



**Application No:** 160661

**Location:** Lakelands Phase 2, Church Lane, Stanway, Colchester, CO3 8LP

**Scale (approx):** 1:2500

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## 7.2 Case Officer: Sue Jackson

## MAJOR

**Site:** Lakelands, Phase 2, Church Lane, Stanway, Colchester, CO3 8LP

**Application No:** 160661

**Date Received:** 26 April 2016

**Applicant:** Mr William Vote, Persimmon Homes Essex Ltd

**Development:** Application for approval of reserved matters following outline approval 121040.

**Ward:** Marks Tey & Layer

**Summary of Recommendation:** Subject to the satisfactory resolution of the outstanding highway matters permission is recommended subject to the conditions set out below (plus any conditions recommended by the Highway Authority)

### 1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee because objections have been received suggesting the proposal does not satisfy the affordable housing, density and building height requirements of the Lakelands Masterplan.

### 2.0 Synopsis

- 2.1 The key issues explored below are the outline application and approved masterplan for Lakelands and the development proposal. The objections will be set out and responded to. It will be explained where the application differs from the masterplan and why the development is considered to be acceptable.

### 3.0 Site Description and Context

- 3.1 This application relates to parcels of land known as NR6-NR8 forming part of Phase 2 of Lakelands at Stanway. The north boundary of the site abuts the service yard of the Tollgate Centre, the site includes an embankment along this boundary. The east boundary abuts Tollgate Road where again there is an embankment; to the other side of this road is a grassed area then an embankment and then the rear of dwellings in Villa Road. The irregular shaped south boundary wraps around area NR10 which has reserved matters approval for 31 affordable dwellings; and an area of open space serving the wider Lakelands development. The west boundary abuts area NR5 (there is an outstanding reserved matters application for the erection of houses on this site submitted on behalf of Persimmon Homes) and the site for the proposed school.
- 3.2 The site contains no landscape features and has been re-contoured since the extraction of minerals ceased. Vehicular access to the site from Tollgate Road has been constructed. The site has a stated area of 5.3 hectares (13 acres).

#### **4.0 Description of the Proposal**

- 4.1 The application is for the approval of reserved matters and comprises a total of 201 dwellings comprising a mix of 2, 3 and 4-bed houses and 1 and 2-bed flats. The development provides two parcels of publicly accessible amenity space.

#### **5.0 Land Use Allocation**

- 5.1 Stanway Growth Area  
Residential

#### **6.0 Relevant Planning History**

- 6.1 The Lakelands site formerly the ARC Stanway Pit has a long planning history, planning permission was first granted in 1995; phase 1 is constructed and occupied. Much of phase 2 has reserved matters consent but building works has not commenced on all the remaining parcels.
- 6.2 O/COL/90/1904 [the original outline] Outline application for mixed use development comprising business / employment 11.3 net acres, residential 49.3 net acres and leisure 49.2 net acres. Approved 21 March 1995.
- 6.3 RM/COL/97/1428 [initial phase of reserved matters for 200 residential units out of the approved 500 (in outline)] Phase one comprising 200 residential units (as part of an overall development of 500 residential units): Approved 27 March 1998
- 6.4 F/COL/01/0976 Application to amend condition 03(2) of COL/90/1904 to extend specified time period from five to six years regarding submission of all reserved matters for outline application for mixed use development comprising business/employment 11.3 net acres, residential 49.3 net acres and leisure 49.2 net acres approved on 21 March 1995.
- 6.5 O/COL/02/0980 [uplift in approved total number of residential units from 500 to 800] Outline application for residential development (300 dwellings) and associated road proposals (an additional 300 units to the 500 units approved under C/COL/90/1904) (new total 800 units) [amended masterplan deletion of proposed leisure use] Approved: 1 December 2006
- 6.6 121040 Application for a new planning permission to replace extant planning permission F/COL/01/0976 in order to extend the time limit for implementation. 4 September 2012
- 6.7 121041 Application for a new planning permission to replace extant planning permission O/COL/02/0980 in order to extend the time limit for implementation. Approved 4 September 2012
- 6.8 A Planning & Design Statement which included an approved 2002 Masterplan was superseded by the Lakelands 2 Design & Access Statement July 2010. The 2010 document and subsequent revisions indicate areas NR6-8 for residential development.

