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Item No: 7.3

Application: 183101

Applicant: Ms Bowser, CBC

Agent: Mrs Emily Pugh, AECOM

Proposal: Application for removal or variation of a condition following grant of planning permission. (Condition 2 of 180438)

Location: CNG Sports, Cuckoo Farm Way, Colchester, CO4 5JA

Ward: Rural North

Officer: Chris Harden

Recommendation: Approval

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee because it is a major development proposal submitted on behalf of the Borough Council and has generated an objection from a local resident.

2.0 Synopsis

- 2.1 The principle of the Sports Hub has already been previously agreed. The revisions relating to details of floodlighting, fencing, maintenance storage sheds, archery buildings and the foul water pumping station. These are considered to be acceptable and would not be detrimental to visual amenity, residential amenity, highway safety or ecology. The proposed revisions can therefore be supported and any new permission would have the same conditions applied (which would be revised where necessary given that some condition details have already been submitted and agreed).
- 2.2 The application is subsequently recommended for approval.

3.0 Site Description and Context

- 3.1 The site for this proposed development is an irregularly-shaped, extensive area of land that was formerly utilised for agricultural purposes, located to the north of junction 28 of the A.12 trunk road. It has an overall area of 34.5 hectares. The site, which is relatively level, contains a number of trees and established hedgerows, that define some boundaries with adjoining land. Part of Salary Brook runs through the approximate centre of the site.
- 3.2 It is bounded to the south by the A.12 trunk road, including junction 28 which enables access to north Colchester, including the emerging Colchester Northern Gateway, of which this proposed development would form part. To the west of the site is the Park and Ride development, also accessed from junction 28, a petrol filling station and a fast food restaurant with drive-through facility. To the northern end of the western boundary the site abuts land associated with established residential development fronting Boxted Road. To the north the site abuts open land, between it and the curtilages of dwellings that front the southern side of Langham Road. To the east the majority of the site boundary abuts the curtilage of Whitehouse Farm. A smaller length of the eastern boundary, at its northern end, faces Severalls Lane.

4.0 Description of the Proposal

- 4.1 The application is for the variation of a condition 2 (approved drawings) relating to application 180438. The original application 180438 was approved on 17/7/18 with the following description:

“Full planning application for the Colchester Northern Gateway Sports Hub (Use Class D2) comprising a 2,425sqm sports centre, a 1,641sqm club house, 12 no. sports pitches (comprising two 3G pitches, seven turf pitches and three mini pitches), a 1.6km cycle track, archery range; recreational areas; 10 no. ancillary storage buildings (totalling 298sqm), and associated earthworks,

landscaping, utilities, pumping stations, car parking, access and junction alterations.”

4.2 The variation of condition 2 of the approved application comprises of the following amendments to the proposed approved development:

- A reduction in the lux levels of the floodlighting for ATP1 and ATP2 from an illuminance value of 500 lux to 200 lux with reduction in height of floodlight mast columns to 25m in height for ATP1 and 15m in height for ATP2 (see amended Drawing 15021-PEV-XX-XX-DR-E-0100);
- New pitch floodlighting of two of the grass pitches (P3 and P4, which are immediately east of the all-weather pitches) to an illuminance value of 200 lux with floodlight mast columns of 15m in height (see amended Drawing 15021-PEV-XX-XX-DR-E-0100);
- Increasing the height of the fencing to the A12 from 1.2m to 1.8m (see amended Drawing P10362-00-003-100 Rev T07);
Colchester Northern Gateway Sports Hub
- Relocation of the site maintenance storage shed and compound to the north of the all-weather pitch ATP1 and reconfiguration of the native meadow habitat area to accommodate this (see amended Drawing P10362-00-003-100 Rev T07);
- Combining the archery club house shed and store into a single building (see amended Drawing P10362-00-003-100 Rev T07 and 15021-GT3-07-00-DR-A-(08)10 Rev A Archery Clubhouse & Store Drawing); and
- Relocation of foul water pumping station (see amended Drawing P10362-00-003-100).

Amendment of the following approved plans:

- P10362-00-003-100 REV D 14 Site Masterplan
- P10362-00-003-110 Rev D04 Proposed Site Levels
- 15021-GT3-07-00-DR-A-(08)10 Archery Clubhouse Drawings
- 15021-GT3-08-00-DR-A-(08)10 Archery Store Drawings

The following drawings are submitted for approval, to supersede the plans listed above:

- P10362-00-003-100 Rev T07 Site Masterplan
- P10362-00-003-110 Rev T03 Proposed Levels Plan
- 15021-GT3-07-00-DR-A-(08)10 Rev A Archery Clubhouse & Store Drawing 1.7. In addition, one new drawing is submitted for approval.

- 15021-PEV-XX-XX-DR-E-0100_ Indicative External Lighting Layout_170341

5.0 Land Use Allocation

- 5.1 Within the adopted Local Plan the majority of the site has no specific allocation i.e. white land. However, an area of the western part of the site is included in a larger area that was allocated for Park and Ride purposes.

6.0 Relevant Planning History

- 6.1 180438 - Full planning application CNG Sports Hub (Use Class D2) comprising a 2,425sqm sports centre, a 1,641sqm club house, 12 no. sports pitches (comprising two 3G pitches, seven turf pitches and three mini pitches), a 1.6km cycle track, archery range; recreational areas; 10 no. ancillary storage buildings (totaling 298sqm), and associated earthworks, landscaping, utilities, pumping stations, car parking, access and junction alterations. Conditional Approval: 17/7/18

7.0 Principal Policies

- 7.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) must be taken into account in planning decisions and is a material consideration, setting out national planning policy. Colchester's Development Plan is in accordance with these national policies and is made up of several documents as follows below.

- 7.2 The adopted Colchester Borough Core Strategy (adopted 2008, reviewed 2014) contains local strategic policies. Particular to this application, the following policies are most relevant:

SD1 - Sustainable Development Locations
SD2 - Delivering Facilities and Infrastructure
SD3 - Community Facilities
UR1 - Regeneration Areas
UR2 - Built Design and Character
PR1 - Open Space
PR2 - People-friendly Streets
TA1 - Accessibility and Changing Travel Behaviour
TA2 - Walking and Cycling
TA3 - Public Transport
TA4 - Roads and Traffic
TA5 - Parking
ENV1 - Environment
ENV2 - Rural Communities
ER1 - Energy, Resources, Waste, Water and Recycling

- 7.3 The adopted Colchester Borough Development Policies (adopted 2010, reviewed 2014) sets out policies that apply to new development. Specific to this application are policies:

- DP1 Design and Amenity
- DP2 Health Assessments
- DP3 Planning Obligations and the Community Infrastructure Levy
- DP4 Community Facilities
- DP10 Tourism, Leisure and Culture
- DP17 Accessibility and Access
- DP18 Transport Infrastructure Proposals
- DP19 Parking Standards
- DP20 Flood Risk and Management of Surface Water Drainage
- DP21 Nature Conservation and Protected Lanes
- DP25 Renewable Energy

- 7.4 Some “allocated sites” also have specific policies applicable to them. The adopted Site Allocations (adopted 2010) policies set out below should also be taken into account in the decision making process:

- SA NGA1 Appropriate Uses within the North Growth Area
- SA NGA4 Transport measures in North Growth Area

- 7.5 The Neighbourhood Plan for Boxted / Myland & Braiswick is also relevant. This forms part of the Development Plan in this area of the Borough.

