



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
**NORTH WESTERN AREA PLANNING COMMITTEE
08 MARCH 2023**

Application Number	22/00833/FUL
Location	Former Atherstone Lodge, Fambridge Road, Purleigh, CM9 6NL
Proposal	New commercial building comprising a cold store, ancillary operation spaces access drives and a loading bay.
Applicant	Mr B. Rigby of Ben Rigby Game Ltd.
Agent	Mr R. Knight of Arcady Architects
Target Decision Date	04.10.2022 Extension of time until 02.12.2022
Case Officer	Jonathan Doe
Parish	PURLEIGH
Reason for Referral to the Committee / Council	Member Call in by Councillor S White with regard to Policy D1

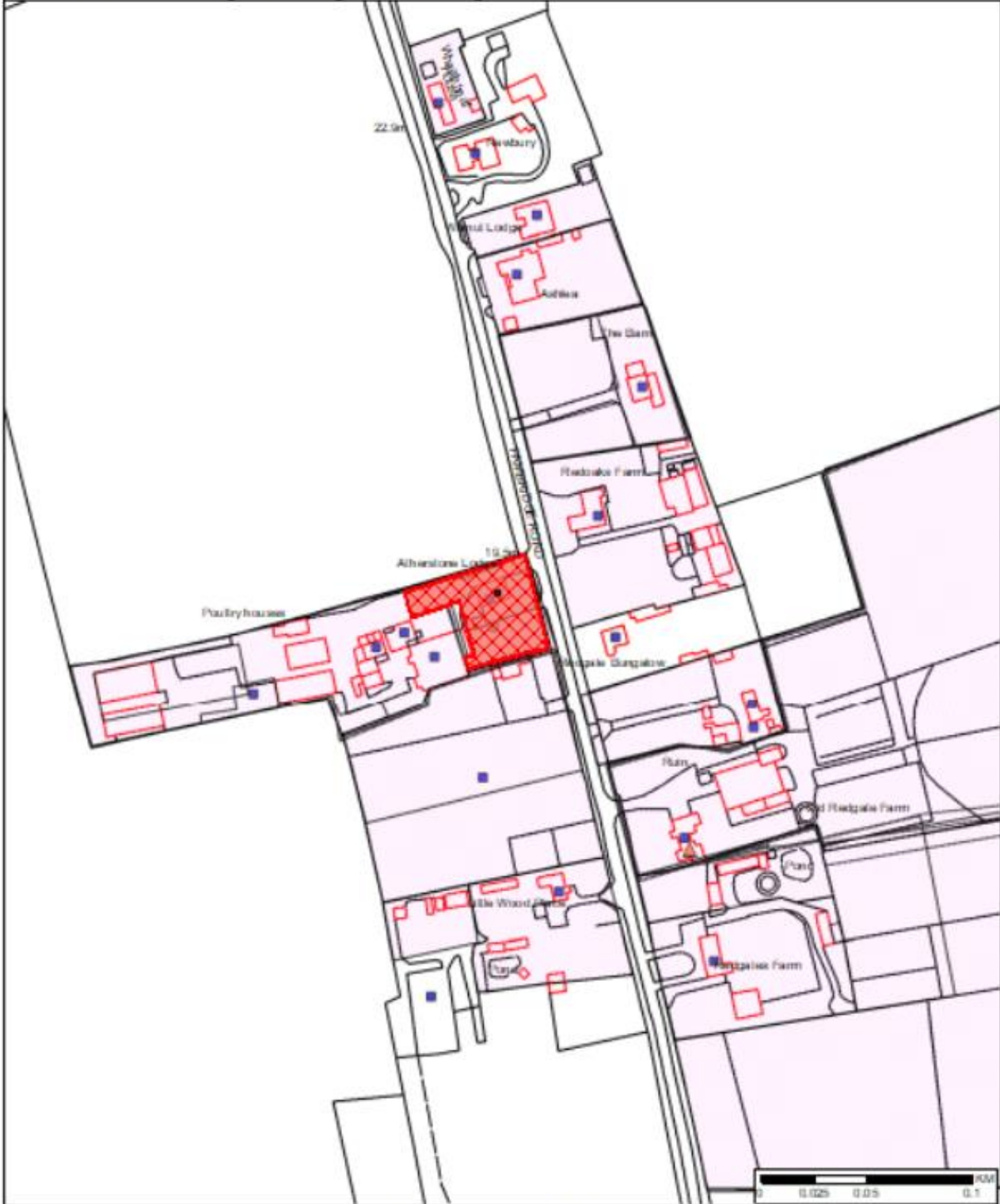
1. RECOMMENDATION

APPROVE subject to the conditions as detailed in Section 8.

2. SITE MAP

Please see below.

Application reference 22/00833/F UL
Former Atherstone Lodge, Fambridge Road, Purleigh



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 Maldon District Council 100018588 2014



MALDON DISTRICT
 COUNCIL

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Scale:	1:2,500
Organisation:	Maldon District Council
Department:	Department
Comments:	
Date:	08/11/2022
MSA Number:	100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

Site description

- 3.1.1 The site is outside any settlement, on the western side of Fambridge Road, the B1010. The site is about half a mile north of the junction of Fambridge Road with Latchingdon Road and Cold Norton Road. There is open rural land to the north and south. The site is screened by mature hedging on the northern and southern boundaries in views from the open countryside that lies beyond. The site consists of vacant ground set between existing commercial buildings, to the west, and Fambridge Road, to the east. There is a ribbon of development, mainly low-density residential development, on the opposite side of Fambridge Road.
- 3.1.2 The site was previously occupied by a dwelling. Given this planning history, the site has a residential use, the principle of a dwelling at the site is established. The site has planning permission, 20/00204/FUL, for a replacement five-bedroom dwelling. The loss of a dwelling from potential housing supply is considered to be a de-merit of the proposal but the land would still be put to effective use by the current proposal, by an employment generating development rather than one dwelling. This de-merit is therefore considered to be of very limited weight in the assessment of the proposal as a whole.
