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Item No: 7.1

Application: 181537

Applicant: Yourlife

Agent: Mrs Kim Rickards, The Planning Bereau Ltd

Proposal: Application to vary conditions 2 and 10 and remove conditions 16, 17, 37 and 38 of planning permission 170621.

Location: Land off, Butt Road, Colchester

Ward: New Town & Christ Church

Officer: Sue Jackson/Simon Cairns

Recommendation: Conditional Approval subject to signing of Section 106 Agreement

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee because it is an amendment to a major application, material objections have been received and a conditional planning permission is recommended subject to a legal agreement.

2.0 Synopsis

- 2.1 The key issues for consideration are the changes to the approved scheme, local plan policy, traffic generation and parking provision, neighbour representations and design issues.
- 2.2 The application is subsequently recommended for a conditional planning permission subject to the signing of a legal agreement.

3.0 Site Description and Context

- 3.1 The application site at Butt Road is known as Area K2 in the Garrison Urban Village Development Master Plan. The site has an area of 0.62 hectares and is located approximately 0.8 km to the south of the town centre.
- 3.2 It is a corner site with a dual frontage to Butt Road and Goojerat Road. It is separated from Goojerat Road by a fenced grassed area containing a group of lime trees protected by a Tree Preservation Order. Vehicular access to the site is established as provision was made when a new roundabout along Goojerat Road was constructed. The roundabout provides access to residential development on part of the former garrison and includes an access stub to the application site. The rear east boundary is adjacent to the Military Police Station but separated from it by a buffer security strip of land where development is prohibited.
- 3.3 The north boundary abuts undeveloped land also included in the Garrison Urban Village Development Master Plan known as Area K1; it is anticipated this area will be developed for residential purposes. Much of the planning history relates to applications which include both Area K1 and K2. Area K1 includes two locally listed buildings on the Butt Road frontage. The boundary of the Garrison Conservation Area generally follows the boundary between K1 and K2 but a small slither of the application site is within the Conservation Area.
- 3.4 On the opposite side of Butt Road are a number of parallel roads which extend to Maldon Road. These residential roads, Errington, Constantine, Hamilton and St Helena, comprise predominantly 2 storey semi-detached pairs of red brick slate roofed Victorian houses. Hamilton Road School has a frontage to both Hamilton and Constantine Roads. Butt Road comprises houses of a similar age and design and includes a small number of shops on corner sites.

- 3.5 On the same side of Butt Road as the application but closer to the town centre, sections of the historic, and new, Garrison boundary wall abut the footway. Recent residential development, in this location is predominantly 3 storeys in height, and is either set behind the Garrison wall or abuts the footway. This development is traditional in both design and use of materials.
- 3.6 New residential development close to the site off Goojerat Road is of a contemporary style including coloured boarding, cream brick and render with some mono-pitched roofs, building heights are generally 2 or 3 storey, with a 3 storey building facing the site across the roundabout.
- 3.7 The construction of the building approved under application 170621 is nearing completion.

4.0 Description of the Proposal

- 4.1 The approved development involves a single building part 3 part 4 storeys in height to provide 48 "Assisted Living" Extra Care Units and a retail store of approx. 550 square metres. The retail store is shown on the ground floor of the 4 storey element and overlooks Butt Road and the open space area.
- 4.2 The application proposes omitting the retail store and providing an additional 5 "Extra Care" Units; a total of 53. The applicant is therefore applying to vary and remove certain conditions on the original planning permission. Conditions which relate solely to the retail store will be deleted and those referring to both the Extra Care" Units and retail store will be amended.
- 4.3 The relevant conditions are detailed below;

2. Approved Drawings- wording to be amended to remove reference to the the superseded drawings and to include the revised drawings numbers

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers 17769-P04_H, P05_H, P06_E, P07_I, P08_H, P10_C, P11_B.

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

7. Restriction on the size of service vehicles - condition to be removed

The vehicles servicing the retail store hereby approved shall not exceed 18 tonnes in weight.

Reason: The development is located in a predominantly residential area and the servicing areas within the site are restricted and incapable of accommodating larger vehicles. The use of larger vehicles could prejudice the interests of highway safety and the amenities enjoyed by surrounding dwellings and there is no capacity for safe on-street servicing on this corner site.