- 7.6 In addition to the above, consideration also needs to be given to the emerging local plan. The following policies are relevant in the Submission Colchester Borough Local Plan 2017-2033:

- SP1 Presumption in Favour of Sustainable Development
- SP6 Place Shaping Principles
- SG1 Colchester’s Spatial Strategy
- SG7 Infrastructure Delivery and Impact Mitigation
- SG8 Neighbourhood Plans
- ENV1 Environment
- ENV3 Green Infrastructure
- CC1 Climate Change
- PP1 Generic Infrastructure and Mitigation Requirements
- NC1 North Colchester and Severalls Strategic Economic Area
- NC4 Transport in North Colchester
- DM1 Health and Wellbeing
- DM2 Community Facilities
- DM4 Sports Provision
- DM15 Design and Amenity
- DM20 Promoting Sustainable Transport and Changing Travel Behaviour
- DM21 Sustainable Access to Development
- DM22 Parking
- DM23 Flood Risk and Water Management
- DM24 Sustainable Urban Drainage Systems
- DM25 Renewable Energy, Water, Waste and Recycling

7.7 Paragraph 216 of the Framework states that decision makers may give weight to relevant policies in emerging plans according to:

- (1) the stage of preparation of the emerging plan;
- (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and
- (3) the degree of consistency of relevant policies to the policies in the Framework.

7.8 Emerging Local Plan

The Council is developing a new Local Plan that has been submitted to the Planning Inspectorate (October 2017). An Inspector has been appointed and the formal examination commenced in January 2018. The examination is ongoing.

Paragraph 48 of the Framework states that decision makers may give weight to relevant policies in emerging plans according to:

1. The stage of preparation of the emerging plan;
2. The extent to which there are unresolved objections to relevant policies in the emerging plan; and
3. The degree of consistency of relevant policies to the policies in the Framework.

The Emerging Local Plan is at an advanced stage and is, therefore, considered to carry some weight in the consideration of the application, but as it is yet to undergo examination, it is not considered to outweigh the material considerations assessed above in accordance with up-to-date planning policies and the NPPF.

7.9 Regard should also be given to the following adopted Supplementary Planning Documents (SPD):

External Materials in New Developments
EPOA Vehicle Parking Standards
Community Facilities
Open Space, Sport and Recreation
Sustainable Construction
Cycling Delivery Strategy
Sustainable Drainage Systems Design Guide
Street Services Delivery Strategy
Planning for Broadband 2016
Managing Archaeology in Development.
Developing a Landscape for the Future
ECC's Development & Public Rights of Way
Planning Out Crime
North Colchester Growth Area
Air Quality Management Guidance Note, Areas & Order
Boxted Parish Plan incorporating Village Design Statement
Langham Village Design Statement
Myland Parish Plan AND Myland Design Statement

7.10 Members should also note that the Colchester Northern Gateway Master Plan Vision Review was adopted by the Council as guidance for development and future planning applications at the Local Plan Committee meeting held on 18th December 2017. Some key principles contained in this document in relation to the application site (identified as Zone 3) are as follows:

- Development to be of a more informal rural feel
- High quality, striking architecture appropriate to the rural setting
- Provision of improved non-car modes of access as part of an overall modal shift aim for the whole Colchester Northern gateway as a major leisure destination
- Provision of electric charging points for vehicles

The Vision Review requires that planning applications for development plots within Colchester Northern Gateway have regard to the aims of the document.

8.0 Consultations

8.1 The stakeholders who have been consulted and who have given consultation responses are as set out below. More information may be set out on our website.

8.2 Highways England “offer no objection.”

8.3 Natural England “currently has no comment to make on the variation of condition 2. Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us any further consultations regarding this development, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.”

8.4 Environmental Protection state that the lighting map has been viewed and are “happy that it is unlikely to be a nuisance to surrounding residents. From the lighting map it shows the light reaching the perimeter by the cycle track is between 1 and 2 lux. 1 lux is the equivalent light produced by 1 candle on a 1m² surface at 1m distance. This is very unlikely to be a statutory nuisance.

In a very dark environment, national park, the light trespass into a window should be 2 lux before 23:00 and 1 lux after. For a small rural village 5 lux before 23:00 and 1 lux after.

We would not take action because a light is visible we would only act if light trespass measured inside the property exceeds the recommendations. I would also say that the light readings from inside the property would be taken with normal curtains or blinds closed.”

8.5 Archaeologist: “No comment.”

9.0 Parish Council Response

9.1 Myland Community Council has “no objection”.

10.0 Representations from Notified Parties

10.1 The application resulted in a number of notifications to interested third parties including neighbouring properties. The full text of all of the representations received is available to view on the Council’s website. However, a summary of the material considerations is given below.

10.2 One letter of objection has been received which makes the following points:

- Lighting

The Planning Statement - section 3.8 The Environmental Statement Addendum - lists many mitigations that have been taken to protect our ecology, but makes no mention of the effect on the humans in Whitehouse Farm. This seems to be a significant omission. As these residents we are concerned about all light pollution from the development, but mainly that from the cycle track. We can find no information on the increased light levels we will experience in our house and garden - if there is any we believe we should be consulted on them individually. In the absence of detailed data, we believe that 10m lamp standard 20m from our house and garden are unacceptable. We were led to believe that low (2m) posts were to be specified. We ask that this be implemented. Further we deem as unacceptable that the views from our house and terrace may have, as the main feature, a lighting post. We therefore request that the lighting be spaced such that no lamp is directly in our line of sight.

- Fencing

We note that the Planning Statement states that:

3.11 Planning policy DP1 of Colchester Development Policies DPD stipulates that all development must create a safe and secure environment. We do not believe that current plans for fencing achieve this with regard to dogs and their owners. There is only a short section of our boundary that is to be fenced. Our land is fenced in a way that ensures our horses are secure - but does not prevent the ingress of dogs as they are not currently present on our boundary. The CNG sports development will naturally bring dogs and their owners. If dog proof fencing is not included along our boundary there is risk that dogs will enter our land, with their owners following, this will then put them and our horses at risk of injury. We request that dog proof fencing is required along our entire boundary to eliminate this risk.

- American Football Pitch

We note that the land to North of our property and the East of the Cycle track is shown on the plans as grass. We also note that the plan on the Northern Gateway website shows this area as an American Football Pitch. We require confirmation that this area is to be meadow. If not revised fencing and landscaping plans are required.