## **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 also be taken into account in planning decisions and sets out the Government's planning policies are to be applied. The NPPF makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental.

7.2 Continuing the themes of the NPPF, the adopted Colchester Borough Core Strategy (adopted 2008, amended 2014) adds detail through local strategic policies. Particular to this application, the following policies are most relevant:

- SD1 - Sustainable Development Locations
- SD2 - Delivering Facilities and Infrastructure
- H1 - Housing Delivery
- H2 - Housing Density
- H3 - Housing Diversity
- H4 - Affordable Housing
- UR2 - Built Design and Character
- PR1 - Open Space
- TA5 - Parking
- ENV1 - Environment

7.3 In addition, the following are relevant adopted Colchester Borough Development Policies (adopted 2010, amended 2014):

- DP1 Design and Amenity
- DP3 Planning Obligations and the Community Infrastructure Levy
- DP12 Dwelling Standards
- DP16 Private Amenity Space and Open Space Provision for New Residential Development
- DP17 Accessibility and Access
- DP19 Parking Standards
- DP20 Flood Risk and Management of Surface Water Drainage
- DP21 Nature Conservation and Protected Lanes

7.4 Further to the above, the adopted Site Allocations (adopted 2010) policies set out below should also be taken into account in the decision making process:

- SA STA1 Appropriate Uses within the Stanway Growth Area
- SA STA2 Phasing of Greenfield sites in Stanway Growth Area
- SA STA3 Employment and Retail Uses in Stanway Growth Area
- SA STA4 Transportation in Stanway Growth Area
- SA STA5 Open Space in Stanway Growth Area

- 7.5 Regard should also be given to the following adopted Supplementary Planning Guidance/Documents:

Community Facilities  
Vehicle Parking Standards  
Sustainable Construction  
Open Space, Sport and Recreation  
The Essex Design Guide  
External Materials in New Developments  
Affordable Housing  
Stanway Parish Plan and Design Statement

## 8.0 Consultations

- 8.1 **Highway Authority** - Amendments to the layout are being discussed with the applicant and it is anticipated that these issues will be resolved prior to the Committee meeting.
- 8.2 **Urban Design Officer** has made various comments on the layout and detailed design of house types.

*Officer comment: The Urban Design Officer has been involved in negotiations with the applicant on the layout and design of house types. Whilst the amendments do not include all the revisions suggested by the Urban Design Officer it is considered the proposed development is now acceptable subject to conditions in respect of external materials and landscaping.*

- 8.3 **Landscape Officer** has commented that the detail landscape proposals needs to fully comply with the Council's landscape 'Guidance Notes A (LIS/A)' for masterplan proposals, and 'Guidance Notes LIS/C' for landscape detail proposals. In addition the avenue planting and frontage enclosure should match that approved for area NR10.

## 8.4 Natural England

Natural England's comments in relation to this application are provided in the following sections.

Statutory nature conservation sites - No objection

Green Infrastructure

The proposed development is within an area that Natural England considers could benefit from enhanced green infrastructure (GI) provision. Multi-functional green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement. Natural England would encourage the incorporation of GI into this development.

Priority Habitat as identified on Section 41 list of the Natural Environmental and Rural Communities (NERC) Act 2006

The consultation documents indicate that this development includes an area of priority habitat, as listed on Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. The National Planning Policy Framework states that ‘when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.’

### Biodiversity Enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that ‘Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity’. Section 40(3) of the same Act also states that ‘conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat’.

### Landscape Enhancements

This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts.

The full text of all consultation responses is available to view on the Council’s website.

## **9.0 Parish Council Response**

- 9.1 After discussion it was RESOLVED that Stanway Parish Council OBJECTS to this proposal. The four storey buildings are too high, inappropriately positioned and out of keeping with the area, the development is too dense, there is insufficient parking, a heavy emphasis on ‘shared space’ for roadways and there is a lack of play areas for smaller children.