- 3.1.3 The site has a width of some 48m and a depth to the main body of the site of some 37m. The proposal would use the existing vehicular access to the existing buildings.
- 3.1.4 The proposal is for a new commercial building comprising a cold store, ancillary operation spaces, access drives and a loading bay.
- 3.1.5 The main access to Ben Rigby Game Ltd runs along the northern boundary of the site to a number of former agricultural buildings which now serve the fresh meat business operating on site. The developed area to the rear of the application site includes a small farm, abattoir and packing facilities, arranged around areas of hardstanding for the turning and parking of commercial and customer vehicles.

Description of proposal

- 3.1.6 Most of the interior of the proposed building would consist of a cold store with the product stored on pallets. Two smaller areas would be a wrapping area and a loading area. A loading bay would be set outside the loading area of the building. A short corridor element to the proposed building would link it to an existing building to the west. The proposed building would have ancillary offices and a break room.
- 3.1.7 The proposal is for a B2, general industrial, use.
- 3.1.8 The applicant is Ben Rigby Game Ltd, a local fresh meat business that serves local butchers and restaurants as well as exporting further afield. The current facilities on site allow for the whole production process from slaughtering, processing and packaging to the sale and distribution. However, there are no facilities for storage and this application seeks to rectify that in order to make the business a self-sufficient and more sustainable operation in the current climate.
- 3.1.9 The business has 19 full-time employees. Hours of operation have been confirmed to Environmental Health as Monday to Saturday 07:30 to 18:00 hours, closed on Sundays. On this basis Environmental Health has recommend that these are

conditioned as part of any planning approval. Other comment from Environmental Health is discussed below.

3.2 Conclusion

- 3.2.1 The proposed cold store building would support the expansion of the existing business operating on the site. As such the proposal meets the economic objective of sustainable development, fulfils a social objective in that the employment to be secured would support well-being and makes effective use of land in a way in which an environmental objective is satisfied for this particular site.