11.0 Parking Provision

- 11.1 As before, the drawings submitted propose that 358 car parking spaces are provided on the site. This number includes the provision of 26 spaces allocated for disabled persons (located adjacent to the proposed Sports Centre and Club House). It is also proposed that 48 cycle stands are provided; again, these being adjacent to the Sports Centre and the Club House.
- 11.2 Members are also advised that the applicant has reached agreement with ECC, as the Park and Ride operator, that 200 car parking spaces will be available as overspill parking on rugby match days.

12.0 Open Space Provisions

- 12.1 The submitted scheme, by its nature, consists predominantly of open space, both in the provision of public and private playing surfaces, tracks etc. together with large areas of open grassed amenity and play spaces.

13.0 Air Quality

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

14.0 Planning Obligations

- 14.1 As a “Major” application, there was a requirement for this proposal to be considered by the Development Team but no additional issues have arisen compared to the previous permission.

15.0 Report

The Principle of Development

- 15.1 The principle of the development of the Sports Hub has already been previously agreed under application 180438. The Planning Considerations section of that previous Committee report that relates to these revisions is contained in Appendix 1 by way of background to the case. The issues that now fall to be considered are the amendments to that approved scheme, as follows.

Floodlighting

- 15.2 With regard to the proposed amendments to floodlighting, Policy DP1 of the Local Plan stipulates that existing public and residential amenity, including from light pollution should be protected. In addition the visual impact of the lighting amendments and any impact upon ecology needs to be considered. Overall, amendments to the floodlighting are considered acceptable in terms of impact upon residential amenity, visual amenity, ecology and highway safety.
- 15.3 The revisions involve reducing the lux levels of the floodlighting for ATP1 and ATP2 from an illuminance value of 500 lux to 200 lux with floodlight mast columns of 25m in height for ATP1 and 15m in height for ATP2. It is also proposed to provide floodlighting for grass pitches P3 and P4 which are located immediately east of the all-weather pitches. They will be lit to an illuminance value of 200 lux with floodlight mast columns of 15m in height.
- 15.4 The applicant has undertaken a further review regarding the impact of the revised floodlighting on ecology, landscape and visual amenity, and light pollution. Having regard to this review it is concluded that it is not considered the revisions would result in any new or additional significant effects beyond those reported in the 2018 ES. The aim has been to minimise intrusive light and sky glow, focusing on the active surface area only with directional light. The additional floodlighting has followed these principles. The proposed height of the lighting columns allows the floodlights to be mounted horizontally, resulting in low vertical overspill and good uniformity on the surface. The LED fixtures will be focused on the surface so light spill should be virtually eliminated.
- 15.5 Accordingly it is considered that proposed lighting will offer low light pollution and there will not be any significant impact upon visual amenity or neighbouring residential amenity. The comments received from the neighbour have been carefully considered and Environmental Protection have confirmed that the revised floodlighting is unlikely to be a nuisance to surrounding residents. It is also concluded that "From the lighting map it shows the light reaching the perimeter by the cycle track is between 1 and 2 lux. 1 lux is the equivalent light produced by 1 candle on a 1m² surface at 1m distance." It is considered very unlikely that this would be a statutory nuisance.
- 15.6 Environmental Protection have also confirmed "In a very dark environment, national park, the light trespass into a window should be 2 lux before 23:00 and 1 lux after. For a small rural village 5 lux before 23:00 and 1 lux after. We would not take action because a light is visible, we would only act if light trespass measured inside the property exceeds the recommendations. I would also say that the light readings from inside the property would be taken with normal curtains or blinds closed."

15.7 With regard to the impact of the lighting on ecology and having regard to the submitted Environmental Statement Addendum it is concluded that there would not be any significant effects on ecological receptors including bats, the Local Wildlife Site or other nocturnal animals on or offsite, as a result of the amended lighting design. Natural England have also not raised any objections in this respect.

15.8 It is therefore considered that the floodlighting revisions accord with Policy DP 1 as the character of the site and its context is respected and light pollution and impact upon neighbouring residential amenity will be minimised. The proposal would also not conflict with Policy DP14 which aims to conserve or enhance biodiversity. It would also not conflict with Policy DP1 as it is not considered there would be a detriment to visual amenity.

Fence revisions

15.9 It is proposed to increase the height of the fence adjacent to the A12 from 1.2m to 1.8m. The style of the fence is proposed to remain as approved, comprising a wire perimeter agricultural fence using timber posts and mesh. The applicant states that the increase in height of the fence is to ensure that users of the site do not stray on to the A12 whilst the proposed vegetation buffer is establishing. The style and height of the fence is considered to be appropriate for the setting of the site and would not detract from the character of the surrounding countryside. Policy DP1 stipulates that all development must create a safe and secure environment and it is therefore, it is considered that the proposed amendment to the fence is consistent with this policy.

Maintenance storage sheds

15.10 It is proposed to relocate the two storage sheds that have been previously permitted to the north of grass pitch P3. The proposed location of these two sheds is now further west, to the north of artificial pitch ATP1. Associated with this relocation is the reconfiguration of the native meadow habitat area. It is considered that this revised location of the storage shed is acceptable in visual amenity terms and would not have any impact upon neighbouring residential amenity or upon trees and other vegetation. The proposed re-siting of these storage buildings brings the built form closer to permitted buildings and structures—such as the Rugby Clubhouse and ATP1, which will reduce the visual impact of the structures themselves. The design of the storage sheds remains the same as what is currently approved and therefore remains acceptable.

15.11 This revision is therefore considered acceptable and accords with Policy DP1.

Archery buildings

- 15.12 Planning permission has been granted for two buildings to serve the archery facilities within the site; a clubhouse and a store. It is proposed to combine the archery clubhouse and store into a single building. The overall footprint of the proposed building is marginally greater than the footprint of the two currently approved buildings. However, its height and width are unchanged from the approved scheme. In addition, the appearance of the proposed building is broadly the same as what is currently approved and there is very little difference in terms of positioning of the building. Accordingly it is considered that the proposed amendments are visually acceptable. There would also be no impact upon residential amenity or upon trees and vegetation. The proposal therefore complies with Policy DP1 as it respects the character of the site and its surroundings.

Foul water pumping station

- 15.13 It is proposed to relocate the foul water pumping station from its permitted location at the west of the car park to a new location east of the access road and southwest of the closed circuit cycling track. The appearance of the foul water pumping station is to remain as approved and accordingly its design and form remains acceptable. The revised location of the building is also considered acceptable, particularly as it would be largely screened from view by the Hedgerow Buffer. It is not considered there would be any detriment to neighbouring residential amenity, existing vegetation or ecology so again, Policy DP1 and DP21 would be complied with.