## 10.0 Representations

### 10.1 A resident has submitted the following objections:

"In my meeting with Vincent Pearce on 27/05/2016 he confirmed that the pages that were amended in the "2010 Masterplan" as submitted by the developer on 16/10/2012 and accepted by the council on 05/08/2013 were the most up to date pages and should be the figures and illustrations referred to in the current applications Design and Access Statement.

It appears the developer's comments regarding density are incorrect and the revised pages of the 2010 Masterplan suggest a lower level of density in this area.

The illustration regarding building heights also appears to be inaccurate and the revised pages of the 2010 masterplan show lower heights of buildings and allow a lot more flexibility in their guidance as to allowing for appropriate heights compared to the surrounding/existing settlement. Following my discussion with Vincent Pearce on 27/05/16, after considering some of his answers to my queries, I am a little concerned that application 152817 and also 160661 should be full planning applications rather than reserved matters applications.

My rationale for this is explained below:

Vincent advised the most recent S106 agreement (dated 18/02/16) regarding affordable housing was to confirm the financial contribution to be paid by the developer to the council if the required 19.2% allocation of affordable housing was not provided.

He also confirmed the S106 agreement did not deal with the allocation/distribution of where the affordable housing was to be located, just the financial contribution.

The 2010 Masterplan was updated in August 2013 when revised pages were accepted by CBC and the covering letter from the developer dated 16/10/2012 made specific reference to the new 19.2% agreement. The revised pages included indicative areas of affordable housing and included no affordable housing within the area now known as SR6 but did show areas of affordable housing within the area now known as NR6. Reserved matters have now come forward showing SR6 as all affordable housing and NR6 showing no affordable housing.

If the distribution, scale and location of the proposed affordable housing included on those reserved matters applications differs and is not that set by the most up to date Masterplan, surely the current reserved matters require a full planning application on the basis these proposals would require a variation of a condition to be valid?

This points are in addition to my previous objections on density and support the point made that the proposed development is too dense.

Further objections are the proposed building heights are not in line with the up to date 2010 masterplan and the current applications design and access statement needs to ensure it is referring to the correct and most up to date pages and information.

I also object to there being no allocation of affordable housing within such a large part of the Lakelands development. Affordable housing is much needed and the masterplan suggests the area is suitable to pepper pot some affordable housing in to it. The area is big enough and development sizeable enough that the affordable housing can be integrated in the new development without segregation.

In October 2012 the "2010 Masterplan" was amended via a non-material amendment and the density in the areas covered by this application were reduced to:

Medium Density Areas - 35 dwellings per hectare

Lower Density Areas - 30 dwellings per hectare

But the design and access statement for this part of the site shows 38 dwellings per hectare.

Therefore I object on the basis the proposal's density is too high".

The full text of all of the representations received is available to view on the Council's website.

## **11.0 Parking Provision**

11.1 The development involves the erection of 201 dwellings this includes 8 no. 1-bed flats and 25 no. 2-bed flats, the 169 houses are a mix of 2, 3 and 4-bed.

11.2 The houses require 338 spaces (169 x 2) the flats 58 spaces (8x 1 + 25 x 2), plus 51 visitor spaces are required to meet the Council's adopted parking standards. This is a total of 447 spaces which the development provides and therefore complies with the Council's Adopted Parking Standards

11.3 However it should be noted that condition 8 on the outline planning permissions 121040 and 121041 states

"Condition 8: The residential development shall have a minimum average of 2.25 off-street car parking spaces per dwelling in accordance with details to be submitted to and agreed in writing by the local planning authority. The parking facilities, as agreed, shall be maintained at all times for parking

Reason: To ensure the provision of adequate car parking within the scheme in accordance with the Council's parking standards."

11.4 The Council's Adopted Parking Standards for residential development changed in 2009 from a parking requirement based on a maximum standard to one based on a minimum standard. As Members will note from the calculations provided above the proposed one-bedroom units have a parking ratio of 1.25 which meets the Council's Adopted Parking Standard. It should also be noted the condition 8 refers to an average of 2.25 in the context of all of Lakelands.

11.5 The parking provision complies with current standards and a refusal could not be substantiated simply on the grounds of the wording of this condition.