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework 2021 including paragraphs:

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 10-12 Presumption in favour of sustainable development
- 38 Decision-making
- 47-49 Determining applications
- 55-58 Planning conditions and obligations
- 81-82 Building a strong, competitive economy
- 84-85 Supporting a prosperous rural economy
- 104-113 Promoting sustainable transport
- 119-123 Making effective use of land
- 126-136 Achieving well-designed places
- 174-188 Conserving and enhancing the natural environment

4.2 Maldon District Local Development Plan 2014 – 2029 approved by the Secretary of State:

- S1 Sustainable Development
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and the Built Environment
- E1 Employment
- E4 Agricultural and Rural Diversification
- T2 Accessibility

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Maldon District Design Guide Supplementary Planning Document (SPD) (MDDG) (2017)

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The Council is required to determine planning applications in accordance with its adopted Development Plan unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004), Section 70(2) of the Town and Country Planning Act 1990 (TCPA1990)) and through Government policy at paragraph 47 of the NPPF.
- 5.1.2 Policies S1, S2 and S8 of the approved Maldon District Local Development Plan (LDP) seek to support sustainable developments within the defined settlement boundaries. This is to ensure that the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. It is clearly stated that outside of the defined settlement boundaries, Garden Suburbs and Strategic Allocations, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon.
- 5.1.3 The proposal site is located outside of any defined settlement boundary. However, Policy S8 states that outside of the defined settlement boundaries planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided it is for either of a number of criteria. One criterion, at (b), is that of employment generating proposals (in accordance with Policy E1).
- 5.1.4 The site adjoins a straight section of busy road. The general character of the setting of the site is of flat, open fields or low-density residential ribbon development. There are existing buildings at the plot of land of which the application site forms part which, although set further back from the road than that proposed, are of a utilitarian modern agricultural / commercial character. In the context of the site the impact of the proposal on the appearance and character of the rural setting is considered acceptable, as discussed in relation to the design.
- 5.1.5 Furthermore, the proposal accords with section 6 of the NPPF, Building a strong, competitive economy. Paragraph 81 of the NPPF states that planning decisions should help create the decisions in which businesses can invest, expand and adapt. The NPPF states clearly that significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs.
- 5.1.6 Paragraph 84 of the NPPF states that planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.
- 5.1.7 Paragraph 85 of the NPPF refers to how planning decisions should recognise that sites to meet local business needs in rural areas may have to be found beyond existing settlements. Paragraph 85 also says that the use of previously developed land should be encouraged where suitable opportunities exist.
- 5.1.8 In conclusion with regard to the principle of development, whilst the proposal is outside a settlement boundary, the economic benefit, history of the site and negligible effect to the character of the countryside at this particular site are such that the principle of development is considered acceptable.

5.2 Design and Impact on the Character of the Area

5.2.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high quality built environment for all types of development.

5.2.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The NPPF states that:

“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”.

“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”.

5.2.3 The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution in terms of:

- a) *Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;*
- b) *Height, size, scale, form, massing and proportion;*
- c) *Landscape setting, townscape setting and skylines;*
- d) *Layout, orientation, and density;*
- e) *Historic environment particularly in relation to designated and non-designated heritage assets;*
- f) *Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and*
- g) *Energy and resource efficiency.*

5.2.4 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG (2017).

5.2.5 The building would be some 33m wide at its widest part by some 25m deep. The building would be set back from the front boundary of the site by some 8m. Plans show a proposed tree and hedge screening along the site front boundary although two existing vehicular accesses would be retained. The building would be 8.3m to its twin roof ridges, 6.5m to the eaves.

5.2.6 External walls would be of a grey profiled metal cladding on a red multi brick plinth. The building would have a profiled metal roof though most of the roof surface would be taken up by Photovoltaic (PV) panels.

5.2.7 The building would be set at a position of a previously approved dwelling and its detached garage (planning permission 20/00204/FUL refers). It is considered that this planning permission has established the principle of built form on the site, albeit that the previous approval was for a one-and-a-half storey dwelling and a garage outbuilding with dormers to its roof.