10. Clarification on the permitted uses- reference to the retail use to be removed

The proposed retail unit shall be restricted to a foodstore selling convenience goods only within Use Class A1 and the Assisted Living Extra Care accommodation to uses within Class C2 only as defined in the Use Class Order and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) (Amendment) Order 2005, or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order, with or without modification.

Reason: For the avoidance of doubt as to the scope of the permission as this is the basis on which the application has been considered and any other use would need to be given further consideration at such a time as it were to be proposed.

16. Details of shopfront to be submitted – condition to be deleted

The shopfront glazing system and entrance lobby to the foodstore shall not be obscured by film or any other materials applied to or immediately behind the windows unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the store provides an active frontage to the public realm of the Neighbourhood Centre.

17. Restriction on the floor area of the retail store – condition to be deleted

The floor area of the foodstore hereby permitted shall not be extended either by the extension and/or other alteration of the building.

Reason: The Local Planning Authority wishes to retain control over any subsequent increase in the size of the foodstore to ensure it does not have an adverse impact on the amenity of the surrounding residential area.

37. Opening times of the retail store – condition to be deleted

The use hereby permitted shall not operate/open to customers outside of the following times:

Weekdays: 07:00-22:00

Saturdays: 07:00-22:00

Sundays and Public Holidays: 07:00-22:00

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.

38. Restriction on delivery times to the retail store – condition to be deleted

No deliveries shall be received at, or despatched from, the site outside of the following times:

Weekdays: 07:00-19:00

Saturdays: 07:00-19:00

Sundays and Public Holidays: No deliveries.

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 delivery vehicles 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.

- 4.4 A Marketing Report has been submitted with the application. This report prepared by Taylor Wilcox states *the site has been marketed since 26th January 2016, and since March 2017 property details have been circulated on a regular basis to both the convenience store operators, as well as other prospective uses such as: medical; dentist; vets and health and fitness. In addition, two signs have been erected on the property indicating that it is available to let. Despite this marketing activity there has been no interest in the proposed unit and therefore Yourlife are seeking to change the retail unit to provide 5 additional Assisted Living apartments.*
- 4.5 In addition to the Marketing Report, a Retail Note has been prepared by Lichfields. *This sets out that within an 800 metre radius of the site there are two convenience stores. One is operated by Sainsbury's Local on the site of the former Drury Arms public house, Layer Road; approximately 80 metres to the west of the site. This store has a floorspace of approximately. 280 sqm net sales. The second is the Budgens store also located on Drury Road, around 600 metres from the site. This has a floorspace of 350 sqm net sales. There are also a number of stores within the wider vicinity of the site and therefore it is considered that the surrounding area, appears well served by local convenience provision, especially focused on the top up shopping food store market which lends itself to creating sustainable communities. The location of the Sainsbury Local and Budgens store particularly in relation to the application site is partly the reason why an occupier is proving difficult.*
- 4.6 This information has been has independently verified by the Councils Property Advisor (Chartered Surveyor MRICS) and it has been confirmed that the commercial unit has been comprehensively marketed over an extensive period and the presence of the Sainsbury and Budgen, both successful stores, have had an adverse impact on finding an occupier.

5.0 Land Use Allocation

- 5.1 Garrison Regeneration Area, Growth Area, Neighbourhood Centre (retail and/or other uses) Approved 8.07.2004 Colchester Garrison Urban Village – Master Layout Plan. The site is located within an area that was allocated as a Neighbourhood Centre in the Garrison Master Plan in 2001. This allocation was subsequently carried forward by the 2010 adopted Site Allocations DPD. Policy GAR1 provides for a 1000sqm (foodstore and three small shops); this policy does however note that ‘the levels of development [set out on policy GAR1] should not be considered prescriptive but a guide to inform development proposals’.
- 5.2 In the emerging Local Plan the site is not within an identified Local Centre.