## **12.0 Open Space Provision**

12.1 The development includes two areas publically available open space, in addition a landscaped buffer is proposed along part of the boundary with the Tollgate Centre, the embankment to Tollgate Road will form a tree lined landscaped boundary, a further linear planted strip is shown adjacent to the boundary with the proposed school. The 2010 Masterplan indicates small areas of amenity space within Areas NR6-8. The location of these spaces has changed from the Masterplan so that they respond to the



layout and provide spaces which allows permeability from one area to another. In addition to these on site areas the wider Lakelands provides open space and a country park which well exceeds the 10% open space requirement. The open space provision is considered acceptable.

### **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 Development Team and Planning Obligations**

- 14.1 This application is classed as a “Major” application and therefore there was a requirement for it to be considered by the Development Team. It was agreed by the Development Team that this is an application for the approval of reserved matters and all Planning Obligations were secured under the outline applications.

### **15.0 Report**

- 15.1 This application is brought before Members due to concerns raised that the development does not satisfy the requirements of the approved 2010 Masterplan in respect of the provision of affordable housing, density and the height of the buildings.

#### Affordable Housing

- 15.2 Members will recall the provision of affordable housing on the Lakelands development was covered in some detail in the report on the application for the approval of reserved matters on area SR6 considered at a special meeting of the planning committee held on 6th September 2016. The Lakelands development is required to deliver 19.2% affordable housing and much has already been delivered around the wider site. There is reserved matters approval for 31 affordable units on area NR10 and 21 affordable units on area NR2. The application for SR6 proposed the final 28 units needed to meet the 19.2% requirement. Whilst Members resolved to approve this application the Secretary of State has indicated he may wish to “call in” the application for a decision. The Council has also agreed a variation to the legal agreement that secures a financial payment in lieu of any deficit in the number of affordable units. As the affordable housing requirement for Lakelands is met there is no requirement for affordable housing on this site.

#### Density

- 15.3 In 2010 Masterplan indicated an average lower density of 30 dwellings per hectare for a linear area of the application site adjacent to the Tollgate Centre and an average medium density of 40 dwellings per hectare for the remainder of the site. An amendment to the density plan revised the medium density to 35 dwellings per hectare.
- 15.4 The applicant has provided the following clarification in respect of density:

*“I have calculated the development density based upon the “low” and “medium” density areas across NR5-8 detailed at figure 3.16 of the DAS (p43);*

- *Within the “low” area the Reserved Matters proposes 54 dwellings across 1.68 ha parcel; an average density of 32.1 dph.*
- *Within the “medium” area the Reserved Matters incorporates 159 dwellings across 4.32 ha parcel; an average density of 36.8 dph.*
- *Figure 3.16 in the Masterplan quotes an average figure of 30 dph for “low” density areas and an average 35 dph for medium”.*

15.5 Members should note that this calculation includes the adjacent parcel NR5 which is not part of this application site. Excluding NR5 the densities for each parcel is calculated at 38 dwellings per hectare for the medium density area and 34 dwellings per hectare for the lower density area.

15.6 Whilst the densities for these specific areas are slightly higher than the averages stated in the Masterplan, the Council’s standards in respect of amenity space and parking provision are satisfied and the development also provided public open space and landscaped buffer areas. The layout satisfies the parameters of the masterplan with buildings fronting Tollgate Road and buildings addressing the areas of open space. Permeability through the development is provided via footpath/cycleways connecting the areas of open space, dwellings front onto these paths so they will be overlooked and safe to use. A footpath/cycle link is also proposed along the school site boundary and connecting to area NR5 with the potential to link to the Tollgate Centre should adjacent development be approved. The houses are predominantly detached and semidetached with on plot parking to the side of the property. The parking for terraced units is a mix of on plot, small parking courts or in two instances to the front of dwellings.