5.2.8 The proposed building would have the scale and general appearance of an agricultural building. The site is well screened by a line of conifer type trees along the northern boundary. There is a hedge of hawthorn and similar vegetation along the southern elevation. The adjacent road has no public footway and is straight such that traffic along it is fast moving. Consequently, the site is viewed from the public realm effectively as a glimpse from fast moving traffic. Given the setting of the site, the proposal is considered acceptable in terms of appearance and effect on the character of the countryside.

5.3 Impact on Residential Amenity

5.3.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the MDDG (2017).

5.3.2 There are no residential dwellings immediately adjacent to or opposite the application site, the closest dwelling to the proposed development is Redoaks Farm located on the opposite side of the road. There is a separation distance of 45m from the position of the proposed building to the dwelling at Redoaks Farm, with Fambridge Road in between. It is considered that the proposed development would not result in overlooking, a loss of light or domination to the detriment of the neighbouring occupiers.

5.3.3 Environmental Health was consulted on the application and an initial response received in writing as follows:

"The proposal is for a new commercial building comprising a cold store, ancillary operation spaces, access drives and a loading bay. The application is accompanied by a noise impact assessment by Sharps Acoustics, dated 28 September 2022.

No hours of operation are included with the application. This needs clarification.

An unattended environmental noise survey has been carried out to determine existing noise levels in the vicinity of the application site. A summary of survey results is produced in table 3.4 of the report. Typical measured levels of 58 LA,eq and 45 LA90 during day time hours and 50 LA,eq and 42 LA90 have been noted. It will be useful to see a statistical analysis of the background noise levels during daytime and night time periods. The night time noise level is surprising high.

I understand from the report that the exact nature and location of any plant and its associated noise characteristics are yet to be determined. The diesel generator will be run for periodic testing and during rare power outages, it is proposed that routine testing be permitted only between 09:00 and 17:00 hours and should not last longer than 1 hour on each occasion that such testing is carried out. Power outages are of course entirely unpredictable.

The following condition has been suggested;

'The rating level of noise emitted by all fixed plant excluding the emergency generator shall not exceed 45dB at any noise sensitive premises between 07:00 and 23:00 and 42dB between 23:00 and 07:00 hours. The measurement and assessment shall be made according to BS4142:2014+A1:2019.'

There are occasions when the background noise levels falls to around 30dB and below and I am concerned that setting a condition as suggested may see a

difference of around 12dB during those times so it would be useful to have a statistical analysis of the background noise levels to ensure a representative level is agreed.

Depending on the hours of operation it may be appropriate to consider noise levels within the new building.

The diesel generator also requires assessment and will need attenuation.”

- 5.3.4 Further information was requested from the agent and an addendum to the noise impact assessment was subsequently submitted as part of the application documentation. The latest response from Environmental Health is as follows:

“Sharps Acoustics have provided an addendum note (dated 31 January 2023) to their environmental noise impact assessment for the proposed cold store extension.

Hours of operation have been confirmed as Monday to Saturday 07:30 to 18:00 hours, closed on Sundays. I would recommend that these are conditioned as part of any planning approval.

The back-up generator is to be used for power outages and therefore it is entirely appropriate that noise emitted from it is controlled by condition to prevent nuisance to those living nearby in the event that it's needed.

Therefore whilst I have no objections to the proposal I would recommend the following conditions; ...”

- 5.3.5 As referred to above, residential properties in the vicinity are on the opposite side of a busy road. The noise generating plant would be set to the rear of the proposed building such that the built form of the building would obstruct direct noise transmission. Subject to conditions addressing hours of use, noise emitted and other conditions in line with the comments of Environmental Health, the proposal is considered acceptable with regard to residential amenity.