6.0 Relevant Planning History

- 6.1 170621 - Mixed Used Development comprising the Erection of Assisted Living Extra Care (Use Class C2) accommodation for the frail elderly including communal facilities and car parking and Retail unit (Use Class A1) – Approved
- 6.2 120412 - Local centre comprising a supermarket, 6 no retail units, affordable housing and car parking. The site of this application includes Areas K1 and K2. Planning permission granted but has now expired. The proposal exceeded the guideline figures, in that the proposed foodstore was 1,328sqm (net), and six retail units were approved rather than three.
- 6.3 100981 - Application for change of use and conservation of former MOD occupied single storey buildings (Blocks A, B C D1 & D2) to create 535m2 (A1 Retail and A2 Financial and Professional services) accommodation, along with associated works – Approved
- 6.4 100982 - Reserved matters application (O/COL/01/0009) for the erection of two buildings to create 1080m2 A1 Retail and A2 Financial and Professional Services (Block E & Ground Floor of Block F) Accommodation and 14no. Affordable units (Block F) with associated works – Approved
- 6.5 100983 – Reserved matters application (O/COL/01/0009) for the erection of two buildings to create 1080m2 A1 Retail and A2 Financial and Professional Services (Block E & Ground Floor of Block F) Accommodation and 14no. Affordable units (Block F) with associated works – Approved
- 6.6 102537 - Extant permission to extend time limit for implementation of reserved matters application under outline consent O/COL/06/0783; siting; design; external appearance, means of access and landscaping for the erection of food store and shops with associated parking. (Reserved matters reference 090905) - Approved

- 6.7 090905 - Reserved matters application under outline consent O/COL/06/0783; siting; design; external appearance, means of access and landscaping for the erection of food store and shops with associated parking.
- 6.8 O/COL/06/0783 - Demolition of existing offices and construction of food store and shops with associated parking
- 6.9 F/COL/04/0716 Variation of condition 02 of planning permission O/COL/01/0692 to further extend the period for a further two years in which to submit a reserved matters application - Approved.
- 6.10 F/COL/01/0692 Application to vary condition 1 of planning permission COL/98/0947 to further extend the period (for a further 3 years) in which to submit a reserved matters application - Approved.
- 6.11 O/COL/01/0009 A new urban village comprising residential development (up to approx 2600), mixed uses including retail, leisure and employment, public open space, community facilities, landscaping, new highway & transportation improvements associated and ancillary development in accordance and subject to the provisions of the master plan
- 6.12 98/0947 – Outline application for the erection of food store and shop units (Renewal of Application COL/94/1423).
- 6.13 95/1432 - Outline application for the erection of food store and flats with ancillary car parking and highway works - Refused 7 March 1996.
- 6.14 94/1423 - Outline application for erection of food store and shop units Approved 7 March 1996

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
CE2b - District Centres
CE2c - Local Centres

- H1 - Housing Delivery
- H2 - Housing Density
- H3 - Housing Diversity
- 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

- 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
- DP7 Local Centres and Individual Shops
- DP12 Dwelling Standards
- DP14 Historic Environment Assets
- DP16 Private Amenity Space and Open Space Provision for New Residential Development
- DP17 Accessibility and Access
- DP18 Transport Infrastructure Proposals
- DP19 Parking Standards

- 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 GAR1 Development in the Garrison Area

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

- The Essex Design Guide
- External Materials in New Developments
- EPOA Vehicle Parking Standards
- Sustainable Construction
- Urban Place Supplement
- Sustainable Drainage Systems Design Guide
- Street Services Delivery Strategy
- Managing Archaeology in Development.
- Planning Out Crime

- 7.6 The Council is developing a new Local Plan (Submission Colchester Borough Local Plan 2017-2033) 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 full examination, it is not considered to outweigh the material considerations assessed above in accordance with up-to-date planning policies and the NPPF.