Other

- 15.14 There are no highway safety implications from the revised proposal and no objections have been received from Highways England.
- 15.15 There are no archaeological implications. (Policy DP14).
- 15.16 With regard to the concerns raised by a neighbour, these issues are not proposed changes to this Section.73 application. There are no changes proposed to the lighting of the cycle track. The site masterplan (approved drawing: P10362-00-003-100 REV D 14 Site Masterplan, proposed drawing: P10362-00-003-100 Rev T07 Site Masterplan) show lighting columns in the same place. The additional floodlighting is for the rugby pitches, not the cycle track. The cycle track columns have always been 10m in height.
- 15.17 In terms impacts of the revised lighting (to rugby pitches 3 and 4) the previously submitted lux contour plan (submitted as part of the ES) 15021-PEV-XX-XX-DR-E-0100 Rev. P03 and the proposed lux contour plan 15021-PEV-XX-XX-DR-E-0100 Rev. P04 show that at the south-eastern boundary of the site, the light levels are 2 lux, and therefore, there is no increase in the light levels between the approved development and the proposed amendments with respect to impact on Whitehouse Farm.

15.18 The only change proposed to the boundary treatments of the site is along the boundary with the A12. All other boundary treatments are as previously approved.

15.19 The scheme which planning permission is sought is shown on the submitted plans; there are no pitches east of the cycle track.

16.0 Conclusion

16.1 To summarise, the principle of the Sports Hub has already been previously agreed. The revisions relating to floodlighting, fencing, maintenance storage sheds, archery buildings, and the foul water pumping station are considered to be acceptable and would not be detrimental to visual amenity, residential amenity, highway safety or ecology. The proposed revisions can therefore be supported and a new consent granted with the same conditions applied (which would be revised where necessary given that some condition details have already been submitted and agreed, albeit in phases).

17.0 Recommendation to the Committee

17.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to the following conditions:

1. ZAM- *Development to Accord With Approved Plans*

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers:

Previously approved drawings

15021-GT3-00-XX-DR-A(03)02 RUGBY PITCH SIZES
15021-GT3-00-XX-DR-A(03)01 RUGBY PITCH SIZES
15021-GT3-02-ZZDR- A(08)16 EXTERNAL SIGNAGE
15021-GT3-02-ZZ-DR-A(08)13 EAST & SOUTH ELEVATIONS
15021-GT3-01-ZZ-DR-A(08)14 NORTH & WEST ELEVATIONS REV I
15021-GT3-01-00-DR-A (08) 10 SPORTS CENTRE GROUND FLOOR
15021-GT3-01-00-DR-A (08) 11 SPORTS CENTRE FIRST FLOOR
15021-GT3-01-01-DR-A (08) 12 SPORTS CENTRE ROOF PLAN
15021- GT3-01-ZZ-DR-A (08) 18 SPORTS CENTRE PERSPECTIVE
15021-GT3-01-ZZVS-A (03) 02 SPORTS CENTRE VISUALS 2
15021-GT3-01-ZZ-VS-A-(03) 03 Rev C SPORTS CENTRE VISUALS 3
15021-GT3-01-ZZ-DR-A-ZZ-VS-A-(03) 04 SPORTS CENTRE VISUALS 4
15021-GT3-01-ZZ-DR-A(08)00 Rev A SPORTS CENTRE 3D CUTAWAYS
15021-GT3-01-ZZ-DR-A (08) 15 SPORTS CENTRE GA SECTIONS
15021-GT3-01-ZZ-DR-A (08) 16 SPORTS CENTRE GA SECTIONS
15021-GT3-02-00-DR-A (08) 10 RUGBY CLUBHOUSE GROUND FLOOR PLAN
15021-GT3-02-01-DR-A (08) 11 RUGBY CLUBHOUSE FIRST FLOOR PLAN
15021-GT3-02-A (08) 00 RUGBY CLUBHOUSE 3D VIEWS
15021-GT3-02-R1-A (08) 12 RUGBY CLUBHOUSE ROOF PLAN
15021-GT3-02-ZZ-DRA (08) 13 RUGBY CLUBHOUSE E & S ELEVS
15021-GT3-02-ZZ-DR-A (08) 14 RUGBY CLUBHOUSE N & W ELEVS
15021-GT3-02-ZZ-DR-A (08) 15 RUGBY CLUBHOUSE GA SECTIONS

15021-GT3-02-ZZ-DR-A (08) 16 RUGBY CLUBHOUSE EXTERNAL SIGNAGE
 15021-GT3-02-ZZ-VS-A (03) 02 Rev B RUGBY CLUBHOUSE EXTERNAL VISUALS
 2
 15021-GT3-04-00-DR-A (08) 10 CYCLE OFFICIALS BOOTH DRAWING
 15021-GT3-05-00-DR-A (08) 10 GARDENING EQUIPMENT STORAGE UNIT
 15021-GT3-06-00-DR-A (08) 10 TYPICAL BINSTORE DRAWINGS,
 15021-GT3-09-00-DR-A (08) 10 TYPICAL STORAGE CONTAINER DRAWINGS
 15021-GT3-ZZ-DR-A (08)01 REV A LOCATION PLAN
 105714 – 102 Rev. C HIGHWAYS PLAN
 105714-101-Rev. E HIGHWAYS PLAN
 P10362-00-003-111 Rev D01 EXISTING SITE LEVELS
 P10362-00-003-120 Rev D02 TREE REMOVAL PLAN
 P10362-00-003-130 Rev D00 SITE SECTIONS

Amended Section 73 Plans:

P10362-00-003-100 Rev T07 Site Masterplan

P10362-00-003-110 Rev T03 Proposed Levels Plan

15021-GT3-07-00-DR-A-(08)10 Rev A Archery Clubhouse & Store Drawing
 1.7 In addition, one new drawing is submitted for approval:

15021-PEV-XX-XX-DR-E-0100_Indicative External Lighting Layout_170341

Furthermore the development shall be carried out in accordance with all documentation and reports submitted in support of the application (including amended versions and additional reports where applicable) and in accordance with the previously approved conditions.

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

2. Non Standard Condition - Construction Phasing

All development works shall thereafter be carried out in accordance with the previously approved phasing scheme pursuant to condition 3 of planning permission ref: 180438.

Reason: To limit the local impact of the construction work in the interests of the amenities of the surrounding area.

3. ZBC- Materials to Be agreed

No external materials shall be used until a schedule of all types and colours has been submitted to and approved, in writing, by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved schedule.

Reason: This is a prominent site where types and colours of external materials to be used should be polite to their surroundings in order to avoid any detrimental visual impact.

4. ZBF – Surfacing Materials to be Agreed

Prior to the laying down of any surface materials for private, non- adoptable accessways, driveways, footpaths, courtyards, parking areas and forecourts, full details of these materials shall be submitted to and agreed, in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed details.

Reason: There is insufficient information within the submitted application to ensure that these details are satisfactory in relation to their context and such details are considered important to the character of the area.

5. ZCC - Non-Residential BREEAM (Part 1 of 2)

Prior to the commencement of the relevant phase of development evidence that the development is registered with a BREEAM certification body and a pre-assessment report (or design stage certificate with interim rating if available) has been submitted indicating that the development can achieve a final BREEAM rating level of at least Very Good.