5.4 Access, Parking and Highway Safety

- 5.4.1 Policy T1 of the approved LDP seeks to create additional sustainable transport opportunities. Policy T2 aims to create and maintain an accessible environment, requiring development proposals, inter alia, to provide sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.
- 5.4.2 The local highway authority has been consulted and a response received in writing stating that the proposed cold store building will support the expansion of the existing business operating on the site. The proposed development would likely result in an intensification of the existing access points, but each access could be provided with the required 2.4m x 120m visibility splays in accordance with Design Manual for Roads and Bridges standards. Therefore, from a highway and transportation perspective the impact of the proposal is acceptable to the Highways Authority, subject to conditions.
- 5.4.3 The conditions would relate to submission of a construction management plan; upgrading the southern (the secondary) access; no gate within 17m of carriageway;

implementation of a HGV turning area; boundary planting to be 1m from carriageway; and, no unbound material within 6m of highway.

- 5.4.4 Subject to such conditions, the proposal is considered acceptable with regard to Policy T2.

5.5 Employment

- 5.5.1 Policy E1 states that the Council will encourage employment generating developments and investment in the District to support the long term growth vision outlined in the Council's Economic Prosperity Strategy (EPS). The text of the policy continues by stating this will be achieved through the regeneration, modernisation and expansion of existing employment sites. This proposal for expansion of an employment use is broadly supported by Policy E1.

- 5.5.2 Policy E4 states that the Council will support the development of new buildings associated with agriculture and other land-based rural businesses where there is a justifiable and functional need for the building. Taking a broad definition of agriculture, that is to say the production of food, it is considered that Policy E4 broadly supports the proposal.

- 5.5.3 The Strategy Team was consulted on the application and a response received in writing as follows:

"The Strategy Theme Lead Prosperity responds that emerging evidence shows the District's economy has a leaning to 'grow your own', meaning that businesses need the ability to expand their operations on their existing or nearby site or land to retain their employment in the District.

Accordingly, growth of a business within its existing site through development or modernisation should be supported and expansion of the site, especially on brownfield land, should be viewed favourably.

This supports the Council's Corporate Plan and Strategic Outcomes to 'Support Existing Local Businesses and Enable Future Economic Investment and New Jobs'.

This is aligned with the National Planning Policy Framework (NPPF) to 'Build a strong, competitive economy'. The NPPF states: 'Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt'.

Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for investment and development.

The proposal is therefore aligned with national and local policy in terms of economic prosperity and supporting the local economy.

The Strategy Team support this application and further investment in this growing local business. Furthermore, we hope this development will enable the business to improve its roadside presentation with sensitive signage and the proposed tree and hedge screening will protect and improve the rural and agricultural character of the area."

- 5.5.4 In the light of the above response, it can be seen that the Strategy Team support the proposal.

6. ANY RELEVANT HISORY TO SITE AND IMMEDIATE SETTING

- **92/00740/FULF** - Change of use from cold store to wholesale meat cutting and packing plant – Approved 09.02.1993.
- **94/00522/FUL** - Infilling of existing openings to form sealed loading bay and dock - Approved 06.09.1994.
- **13/00419/FUL** - Demolition of existing bungalow, erection of new retail shop with office and general stores, four two-bedroom flats above including private parking for flats, public parking for shop and new widened access from main road – Approved 02.07.2013.
- **18/00612/FUL** - Section 73A application for the demolition of a wooden agricultural building and replacement with steel framed building for storage purposes – Approved 16.08.2018.
- **20/00204/FUL** - Demolition of existing chalet dwelling and garage and the erection of a new replacement dwelling and car port – Approved 04.05.2020.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Purleigh Parish Council	The Parish Council RECOMMENDS REFUSAL, on the grounds that the application contains insufficient detail for the Parish Council to make an informed recommendation.	The officers' opinion is that the application has sufficient detail to be determined.

7.2 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Highways Authority	From a highway and transportation perspective the impact of the proposal is acceptable to the Highways Authority, subject to conditions.	Noted.

7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objection subject to imposition of conditions.	Section of report regarding residential amenity addresses
Strategy Team	The Strategy Team support this application and further investment in	Section of report regarding employment addresses

Name of Internal Consultee	Comment	Officer Response
	this growing local business.	