The most relevant policies in the emerging plan are set out below:

- Policy SP1: Presumption in Favour of Sustainable Development
- Policy SP3: Meeting Housing Needs
- Policy SG1: Colchester's Spatial Strategy
- Policy SG2 : Housing Delivery
- Policy SG7 : Infrastructure Delivery and Impacts
- Policy ENV 5 : Pollution and Contaminated Land
- Policy PP1 : Generic Infrastructure and Mitigation Requirement
- Policy DM 9 : Development Density
- Policy DM10 : Housing Diversity
- Policy DM15 : Design and Amenity
- Policy DM16 : Historic Environment
- Policy DM 20 :Promoting Sustainable Transport
- Policy DM 22 :Parking
- Policy DM 24 : Sustainable Urban Drainage

- 7.7 The National Planning Policy Framework and the Planning Practice Guidance are material planning considerations.

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 Essex County Council SUDS as the Lead Local Flood Authority (LLFA) this ECC provides advice on SuDS schemes for major developments. Having reviewed the Flood Risk Assessment & Surface Water Drainage Strategy and the associated documents which accompanied the planning application, acting on behalf of ECC we do not object to the granting of planning permission subject to conditions.

Officer comment: the recommended conditions were imposed on application 170621 and will be carried forward to any new permission.

- 8.3 Highway Authority has no comments to make on the proposal
Note: The proposal is in accordance with the Highway Authority's Development Management Policies as adopted as County Council Supplementary Guidance in February 2011

- 8.4 Contaminated Land Officer sought confirmation that the introduction of a more vulnerable receptor to this part of the site (residential from previous commercial) would not affect the assumed site conceptual model" This clarification has been received and the Contaminated Land Officer has no further comment.

- 8.5 Environmental Protection no comment

- 8.6 Landscape Officer there are no objections to this application on landscape grounds.

- 8.7 Urban Design Officer
The ground floor shop previously provided an architecturally strong, differentiated and engaging base to the building befitting its prominence on key nodal corner, to a 4 storey building (which was predicated on design quality) and overlooking the green. The current proposal is poor and noticeably diminishes the scheme. Many of the qualities from the shop front design are transferable to residential accommodation. Therefore I would suggest reverting back to the shopfront design except replacing shop windows with a complementary mix of windows, patio doors and metal (e.g. matt zinc) cladding, possibly including a cladding arrangement which is equivalent to a stall riser to lend solidity. Pilasters should be reinstated and brick entirely omitted between these and below the lower string course, so that there is a perception of larger, fewer, and more ordered openings (within which subtly sits windows and patio doors).
Landscape- public green landscaping and access across.

Officer comment: Following these comments Officers have negotiated amendments to the fenestration. The "shop front" appearance has been retained with a glazed curtain wall panel including a mix of panels, doors and windows. This is acceptable in principle, further details and refinement have been agreed and will be reported at the committee meeting.

- 8.8 Planning Policy were asked to advise on the loss of retail use and commented:

Allocation of Neighbourhood Centres formed part of the approach in Adopted Plan Policy CE2c to ensuring that new development meets the needs of local people and encourage sustainable travel behaviour. For the Garrison area, this translated into Policy SA GAR1 which provides for two retail areas in the Garrison: William Harris Way, which has been built, and 1000 sqm of retail at Butt Road. Reduction of the retail element on the site to 511 sqm was approved as part of the retirement dwelling scheme that followed the failure to implement the Tesco's scheme so the loss of some retail has already been accepted in principle.

The retail use proposed can also be considered to fall within the community facility category, and thus is covered by Policy DP4 Community Facilities. This provides that any proposal that would result in the loss of a site proposed for a community facility must meet criteria to demonstrate alternative provision nearby, lack of economic viability, and lack of alternative providers or community uses for the site.

The applicants have submitted a Briefing Note to address these criteria as follows:

Alternative provision - Two convenience shops lie within an 800 metre radius, including a Sainsbury's outlet at 60 m distance and a Budgens outlet at 600 metres, so the area is considered to be adequately .

Lack of viability – Subject to confirmation by the Council's estates officers on the adequacy of the marketing campaign, the applicants have demonstrated that the site is not currently viable for retail or wider commercial/community uses given the lack of commercial interest.

The useability of the alternative shopping provision should be enhanced by ensuring that access to the shops is facilitated by appropriate pedestrian crossings and dropped kerbs. *Officer comment: the application secures these improvements.*

- 8.9 English Heritage On the basis of the information available to date, we do not wish to offer any comments.