Reason: To ensure that the completed development is sustainable and makes efficient use of energy, water and materials.

6. ZCD- Non-Residential BREEAM (part 2 of 2)

Within 6 months of the occupation of the development, a final Certificate shall have been submitted to the Local Planning Authority certifying that BREEAM rating Very Good has been achieved for this development.

Reason: To ensure that the completed development is sustainable and makes efficient use of energy, water and materials.

7. ZCF- Refuse and Recycling As Shown

Prior to the first occupation of the development, the refuse and recycling storage facilities as shown on the approved plans shall have been provided and made available to serve the development. Such facilities shall thereafter be retained to the satisfaction of the Local Planning Authority at all times.

Reason: To ensure that adequate facilities are provided for refuse and recycling storage and collection.

8. ZCG- Communal Storage Areas

Prior to the first occupation of the development hereby permitted, details of the management company responsible for the maintenance of communal storage areas and for their maintenance of such areas, shall be submitted to, and agreed in writing by the Local Planning Authority. Such detail as shall have been agreed shall thereafter continue.

Reason: The application contains insufficient information to ensure that the communal storage areas will be maintained to a satisfactory condition and there is a potential adverse impact on the quality of the surrounding environment.

9. ZCH- Litter

Prior to the first occupation of the development hereby permitted, equipment, facilities and other appropriate arrangements for the disposal and collection of litter resulting from the development shall be provided in accordance with details that shall have previously been submitted to, and agreed in writing by, the Local Planning Authority. Any such equipment, facilities and arrangements as shall have been agreed shall thereafter be retained and maintained in good order.

Reason: In order to ensure that there is satisfactory provision in place for the storage and collection of litter within the public environment where the application lacks sufficient information.

10. ZCI – Connection of Foul Sewer (non-standard)

All sewage and waste water shall be discharged to the foul sewer.

Reason: To meet the requirements of Circular 3/99 and to ensure that the environmental, amenity and public health problems that can arise from non-mains sewerage systems do not occur.

11. Non Standard Condition - Surface Water Drainage Scheme

Prior to the commencement of the relevant phase of the development a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme should include but not be limited to:

- Limiting discharge rates to 1 in 1 greenfield for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, including roof areas, in line with the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy. The scheme shall subsequently be implemented prior to occupation.

Reason:

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

12. Non Standard Condition - Scheme to minimise off-site flooding

Prior to the commencement of the relevant phase of the development a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

Reason: The National Planning Policy Framework paragraph 163 and paragraph 165 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development. Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

13. Non Standard Condition- Drainage maintenance Plan

Prior to the commencement of the relevant phase of development 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 before commencement of works 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. Non Standard Condition - Yearly maintenance Logs

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. Non Standard Condition - Removal of Permitted Development Rights

Notwithstanding the provisions of Article 3, Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) the development hereby approved shall be used solely as described in the planning application submission documents and supporting materials and for no other purpose(s) in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent in any Statutory instrument revoking and re-enacting that Order with or without modification).

Reason: This is the basis on which the application was submitted and subsequently considered and the Local Planning Authority would need to give further full consideration to the appropriateness of a different use or uses on this site at such a time as any future change of use were to be proposed.

16. ZFE – Landscape Management Plan

Prior to the first occupation of the development, a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas other than small, privately owned, domestic gardens shall be submitted to and agreed, in writing, by the Local Planning Authority. The landscape management plan shall thereafter be carried out as approved at all times.

Reason: To ensure the proper management and maintenance of the approved landscaping in the interests of amenity and the character and appearance of the area.

17. Non Standard Condition - Landscaping Conditions

Prior to the commencement of the relevant phase of development full details of all landscape works have been submitted to and agreed, in writing, by the Local Planning Authority and the works shall be carried out prior to the occupation of any part of the development unless an alternative implementation programme is subsequently agreed, in writing, by the Local Planning Authority. The submitted landscape details shall include:

- Proposed finished levels or contours;
- Means of enclosure including all boundary fencing;
- Car parking layouts;
- Other vehicle and pedestrian access and circulation areas;
- Hard surfacing materials;
- Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.);
- Proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. Indicating lines, manholes, supports etc.);
- Earthworks (including the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform)
- Retained historic landscape features;
- Proposals for restoration;
- Planting plans;

- Written specifications (including cultivation and other operations associated with plant and grass establishment); • Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and
- Implementation timetables and monitoring programs.

Reason: To ensure that there is a suitable landscape proposal to be implemented at the site for the enjoyment of future users and also to satisfactorily integrate the development within its surrounding context in the interest of visual amenity.

18. ZFG- Earthworks

Prior to the commencement of the relevant phase of development details of all earthworks in relation to that phase shall be submitted to and agreed, in writing, by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that any earthworks are acceptable in relation to their surroundings.

19. ZFQ- Tree and Natural Feature Protection; Protected Areas

Prior to the commencement of the relevant phase of development all trees, shrubs and other natural features not scheduled for removal on the approved plans shall be safeguarded behind protective fencing to a standard that has previously been submitted to and agreed, in writing, by the Local Planning Authority (see BS 5837). All agreed protective fencing shall thereafter be maintained during the course of all works on site and no access, works or placement of materials or soil shall take place within the protected area(s) without prior written consent from the Local Planning Authority.

Reason: To safeguard existing trees, shrubs and other natural features within and adjoining the site in the interest of amenity.

20. ZFR- Tree and Natural Feature Protection: Entire Site

No burning or storage of materials shall take place where damage could be caused to any tree, shrub or other natural feature to be retained on the site or on adjoining land (see BS 5837).

Reason: To protect the health of trees, shrubs and other natural features to be retained in the interest of amenity.

21. ZFU- Tree Canopy Hand Excavation

During all construction work carried out underneath the canopies of any trees on the site, including the provision of services, any excavation shall only be undertaken by hand. All tree roots exceeding 5 cm in diameter shall be retained and any pipes and cables shall be inserted under the roots.

Reason: To protect trees on the site in the interest of visual amenity.

22. Non Standard Condition - Construction Environmental Management Plan

The approved Construction Environmental Management Plan pursuant to condition 23 of planning permission 180438 shall be strictly adhered to throughout the construction period.

Reason: In order to ensure that the construction takes place in a suitable manner and to ensure that amenities of existing residents and the environment are protected as far as reasonable.

23. Non Standard Condition - Limits to Hours of work and construction vehicles

No demolition or construction work shall take place outside of the following times:

Weekdays: 8am - 6pm

Saturdays: 8am - 1pm

Sundays and Public/Bank

Holidays: NOT AT ALL.

Furthermore, no vehicle connected with the works shall arrive on site before 7:30am or leave after 7:00pm (except on case of emergency).

Reason: To ensure that the construction phase of the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise at unreasonable hours.