7.4 Representations received from Interested Parties

7.4.1 No representations have been received for the application.

8. PROPOSED 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 Section 91(1) The Town & Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out in complete accordance with approved drawings: 19/15/40 Cold store location plan; 19/15/41 Cold store existing site plan; 19/15/42 Cold store proposed site & roof plan; 19/15/43 Cold store proposed floor plans; 19/15/44 Cold store proposed elevations & section; 19/15/45 Cold store proposed street scene; Planning statement; Environmental noise impact assessment by Sharps Acoustics LLP dated 28th September 2022 with Addendum note dated 31st January 2023.
REASON To ensure the development is carried out in accordance with the details as approved.
- 3 The use hereby permitted shall only be undertaken between 07:30 hours and 18:00 hours on weekdays and between 07:30 hours and 18:00 hours on Saturdays and not at any time on Sundays and Public Holidays. This shall include deliveries to and collections from the site.
REASON To avoid noise pollution in accordance with Policy D1 4), Policy D2 6) and Policy E7 of the Local Plan.
- 4 The rating level of noise emitted by all fixed plant excluding the emergency generator shall not exceed 45dB at any noise sensitive premises between 07:00 and 23:00 and 42dB between 23:00 and 07:00 hours. The measurement and assessment shall be made according to BS 4142:2014+A1:2019.
REASON To avoid noise pollution in accordance with Policy D1 4) and Policy D2 6) of the Local Plan.
- 5 Routine testing of the emergency diesel generator shown on approved plan 19/15/43 shall only be undertaken between 09:00 and 17:00 hours and for no longer than one hour on each occasion that such testing is carried out.
REASON To avoid noise pollution in accordance with Policy D1 4) and Policy D2 6) of the Local Plan.
- 6 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:
 - a. the parking of vehicles of site operatives and visitors
 - b. loading and unloading of plant and materials
 - c. storage of plant and materials used in constructing the development
 - d. wheel and underbody washing facilities.REASON In the interest of highway safety, to avoid parking which may obstruct the highway during the construction period and ensure loose materials and spoil are not brought out onto the highway in accordance with policy DM1 of the County Highway Authority's Development Management

Policies, adopted as County Council Supplementary Guidance in February 2011.

- 7 Prior to occupation of the development, the southern vehicular access shall be upgraded and reconstructed at right angles to the highway boundary and to the existing carriageway as shown in principle in the Block Plan Layout Drawing No.19/15/42.

REASON To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policy DM1 of the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

- 8 Any gate provided at the vehicular access shall be inward opening only and shall be set back a minimum of 17 metres from the back edge of the carriageway.

REASON To enable HGV's using the access to stand clear of the carriageway whilst gates are being opened and closed and to allow parking off street and clear from obstructing the adjacent carriageway in the interest of highway safety in accordance with policy DM1 of the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

- 9 Prior to first use of the development, the Heavy Goods Vehicle turning area as shown within planning drawing No.19/15/42 shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose and retained as such.

REASON To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety in accordance with policy DM1 of the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

- 10 The proposed boundary planting shall be maintained 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 on 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 of the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

- 11 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

REASON To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1 of the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

- 12 No pallets, meat, other goods, materials, plant (other than as shown on the approved plans), machinery, skips, containers, packaging or other similar items shall be stored or kept outside of the building.

REASON: In the interest of visual amenity to this rural site in accordance with Policy S1 9) and 12) and Policy D1 1) of the Local Plan.

- 13 Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 as amended, no further display of advertising material shall be displayed within the site without express advertisement consent.

REASON: In the interest of visual amenity to this rural site in accordance with Policy S1 9) and 12) and Policy D1 1) of the Local Plan.

- 14 Before any above ground works associated with the development hereby permitted occur, a scheme for generating 25% of the predicted energy requirement of the development from decentralised renewable and/or low carbon sources (as defined in the NPPF or any subsequent revision) shall be

submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development.
REASON: In the interest of sustainable development in accordance with Policy S1 7), Policy D5 1) g) of the Local Plan and the provisions of the National Planning Policy Framework.

