential use.

- 7 No person shall occupy the site for more than 28 consecutive days.

Reason - To ensure the site is maintained as a tourist location and not for permanent occupation.

- 8 No caravan or tent shall be permitted to return to the site within less than 14 days of vacating the site.

Reason - To ensure the site is maintained as a tourist location and not for permanent occupation.

- 9 Prior to the beneficial use of the site, a scheme of hard and soft landscaping works shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include any proposed changes in ground levels, internal partitions and perimeter boundary treatments 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 interests of visual amenity, landscape impact and the rural character of the area.

- 10 All changes in ground levels, 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 landscaping scheme is suitably implemented within an appropriate timescale.

- 11 All new driveways, parking areas and areas of hardstanding shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area within the site area.

Reason - In the interests of sustainable development and to minimise the risk of surface water flooding.

- 12 Due the historical use of the land, a watching brief for signs of contamination shall be kept during groundworks. If visual / olfactory signs of contamination are identified the Local Authority must be notified, works should stop and a risk assessment be undertaken and submitted in writing to the Local Authority.

Reason - In order to protect the health and safety of workers and end users of the development.

- 13 There should be no obstruction above ground level within a 2.4 m wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. Such vehicular visibility splays shall be provided before the field is first used by vehicular traffic and retained free of any obstruction at all times.

Reason - To retain adequate inter-visibility between users of the access and the public highway in the interests of highway safety.

- 14 An unbound material shall be used in the surface treatment of the proposed field access for a minimum distance of 12 metres from its junction with the internal layout/ car park area.

Reason - To avoid displacement of mud/ debris onto the highway in the interests of highway safety.

- 15 Prior to occupation of the development a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the boundary, shall be provided on both sides of the proposed field access. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.

Reason - To provide adequate inter-visibility between the users of the access and pedestrians on the definitive right of way in the interest of highway safety.

- 16 The public's rights and ease of passage over public footpath no. 20 (Wix_183) shall be maintained free and unobstructed at all times.

Reason - To ensure the continued safe passage of the public on the definitive right of way and accessibility.

- 17 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. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Agent, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Highways Informatives

1. Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway to ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety.
2. The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public no.20 (Wix) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.
3. 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