24. Non Standard Condition- Hours of operation

The uses hereby permitted shall be restricted to the following times:

	Weekdays	Saturdays	Sundays/Bank Holidays
Sports Centre	07.00-23.00	07.00-23.00	08.00-23.00
Rugby Clubhouse	Mon, Tue, Thur 08.00-23.00 Weds 08.00-Midnight Fri 08:00-01:00 (Sat morning)	08.00-01.00 (Sunday morning)	08.00-22.00
Tannoy for matches and events	Until 21.00	Until 21.00	Until 21.00 (on up to 30 days per year)
Floodlighting to two artificial pitches	Until 22.00	Until 22.00	Until 21.00
Cycle track lighting - low lux level and low height	Until 22.00	Until 22.00	Until 21.00

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise including from people entering or leaving the site, as there is insufficient information within the submitted application, and for the avoidance of doubt as to the scope of this permission.

Note: Premises requiring a License will need to apply to the Licensing Authority and each application will be assessed on its own merits; there is no guarantee that the above hours would be approved.

25. Non Standard Condition- Food Premises- (Control of Fumes and Odours).

Prior to the first use of the development hereby permitted, control measures shall be installed in accordance with a scheme for the control of fumes, smells and odours that shall have been previously submitted to, and agreed in writing by, the Local Planning Authority. This scheme shall be in accordance with Colchester Borough Council's Guidance Note for Odour Extraction and Control Systems. Such control measures as shall have been agreed shall thereafter be retained and maintained to the agreed specification and working order.

Reason: To ensure that there is a scheme for the control of fumes and odours in place so as to avoid unnecessary detrimental impacts on the surrounding area and/or neighbouring properties, as there is insufficient detail within the submitted application.

26. Non Standard Condition- Grease Traps required

Prior to the first use of the development hereby permitted, any foul water drains serving the kitchen shall be fitted with grease traps that shall at all times thereafter be retained and maintained in good working order in accordance with the manufacturer's instructions.

Reason: To prevent unnecessary pollution of the groundwater environment quality in the area and/or blocking of the drainage system.

27. Non Standard Condition - Restriction of Amplified Music

Prior to the first use or occupation of the development hereby permitted, the level of internal amplified sound shall be restricted by the installation and use of a noise limiting device that complies with details that shall have been submitted to and agreed, in writing, by the Local Planning Authority. Thereafter, such devices shall be retained and operated in accordance with the approved specification and working order at all times.

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

28. Non Standard Condition- Self Closing Doors

Prior to the first use or occupation of the development hereby permitted, all doors allowing access and egress to the premises shall be self-closing and shall be maintained as such, and kept free from obstruction, at all times thereafter.

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise including from people entering or leaving the site, as there is insufficient information within the submitted application, and for the avoidance of doubt as to the scope of this permission.

29. Non Standard Condition - Sound Insulation on Any Building

Prior to the first use or occupation of the development as hereby permitted, the buildings shall have been constructed or modified to provide sound insulation against internally generated noise in accordance with a scheme devised by a competent person and agreed, in writing, by the Local Planning Authority. The insulation shall be maintained as agreed thereafter.

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

30. Non Standard Condition - Details of the Public Address System

Prior to the first use or occupation of the development as hereby permitted, full details of the public address system to be installed on the site shall be submitted to and approved in writing with the Local Planning Authority. The system shall thereafter be used solely in accordance with the approved details.

Reason: Insufficient details are included as part of this application submission and the Council would wish to ensure that the public address system is fit for purpose and does not unacceptably affect the amenity of nearby residents by reason of noise nuisance.

31. Non Standard Condition - Details of Floodlighting

Prior to the installation of any floodlighting full details shall be submitted to and agreed, in writing, by the Local Planning Authority. The development shall thereafter be carried out and maintained in accordance with the approved details.

Reason: To ensure that any floodlighting at the site is of a satisfactory specification and to ensure that it will not cause any undue harm or loss of amenity to the surroundings area.

32. Non Standard Condition - External Lighting Fixtures

No external lighting fixtures shall be constructed, installed or illuminated until details of all external lighting proposals have been submitted to and approved, in writing, by the Local Planning Authority. Thereafter, no lighting shall be constructed or installed other than in accordance with those approved details.

Reason: To reduce the risks of any undesirable effects of light pollution.

33. Non Standard Condition - External Lighting

All external lighting serving the buildings hereby approved shall only be illuminated during the authorised hours of opening of those buildings.

Reason: To control periods of illumination in order to reduce the risks of any undesirable effects of light pollution.

34. ZGX- Contaminated land Part 1 of 4 (Site characterisation)

Prior to the commencement of the relevant phase of development an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval, in writing, of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination, including contamination by soil gas and asbestos;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers'.

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

35. ZGY-Contaminated Land Part 2 of 4 (Submission of Remediation Scheme)

Prior to the commencement of the relevant phase of development a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared and then submitted to and agreed, in writing, by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be

carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

36. ZGZ – Contaminated Land Part 3 of 4 (Implementation of Approved Remediation Scheme).

No other works in the relevant phase shall take place prior to that required to carry out remediation, in accordance with the approved remediation scheme. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification/validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

37. ZG0- Contaminated Land Part 4 of 4 (Reporting of unexpected contamination)

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 34, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 35, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 36.

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

38. ZG3 - Validation Certificate

Prior to the first OCCUPATION/USE of the development, the developer shall submit to the Local Planning Authority a signed certificate to confirm that the remediation works have been completed in accordance with the documents and plans detailed in Condition 35.

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

39. Non Standard Condition- Ecology

Prior to the commencement of the relevant phase of development a scheme shall be submitted to and approved in writing by the Local Planning Authority that describes the range of green infrastructure improvements that will be carried out on the site in order to improve its ecological value. The approved scheme shall be carried out to the satisfaction of the Council in accordance with a previously-agreed timescale.

Reason: To protect and enhance nature conservation interests to the overall amenity value of the area.

40. Non Standard Condition - Electric Charging Points

Prior to the commencement of the relevant phase of development a scheme for the provision of electric charging points for vehicles and electric bicycles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of charging point to be provided, their location, a timeframe for their implementation and details of their on-going management and maintenance. The development shall be implemented in accordance with the approved details.

Reason: In the interest of promoting sustainable transport modes and reducing pollution.

41. Non Standard Condition - Archaeology

The development shall not be occupied or brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation and Addendum and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance Colchester Borough Council's Core Strategy (2008) and Adopted Guidance 'Managing Archaeology in Development' (adopted 2015).

42. ZIS- Parking Space-Hardstanding Sizes (Open)

Any vehicular hardstanding shall have minimum dimensions of 2.9 metres x 5.5 metres for each individual parking space, retained in perpetuity.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety.

43. Non Standard Condition - Cycle Parking

Prior to the development hereby permitted coming in to use, details of the number, location and design of cycle parking facilities shall be submitted to and approved, in writing, by the Local Planning Authority. The approved facility shall be secure, convenient and covered and shall be provided prior to occupation and retained for that purpose at all times thereafter.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety.