15 Within the first available planting season (October to March inclusive) following the commencement of the development a hedgerow, as indicated on approved plan 19/15/42, shall be planted and maintained, a minimum of 1m from the carriageway of the adjacent highway, along the front, the eastern, site boundary. The hedgerow shall be of the following specification:-

- Hawthorn (*Crataegus monogyna*) plants planted as a double staggered row, with rows about 300mm apart and plants spaced at 450mm centres along each row. The plants shall be planted into ground previously cleared of all weed growth and mulched with a fabric / polythene sheet mulch and / or organic mulch. Shrub guards should be used to protect the plants.

REASON: In the interest of visual amenity to this rural site in accordance with Policy S1 9) and 12) and Policy D1 1) of the Local Plan.

16 No development works above ground level shall occur until details of a surface water drainage scheme to serve the development have been submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development. The scheme shall ensure that for a minimum: 1) The development should be able to manage water on site for 1 in 100 year events plus 40% climate change allowance. 2) Run-off from a greenfield site for all storm events that have a 100% chance of occurring each year (1 in 1 year event) inclusive of climate change should be no higher than 10/l/s and no lower than 1/l/s. The rate should be restricted to the 1 in 1 greenfield rate or equivalent greenfield rates with long term storage (minimum rate 1/l/s) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield) You are advised that in order to satisfy the soakaway condition the following details will be required:- details of the area to be drained, infiltration rate (as determined by BRE Digest 365), proposed length, width and depth of soakaway, groundwater level and whether it will be rubble filled. Where the local planning authority accepts discharge to an adopted sewer network you will be required to provide written confirmation from the statutory undertaker that the discharge will be accepted.

REASON In the interest of sustainable development in accordance with Policy S1 7), Policy D2 5) and Policy D5 1) and 4) of the Local Plan and the provisions of the National Planning Policy Framework.

17 No development works above ground level shall occur until details of the foul drainage scheme to serve the development have been submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first use or occupation of the building hereby permitted.

REASON In the interests of good planning and public amenity in accordance with Policy T2, Policy S1 6) and 11), Policy D1 4) and Policy D5 6) of the Local Plan.

18 Before the development hereby permitted commences, details of all external illumination of the site including the luminance and spread of light and the design and specification of the light fittings shall be submitted to and approved in writing by the local planning authority. All illumination within the site shall be retained in accordance with the approved details. There shall be no other

lighting of the external areas of the site unless otherwise agreed in writing by the local planning authority.

REASON In the interest of public amenity in accordance with Policy D2 6) of the Local Plan.

- 19 All fixed plant and equipment including the back-up generator shall have a combined rated emissions level of 5dB(A) below background (determined in accordance with BS4142:2014 methodology) when operating as its maximum speed and output. Where mitigation is required to meet the noise criteria above, it must be installed prior to first use AND the applicant must also provide the Planning Authority with a validation report from a competent person that confirms that the noise impact arising from the plant and equipment. Where it does not demonstrate this, additional mitigation measures shall be proposed, agreed with the Planning Authority and implemented prior to first occupancy. Any mitigation installed must be retained and maintained thereafter. All noise-related survey reports required must include full details of the calculations and assumptions used in reaching conclusions both on noise impact and mitigation scheme design.

REASON To avoid, mitigate and minimize adverse impacts on health and quality of life from noise and vibration. To comply with Policy D1 of the Maldon District Approved Local Development Plan 2014 – 2029.

INFORMATIVES

Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition, under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or Application No. Site Location Proposal endangered is guilty of an offence. Therefore, the applicant must ensure that no mud or detritus is taken onto the highway.

All highway related details shall be agreed with the Highway Authority. All works affecting the highway to be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be addressed for the attention of the Development Management Team at SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU or emailed to development.management@essexhighways.org.