9.0 Parish Council Response

- 9.1 N/A

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 Councilor Cope forwarded representations and asked that the comments be taken into account. He commented “The impact on the parking needs of residents in Constantine Road may well be more than has been anticipated because of the lack of provision within the area of the development”.
- 10.3 Six representations raising the following objection to the application have been received;
- The covering letter states that the extra parking provision was provided following concerns by residents for customers accessing the retail. However concerns also related to the disregard of adequate parking for the residents, staff and visitors accessing the site. It is not acceptable to further build residential units without increasing the parking significantly otherwise this will impact onto the surrounding roads, some of which are un-permitted and others that will be used outside of permit time
 - Concerns regarding the lack of need for a retail unit were also raised by residents. However this did not deter the application of retail. Its hardly surprising that the application has been changed for more units.
 - Constantine Road is under huge pressure for parking. Traffic is not being controlled by the 20mph signs installed last year and the road is continually used as a cut through with some cars regularly speeding at over 40mph.
 - This development must provide for adequate parking and residents on Constantine and Hamilton Roads must be protected. Please review the agreement both for resident parking and for this development so that an already miserable situation does not deteriorate even further.
 - The retail unit was for the benefit of residents, a large majority of which were deemed to be disabled so for it to be proposed that they are adequately served by local retail is simply not true.
 - In order for a person to be deemed disabled they would not be able to walk the required distance to Sainsbury and therefore the site would not meet the use for which it is intended and for which Planning was granted.
 - Conditions have not been complied with. *Officer comment: there are no issues regarding conditions pre-commencement conditions in respect of drainage, contamination, materials, Construction Management Plan and Habitat enhancement have been discharged. Landscaping, surface materials and parking will be implemented prior to occupation.*

11.0 Parking Provision

- 11.1 Parking matters are discussed in the main body of the report below.

12.0 Open Space Provisions

- 12.1 The application is for a C2 “extra care” use not a C3 residential dwelling use and there is no open space requirement for C2 uses. The 2017 permission secured enhancements to a green a space, currently not accessible, to the public, for public use. This is a prominent green space with mature preserved trees which will enhance the amenity of the wider area. **Any new permission will also secure these enhancements.**

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 An amendment to a “Major” application, there was a requirement for this proposal to be considered by the Development Team.
- 14.2 Application 170621 secured the full range of contributions requested by the Development Team as set out below;
- NHS England contribution of £3,795
 - Cycleway contribution of £22,000
 - Open Space Sport & Recreation – enhancements to the local environment should be included. Seating and appropriate planting to the treed area on the corner of the site is recommended.
 - Highway mitigation a) Upgrading of the two bus stops in Butt Road adjacent to the proposal site to include but may not be limited to real time passenger information b) A zebra crossing in Goojerat Road, east of the proposal site access roundabout c) If 50 or more employees, a travel plan to include but shall not be limited to a £3,000 contribution to cover the Highway Authority’s costs to approve, review and monitor the Travel Plan.
- 14.3 The Development Team considered the revised application and requested that the following Planning Obligations should be sought.
- NHS England a contribution of £12,466 (an increase of £8671 from the £3795 requested for 48 units)
 - Cycleway contribution of £22,000
 - Open Space Sport & Recreation – enhancements to the local environment should be included. Seating and appropriate planting to the treed area on the corner of the site is recommended
 - Highway mitigation a) Upgrading of the two bus stops in Butt Road adjacent to the proposal site to include but may not be limited to real time passenger information b) A zebra crossing in Goojerat Road, east of the proposal site access roundabout

15.0 Report

15.1 The main issues in this case are:

The Principle of Development

15.2 Planning permission has been granted for 48 “Assisted Living” Extra Care Units on the site and the development is nearing completion, an additional 5 units is therefore acceptable in principle. However these additional units will replace a proposed retail unit and the loss of this retail use has to be considered. The applicant has submitted information to demonstrate that the site is not currently viable for retail or wider commercial/community use. The Councils Property Advisor has considered the reports and agrees with their conclusions. The removal of the retail unit is therefore considered acceptable.