15.7 The layout and density of the development is considered to be acceptable.

#### Height of Buildings

15.8 The buildings are a mix of 1, 2, 2.5 and 3 storeys. There are no 4 storey buildings as suggested by the Parish Council. The distribution of building heights does vary from that shown on the Masterplan storey height plan. However there are contradictions in this document for example the plan suggests 1-2 storey buildings to the boundary with the Tollgate Centre whereas a cross section drawing indicates 3 storey buildings. The text also indicates buildings with lower storey heights are required at the edges of Lakelands where adjacent to countryside. Whilst the north boundary of this site forms the edge of Lakelands it is adjacent to the Tollgate Centre service yard not countryside.

15.9 The houses proposed along this boundary are 3 storey with 3 storey flats fronting Tollgate Road. The height of buildings fronting Tollgate Road are a mix of 3 and 2.5 storeys whereas the Masterplan indicates 2 storey. It is considered these higher buildings are appropriate in this location as the site is at a slightly lower ground level and their height will more appropriately address this wide distributor road. Whilst the location of storey heights differs to the Masterplan, the 3 storey units within the scheme are positioned at key focal points in the layout. The proposed development remains predominantly 2 and 2.5 storey as shown on the Masterplan.

## Design

- 15.10 The adopted Masterplan indicates continuous built form to the road frontages and buildings fronting Tollgate Road, the Lakelands open space and the school site. The layout provides frontage development to all these areas. Amendments have been made to improve the continuous built form by the introduction of linked units with parking spaces underneath the first floor link. Some house types were unacceptable with wide spanning gables and generally lacking in architectural details. Different house types are now proposed which have acceptable proportions and detailing and other amendments include changes to the roof alignment so they span the longest not the shortest dimension and additional architectural details introduced. Whilst the amendments do not overcome all the comments made by the Urban Design Officer it is considered the package of revisions to layout and design is acceptable subject to conditions

## Impact on the Surrounding Area

- 15.11 The site forms part of the northern and eastern edges to Lakelands and proposes residential development on an area identified for residential purposes on the Lakelands masterplan.

## Impacts on Neighbouring Properties

- 15.12 The site backs onto the Tollgate Centre and these retail uses are the only neighbours. The adjacent parcels of land on Lakelands will be developed for residential purposes and will not be affected by this development. There is no adverse impact on neighbouring properties

## Amenity Provisions

- 15.13 The dwellings all have acceptable private garden areas. In addition to the individual gardens, 2 areas of open space are provided within the site. The Lakelands site has significant areas of open space plus a country park; these areas are in excess of the 10% requirement and are secured for public use under a legal agreement.

## Highway Issues

- 15.14 The Highway Authority has raised a number of minor points on the layout. The applicant is discussing revisions with the Highway Authority and it is anticipated that the outstanding issues will be resolved prior to the Planning Committee meeting.

## Other Matters

- 15.15 Other matters including drainage and land contamination are dealt with under the outline applications and the development will be carried out in compliance with the conditions on these outline planning permissions.

## **16.0 Conclusion**

- 16.1 This reserved matters application proposes residential development on an area identifies for such purposes on the approved Masterplan. Whilst the development does not precisely accord with the Masterplan in all respects it is considered acceptable and the changes reflect an acceptable urban design solution. The layout achieves a high degree of permeability with open space linked by pedestrian and cycle ways with the potential for these paths to connect to paths beyond the site. Dwellings provide a strong frontage to Tollgate Road and address the open space and roads in an attractive way with the judicious use of three storey buildings emphasising key points of the layout. The design of the dwellings is acceptable. The approval of this reserved matters application is recommended.

## **17.0 Recommendation**

- 17.1 Subject to the satisfactory resolution of the outstanding highway matters permission is recommended subject to the conditions set out below (plus any conditions recommended by the Highway Authority).

## **18.0 Conditions**

### **1 - Non-Standard Condition/Reason**

The reserved matters planning permission hereby granted is given in accordance with the terms of the outline planning permissions references 121040 and 121041 relating to this site and the conditions attached thereto remain in force.