44. Non Standard Condition - Highways Design Details

Prior to the first occupation of the development hereby approved the developer shall have submitted to and had approved in writing by the local planning authority in consultation with Highways England the following design details relating to the required improvements to the A12 J28 Stadium Junction. The scheme shall generally conform to the arrangements shown in outline on Systra Drawing 105714-100 Revision B dated 15 June 2018 Scheme details shall include drawings and documents showing:

- i. How the improvement interfaces with the existing highway alignment and carriageway markings including lane destinations,
- ii. Full construction details relating to the highway improvement. This should include any modification to existing structures or proposed structures, with supporting analysis,
- iii. Full signing, lighting and drainage details and details of any modifications to vehicle restraint systems, where applicable,
- iv. confirmation of full compliance with Departmental Standards (DMRB) and Policies (or approved relaxations/departures from standards),
- v. Evidence that the scheme is fully deliverable within land in the control of either the Highway Authority or the Applicant;
- vi. An independent Stage 1 Road Safety Audit, carried out in accordance with Departmental Standards (DMRB) and Advice Notes;
- vii. An independent Stage 2 Road Safety Audit (taking account of the Stage 1 Road Safety Audit recommendations) carried out in accordance with Departmental Standards (DMRB) and Advice Notes.

The above works are to be complete and open to traffic before the development is brought into its intended use.

Reason: To ensure that the A12 Junction 28 Colchester Stadium, will continue to fulfil its purpose as part of the Strategic Road Network in accordance with the Highways Act 1980, Circular 02/13 'Planning and the Strategic Road Network' and guidance in National Planning Policy.

45. Non Standard Condition - Implementation of approved scheme

The scheme shown in outline on Systra 105714-100 Revision B dated 15 June 2018, as referred to in condition no.45 and as approved by the Local Planning Authority, shall be implemented and completed to the satisfaction of the Local Planning Authority, in consultation with Highways England. No occupation of the site shall take place unless and until the junction improvements have been delivered and are fully operational.

Reason: To ensure that the A12 Junction 28 Colchester Stadium, will continue to fulfil its purpose as part of the Strategic Road Network in accordance with the Highways Act 1980, Circular 02/13 'Planning and the Strategic Road Network' and guidance in National Planning Policy.

46. Non Standard Condition- Travel club

Prior to the first occupation of the development hereby approved the applicant shall provide evidence that the scheme is included within the Colchester Travel Club.

Reason: In order that employees working on the site are able to access sustainable travel modes as part of a co-ordinated Travel Plan serving the site.

47. Non Standard Condition - Construction Management Plan.

Prior to commencement of the development a construction traffic management plan, to include but shall not be limited to details of vehicle/wheel cleaning facilities within the site and adjacent to the egress onto the highway, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the agreed plan.

Reason: To protect highway efficiency of movement and safety.

48. Non Standard Condition - Highway Works

No occupation of the development shall take place until the following have been provided or completed:

- a. A priority junction off Cuckoo Farm Way to provide access to the proposal site as shown in principle on the planning application drawings
- b. A footway/cycleway along the southwest side of Severalls Lane as shown in principle on planning application drawing number 105714- 101 Rev. E
- c. An all-purpose equestrian/cycle/pedestrian route off Boxted Road as shown in principle on planning application drawing number 105714-102 Rev. C
- d. A travel plan in accordance with Essex County Council guidance.

Reason: To protect highway efficiency of movement and safety and to ensure the proposal site is accessible by more sustainable modes of transport such as public transport, cycling and walking.

49. Non Standard Condition - Sports Hall construction

The new sports hall shall be constructed substantially in accordance with Sport England and National Governing Body Technical Design Guidance Notes (Sport England: Sports Halls Design and Layouts 2012) and in particular the artificial lighting of the indoor cricket nets shall comply with the English Cricket Board 'Indoor Sports Halls with Cricket Provision (TS3) Technical Standards Guidance'.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy DP1.

50. Non Stanard Condition - Pitch Construction

The grass playing field/s and pitch/es and two artificial grass pitches shall be constructed and laid out in accordance with the planning application and with the standards and methodologies set out in the guidance notes: 'Natural Turf for Sport' (Sport England, 2011), 'Artificial Sports Surfaces' (Sport England 2012) and RFU Guidance Note 7 'Artificial Rugby turf', 'Guide to Flood Lighting' and Guidance Note 2 - 'Grass Pitches'.

Reason: To ensure the quality and capacity of pitches is satisfactory and to accord with Development Plan Policy DP1.

51. Non Standard Condition - Pitch Programme of use

Within 3 months of the date of this permission (or other period agreed with the LPA) a programme of use for the two new artificial grass pitches (AGPs) shall be submitted to and approved by the Local Planning Authority in consultation with Sport England. The programme of use shall provide access to the rugby club to both AGPs at peak rugby training and competition times.

Reason: To ensure the site provides sufficient capacity for rugby training and competition to secure adequate mitigation to address the loss of rugby pitches at Mill Road to comply with the NPPF paragraph 97.

52. Non Standard Condition - Management and Maintenance Plan

Before the Colchester Northern Gateway Sports Hub is brought into use, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The scheme shall provide for the replacement of the Artificial Grass Pitch carpet within a specified period (usually 10 to 15 years).

The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the Sports Hub.

Reason: To ensure that a new facility/ies is/are capable of being managed and maintained to deliver facilities which is fit for purpose, have adequate capacity, are sustainable and to ensure sufficient benefit of the development to sport and to accord with Development Plan Policy DP1.

18.0 Informatives

18.1 The following informatives are also recommended:

1. ZT0 – Advisory Note on Construction & Demolition

The developer is referred to the attached advisory note *Advisory Notes for the Control of Pollution during Construction & Demolition Works* for the avoidance of pollution during the demolition and construction works. Should the applicant require any further guidance they should contact Environmental Control prior to the commencement of the works.

2. ZTA - Informative on Conditions Stating Prior to Commencement/Occupation

PLEASE NOTE that this permission contains a condition precedent that requires details to be agreed and/or activity to be undertaken either **before you commence the development or before you occupy the development**. This is of critical importance. If you do not comply with the condition precedent you may invalidate this permission and be investigated by our enforcement team. Please pay particular attention to these requirements. To discharge the conditions and lawfully comply with your conditions you should make an application online via www.colchester.gov.uk/planning or by using the application form entitled 'Application for approval of details reserved by a condition following full permission or listed building consent' (currently form 12 on the planning application forms section of our website). A fee is also payable, with the relevant fees set out on our website.

3. Non Standard Informative.

Detailed landscape proposals should first be cross-checked against the Council's Landscape Guidance Note LIS/C (this is available on this CBC landscape webpage under Landscape Consultancy by clicking the 'read our guidance' link).

4. Non Standard Informative

The Highways Agency 'Informative' re S278 agreements dated July 2016 in respect of planning application relating to the development known Land North of Cuckoo Farm Way Colchester Northern Gateway Sports Hub is attached for the applicant's information.

The applicant is advised that the AGP pitch should be tested bi- annually by an accredited testing laboratory in order to achieve and maintain World Rugby Regulation 22.