Design and Layout

15.3 The retail unit was proposed on part of the ground floor of the building specifically the ground floor of the 4 storey element. The retail shop fronts provided an architecturally strong and differentiated base to the building befitting its prominence on key nodal corner. The original proposal which removed all the shop front details and simply inserted domestic scale windows in a brick façade was unacceptable. Amendments have been negotiated which involve reverting to the “shop front” form with a glazed curtain wall panel including a mix of panels, doors and windows. This is acceptable in principle, further details and refinement has been agreed and will be reported at the committee meeting.

Scale, Height and Massing

15.4 These matters are unaffected by the application

Impact on the Surrounding Area

15.5 A residential use, located within a predominantly residential area will not have an adverse impact on the surrounding area.

Impacts on Neighbouring Properties

15.6 Forty one representations were received in respect of the 2017 application; the majority objecting to the additional traffic generated by; and parking provision for the retail store. The removal of the retail store could therefore be considered to have a positive impact on residential amenity.

15.7 This is a brownfield site which previously contained a multi storey office building. It is considered “Assisted Living” Extra Care Units for elderly residents would generate less traffic than other residential development and any impact on residential properties is minimal.

Highway Safety and Parking Provisions (including Cycling)

- 15.8 The Councils' adopted parking standards for a C2 care home use are set out below; it should be noted that unlike the parking standards for C3 dwellings which are a minimum standard; parking standards for C2 use are a maximum standard for provision.
- 15.9 The Adopted Parking Standards for a C2 (residential care facility) use require a maximum of 1 space per full time equivalent staff plus 1 visitor space per 3 beds.
- 15.10 26 spaces were approved for the 48 units and a further 5 spaces are proposed for the additional units. A total of 31 spaces, of which 3 spaces are for disabled drivers this represents 88% of the maximum and is considered acceptable.
- 15.11 The development of this brownfield site close to town centre and public amenities is supported. Any use will generate some vehicular movements and other uses including family housing would be likely to generate more traffic than a C2 use.
- 15.12 The provision of cycle parking is controlled by condition.

Other Matters

- 15.13 The number of care units has increased from 48 to 53 a 10.4% increase whereas the financial contribution requested by NHS England has increased from £3,795 to £12,466 an increase of 328%. NHS England has confirmed the earlier request was incorrect. It should be noted the applicant has agreed the sum requested.
- 15.14 Since the receipt of the application Natural England has advised the Essex Authorities on the impact of all residential development, including C2 uses, on the East Coast European Site in terms of increased recreational disturbance and the requirement for appropriate mitigation. An Essex Coast RAMS contribution of £122.30 per dwelling is required. This contribution should be applied only to the 5 additional units and secured in legal agreement.
- 15.15 The applicant has agreed improvements to bus stops and a pedestrian crossing and is in discussion with the Highway Authority regarding the details of the works required.

16.0 Conclusion

- 16.1 To summarise, the removal of the retail unit and provision of an additional 5 care units is considered acceptable. The impact on residential amenity from a Assisted Living” Extra Care Unit use will be minimal. The number of parking spaces has increased from 26 spaces for 48 units to 31 spaces for 53 units which is considered acceptable. The revised ground floor fenestration is acceptable subject to further large scale drawings and approval of materials.
- 16.2 A conditional planning permission is recommended. The condition set out below retain the same order and numbering as planning permission 170621 with new conditions, required to secure the changes to the fenestration, at the end - conditions 41-43.

17.0 Recommendation to the Committee

- 17.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to the signing of a legal agreement under Section 106 of the Town and Country Planning Act 1990, within 6 months from the date of the Committee meeting. In the event that the legal agreement is not signed within 6 months, to delegate authority to the Head of Service to refuse the application, or otherwise to be authorised to complete the agreement to secure the following

- NHS England a contribution of £12,466
- Cycleway contribution of £22,000
- Open Space Sport & Recreation – enhancements to the local environment should be included. Seating and appropriate planting to the treed area on the corner of the site is recommended
- Highway mitigation a) Upgrading of the two bus stops in Butt Road adjacent to the proposal site to include but may not be limited to real time passenger information b) A zebra crossing in Goojerat Road, east of the proposal site access roundabout or any alternative mitigation agreed with the Highway Authority
- An Essex Coast RAMS contribution of £122.30 per dwelling (5 x £122.30)