Reason: In order to comply with Section 91 (1) and (2) of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

### **2 - \*Development to Accord With Approved Plans**

on the submitted Drawing Numbers PH-113-002D,003D, 005-D,006-1B,006- 2B,007-1B,007-2B, 008-1,008-2, 010A, 011B, 012B, 013B, 014C, 015B, 016A, 018C, 022B, 023A, ,024C, 025A,026B,027C,028C,029C,030B,031B,032B,033B,034C,035B,036B,037A, 038B, 041B, 042A, 043A, 044B, 045B, 046A, 047A, 048A, 049A, 050A, 051A, 052A, 053A, 054A, 055A, 056A, 057A, 058B, 059B,062C & 063C.

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

### **3 - Non-Standard Condition/Reason**

Notwithstanding any details shown within the submitted application, this permission expressly excludes the use of the external materials. No works shall take place until details of alternative materials have been submitted to and agreed, in writing, by the Local Planning Authority. The development shall thereafter be carried out using these approved materials. Reason: The materials proposed in the application are not considered to be suitable for use on this site and to ensure that appropriate materials are chosen which will secure a satisfactory appearance, in the interests of visual amenity.

#### 4 - Non-Standard Condition/Reason

No works shall take place until 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 take account of the landscape proposals for the adjacent site NR10 in so far as they relate to Tollgate Road. The submitted landscape proposal shall include:

- PROPOSED FINISHED LEVELS OR CONTOURS;
- MEANS OF ENCLOSURE;
- CAR PARKING LAYOUTS;
- FOOTPATH/CYCLE LINKS
- 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.);
- 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, also to satisfactorily integrate the development within its surrounding context in the interest of visual amenity and as the details submitted are not acceptable in all respects.

#### 5 - Non-Standard Condition/Reason

Prior to the commencement of any works, additional drawings that show details of all architectural features (including but not limited to) proposed new windows, decorative brick details, doors, string courses, eaves, verges, cills, window reveals, “dummy” windows, pilasters, , exposed rafter feet, and arches to be used, by section and elevation, at scales between 1:20 and 1:1, as appropriate, shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved additional drawings.

Reason: There is insufficient detail with regard to these features which are an integral part of the overall design.

#### 6 - Non-Standard Condition/Reason

Prior to the first occupation of the development, the GARAGE(S) / CAR PORT(S), PARKING SPACE(S) and VISITOR SPACE(S) shown on the approved plans shall be made available for use for the parking of motor vehicles to be used solely for the benefit of the occupants of the dwelling of which it forms part, or their visitors, and for no other purposes whatsoever. The GARAGE(S) / CAR PORT(S), PARKING SPACE(S) and VISITOR SPACE(S) shall then be maintained free from obstruction and for this purpose at all times thereafter.

Reason: In order to ensure that the development retains adequate parking provision.

#### 7 -Non-Standard Condition/Reason

Prior to the commencement of any works a drawing showing the areas to be adopted, to be the responsibility of a management company or to be in private ownership shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure these matters are agreed and there are no areas of land where ownership/responsibility is unknown.

#### 8 - Non-Standard Condition/Reason

Prior to the first occupation of the development hereby permitted, refuse and recycling storage facilities shall be provided in accordance with a scheme which shall have been previously submitted to and agreed, in writing, by the Local Planning Authority. Such facilities shall thereafter be retained to the satisfaction of the Local Planning Authority at all times.

Reason: The application contains insufficient information to ensure that adequate facilities are provided for refuse and recycling storage and collection.

#### 9 - Non-Standard Condition/Reason

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

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.

#### 10 - Non-Standard Condition/Reason

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

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.

## 11 - Non-Standard Condition/Reason

Prior to the first occupation of the development, a management plan including management responsibilities and maintenance schedules for the footpaths/cycle links shall be submitted to and agreed, in writing, by the Local Planning Authority. The management plan shall thereafter be carried out as approved at all times.

Reason: To ensure the proper management and maintenance of the approved footpath/cycle links in the interests of promoting permeability and sustainable means of transport.

## 19.0 Informatives

### (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) All works affecting the highway should 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 made by initially telephoning 08456 037631.

(3) 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](http://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.

(4) PLEASE NOTE that a site notice was erected in a publicly visible location at the site. Colchester Borough Council would appreciate your co-operation in taking the site notice down and disposing of it properly, in the interests of the environment.

## 20.0 Positivity Statement

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