Prior to any works taking place in the highway the developer should enter into an agreement with the Highway Authority under the Highways Act 1980 to regulate the construction of the highway works

All highway related details should be agreed with the Highway Authority

5. PLEASE NOTE: a site notice was erected in a publicly visible location at the site. Colchester Borough Council would appreciate your co-operation in taking the site notice down and disposing of it.

APPENDIX 1 Extract from PREVIOUS COMMITTEE REPORT (Precised)

Item No: 7.2
Application: 180438
Applicant: Colchester Amphora Trading Ltd – on behalf of Colchester Borough Council
Agent: Mr Thomas Smith, AECOM
Proposal: Full planning application for the Colchester Northern Gateway Sports Hub (Use Class D2) comprising a 2,425sqm sports centre, a 1,641sqm club house, 12 no. sports pitches (comprising two 3G pitches, seven turf pitches and three mini pitches), a 1.6km cycle track, archery range; recreational areas; 10 no. ancillary storage buildings (totalling 298sqm), and associated earthworks, landscaping, utilities, pumping stations, car parking, access and junction alterations.
Location: Colchester Northern Gateway, Cuckoo Farm Way, Colchester, Essex, CO4 5JA
Ward: Mile End
Officer: Bradly Heffer
Recommendation: Approval

Report extract:

15.11 Policy DP1 of the adopted Local Plan requires inter alia that ‘...All development must...Respect and enhance the character of the site, its context and surroundings...Respect or enhance the landscape...’ In this regard it is considered that the proposed development accords with the requirements of the identified policy. It is also considered that the requirements of UR2 (Built Design and Character) and ENV1 (Environment) are met satisfactorily.

Scale Height and Massing

15.12 Given the overall extent of the application site it is considered that the scale, or amount of development proposed under this application could be accommodated without it appearing cramped or out of keeping with the surroundings, which have a predominantly rural character. In terms of the proposed height of built form on the site, neither the proposed sports centre nor the Clubhouse building are considered to be excessively high and hence would not, it is felt, appear visually over-dominant nor intrusive.

15.13 It is noted that the several of the sports pitches would be served by floodlighting and the introduction of these features on an undeveloped site needs to be carefully considered in terms of their overall impact on visual amenity. The highest columns would be up to 28 metres high (serving the all-weather pitch nearest the Clubhouse), 20 metres (serving the second all-weather pitch to the east of the Sports Centre) and 10 metre high columns would serve the car park and cycle track. The height of the columns has been discussed with the applicant's agent as it is considered that the provision of 28 metre high columns would potentially be overly prominent and, hence, detrimental to visual amenity. To this end, the provision of lower columns is being considered. In any event, the final details of the lighting columns would be controlled through a condition attached to a planning permission.

Impacts on neighbouring properties

15.15 The nearest dwelling to the application site is White House Farm, which is accessed off Severalls Lane. The western boundary of the curtilage of this dwelling is contiguous with much of the eastern boundary of the site. The occupiers of the dwelling will potentially experience impacts from lighting and noise generated as a result of the proposed development taking place.

15.16 The element of the proposals that is nearest to White House Farm is the proposed cycle track. This feature would incorporate 10 m high directional lighting columns. Therefore the impact of lighting on the amenity of White House Farm is an important consideration. To this end the application is accompanied by an Environmental Statement that considers the issue of light pollution. The Statement advises that '...External lighting has been designed to minimise light spill into residential areas...in addition to minimising glare and light presence. Final mast locations, luminaire selection and their orientations will be carefully selected to minimise sky glow, light intrusion...All external lighting (except for safety and security lighting) will be automatically switched off between 2300 and 0700...'

15.17 Members will note that the Environmental Health Officer has not raised an objection to this proposal – having considered the lighting information submitted with the application. On this basis it is considered that the lighting proposals in relation to the cycle track feature would be acceptable in planning terms.

15.18 Clearly the provision of floodlighting for pitches and other lit areas (for example the car park) could create a significant degree of illumination on what is essentially currently a dark site. However, it must be acknowledged that the A12 junction and slip road to roadside facilities is well lit already. This change, primarily through glare and sky glow, will be experienced by the occupiers of White House Farm and, to a lesser extent, those of properties located along Boxted Road and Langham Road as well as users of the A.12 trunk road. The submitted Environmental Statement comments on this issue as follows:

'...the external lighting design takes into account the sensitivities of the surrounding receptors and has been developed in accordance with relevant standards and guidance...The lighting design has included an appropriate

selection of column heights and luminaires to ensure that the intensity and direction of the lighting is controlled by retaining angles close to the horizontal, to ensure the effects are minimised...’

- 15.19 Again, the Environmental Health Officer has not objected to the proposal on grounds of excessive glare, light spill or sky glow being created by the development. In any event, the final details of lighting would be controlled by a condition of a planning permission – as advised elsewhere the overall height of lighting columns would be included in details to be finally agreed by condition.

Other Matters

Lighting

- 15.33 The issue of lighting the development is a key consideration as mentioned elsewhere in this report. The impacts of the various light sources have been quantified as part of the Environmental Statement and the Environmental Health Officer does not dispute the findings. Members are advised that lighting would be turned off by 2200 hours on weekdays and Saturdays, and by 2100hrs on Sundays and Bank Holidays. A suitably worded condition is recommended in order that the final details of lighting are controllable.

16.0 Conclusion

- 16.1 To summarise, the application site is not currently allocated for the purposes proposed under the application within the adopted Local Plan and the application represents a departure. That said, the need to provide additional sports and recreational facilities is recognised in the adopted Core Strategy, as is development in sustainable, accessible locations. In addition, the adopted Neighbourhood Plan for Myland and Braiswick does include the site as being suitable for the proposed development. Furthermore, the Council’s adopted Colchester Northern Gateway Master Plan Vision Review Document does reinforce the future role of the site as a sport and recreation destination, as part of the overall Northern Gateway development.
- 16.2 The emerging Local Plan includes policies that, again, establish the provision of a sports and recreation hub on the site, to meet a proven need. The status of the Plan means that it merits some consideration in the decision-making process, although full weight must be afforded to the adopted Local Plan policies. As a balanced judgement, given the circumstances that are outlined above, it is considered that the proposal represents an acceptable departure from the current plan, and may be supported in principle.
- 16.3 Leading on from this, it is considered that the design and layout of the scheme is a sensitive response to the current context and as such the development would not appear incongruous in its wider setting. The various impacts arising from the development have been properly addressed in the application and the imposition of suitable conditions would enable appropriate controls to be in place to mitigate any impacts arising.

17.0 Recommendation to the Committee

17.1 Members are advised that under the Town and Country Planning (Consultation) (England) Direction 2009 if the recommendation of approval is accepted it will be necessary to refer the application to the Secretary of State in order that a decision can be made with regard to whether the application is to be called in for determination. The following recommendation is made:

APPROVAL of planning permission subject to the following conditions....