- 17.2 The Permission will also be subject to the following conditions:

1. **Time Limit** (not required development has commenced)

2. **Approved Drawings**

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers 17769-P06D **Revised drawing numbers to be added**

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

3. Large Scale Drawings of Architectural Features

Prior to the commencement of any works, additional drawings that show details of any proposed new glazed screens, chimneys, flue and extract terminals, ridges, shopfronts and associated facias; boundary walling including height, brick bond, coping detail and detail of associated piers; windows, reveals, doors, eaves, verges, cills, arches balconies, pilasters, dummy windows and all architectural features and detailing 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: Inadequate details have been submitted as part of the application having regard to the prominence of the site and scale of the proposed built form adjacent to the Garrison Conservation Area.

4.. Details of Rainwater Goods

All rainwater goods (gutters, downpipes, hopperheads and soil pipes) shall be finished in cast metal and painted black and shall be of ogee section unless an alternative has been submitted to and approved in writing by the local planning authority.

Reason: Inadequate details have been submitted as part of the application having regard to the prominence of the site and scale of the proposed built form adjacent to the Garrison Conservation Area.

5. Surface Materials

Prior to the laying down of any surface materials for private, non- adoptable access-ways, 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.

6. Refuse and Recycling Storage Facilities

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.

7. Condition Deleted

8. Consent required for Advertisements

Notwithstanding the details shown on the approved drawings, no consent is granted nor implied for any signage and a subsequent application for advertisement consent to display any advertisements on the buildings or within the application site area.

Reason: For the avoidance of doubt as to the scope of this planning permission in accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

9. Clarification regarding the Use Class C2

The Assisted Living Extra Care (Use Class C2) accommodation for the frail elderly shall not be used otherwise than as a private place of residence for a person or persons of whom at least one must be a “qualified person” (defined below) at the date of his or her first occupation of the unit in question’. For the purposes of this schedule “a qualified person” means a person who is or has attained the age of 70 years and thereby in need of personal care by reason of old age or by reason of disablement. (whether or not such person suffers from a registered disability under the terms of the Chronically Sick and Disabled Persons Act 1970). An occupier of one of the individual units of residential accommodation who is not a “qualified person” but who shares or previously shared the accommodation with a “qualified person” (e.g. a spouse or surviving spouse) must have attained the age of at least 60 years.’

Reason: The proposed development is unsuited to use as unrestricted residential dwellings (Use Class C3) as the amenity space and parking provision would be inadequate for such a use in accordance with adopted Colchester local plan (2008,2010, 2014) policies PR1, TA5, DP12, DP16.

10. Restriction on Use

The Assisted Living Extra Care accommodation is restricted to uses within Class C2 only as defined in the Use Class Order and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) (Amendment) Order 2005, or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order, with or without modification.

Reason: For the avoidance of doubt as to the scope of the permission as this is the basis on which the application has been considered and any other use would need to be given further consideration at such a time as it were to be proposed.

11. Habitat Enhancement

No development shall commence until a scheme of habitat enhancement within the application site including but not limited to provision for nesting and roosting opportunities for birds has been submitted to and agreed in writing by local planning authority. The scheme shall include details of the proposed measures together with a programme for implementation. Prior to the beneficial occupancy of any of the development the agreed scheme shall be implemented and thereafter so maintained.

Reason: To ensure that the biodiversity of the site is maintained and enhanced in accordance with the NERC Act 2006 and policy ENV1 of the Adopted Colchester Local Plan.

12. Foul Water Strategy

No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

13. Surface Water Drainage Scheme

No works shall take place until 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 a maximum of 5l/s from the site 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. Any storage devices should have suitable half-drain times.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the CIRIA SuDS Manual C753.
- If infiltration is proposed anywhere on site it must be ensured that surface water does not infiltrate through contaminated ground.
- 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.

14. Maintenance Plan

No works shall take place until 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.

Reason: To ensure appropriate management 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.

15. Yearly Logs of Maintenance

The applicant or any successor in title must maintain yearly logs of maintenance of the drainage system 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 Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

16. Condition Deleted

17. Condition Deleted

18. Trees Shrubs Protection

No work shall commence on site until all trees, shrubs and other natural features shown to be retained on the approved plans, are safeguarded behind protective fencing to a standard to be agreed by the Local Planning Authority (see BS 5837). All agreed protective fencing shall be maintained during the course of all works on site. 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.

19. No Burning or Storage of Materials

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.

20. Hedgerow and Tree Protection

All trees and hedgerows on and immediately adjoining the site shown on the approved plans to be retained shall be protected from damage as a result of works on site, to the satisfaction of the local Planning Authority in accordance with its guidance notes and the relevant British Standard. All existing trees to be retained shall be monitored and recorded for at least five years following contractual practical completion of the approved development. In the event that these trees and/or hedgerows (or their replacements) die, are removed, destroyed, fail to thrive or are otherwise defective during such a period, they shall be replaced during the first planting season thereafter to specifications agreed in writing with the local Planning Authority. Any tree works agreed to shall be carried out in accordance with BS 3998.

Reason: To safeguard the continuity of amenity afforded by existing trees and hedgerows.

21. Hard and Soft Landscape Works

No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority (see BS 1192: part 4). These details shall include, as appropriate: Existing and proposed finished contours and levels. Means of enclosure (including position, height, design and material). Car parking layout. 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, signage, lighting). Proposed and existing functional services above and below ground (e.g. drainage, power, communication cables, pipelines, etc. indicating lines, manholes, supports etc.). Retained historic landscape features and proposals for restoration. Soft landscape details shall include: Planting plans. Written specifications (including cultivation and other operations associated with plant and grass establishment). Schedules of plants, noting species, plant size and proposed numbers/densities. Planting area protection or decompaction proposals. Implementation timetables.

Reason: To safeguard the provision of amenity afforded by appropriate landscape design.

22. Implementation and Monitoring Programme

All approved hard and soft landscape works shall be carried out in accordance with the implementation and monitoring programme agreed with the Local Planning Authority and in accordance with the relevant recommendations of the appropriate British Standards. All trees and plants shall be monitored and recorded for at least five years following contractual practical completion of the approved development. In the event that trees and/or plants die, are removed, destroyed, or in the opinion of the Local Planning Authority fail to thrive or are otherwise defective during such a period, they shall be replaced during the first planting season thereafter to specifications agreed in writing with the Local Planning Authority.

Reason: To ensure the provision and implementation of a reasonable standard of landscape in accordance with the approved design.

23. Landscape Management Plan

A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than privately owned domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to any occupation of the development (or any relevant phase of the development) for its permitted use.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by the landscape.

24. Secure Cycle Storage/Stands

No development shall take place until details of secure cycle storage/stands (including those suitable for cycle buggies) for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles.

25. Investigation and Risk Assessment

No works shall take place until 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

26. Remediation Scheme

No works shall take place until 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.

27. Remediation Scheme

No works shall take place other than that required to carry out remediation, the approved remediation scheme must be carried out in accordance with the details approved. 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.

28. 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 25, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 26, 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 27.

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.

29. Certification in respect of Contamination

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 25.

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.

30. Construction Method Statement

No development shall take place, including any ground works or works of demolition, until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. hours of deliveries and hours of work
- ii. the parking of vehicles of site operatives and visitors
- iii. loading and unloading of plant and materials
- iv. storage of plant and materials used in constructing the development
- v. wheel and under body washing facilities
- vi. HGV Routing plan
- vii. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing
- viii. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In order to ensure that the construction takes place in a suitable manner and to ensure that amenities of existing residents are protected as far as reasonable and to ensure that on-street parking of these vehicles in the adjoining streets does not occur, in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

31. Service and Delivery Parking and Turning Facilities

Prior to commencement of the proposed development, service and delivery parking and turning facilities in accordance with a scheme to be approved in writing by the Local Planning Authority shall be provided and maintained for that sole purpose in perpetuity.

Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety and in accordance with Policy DM 1 and 8 of the Highway Authority's Development Management Policies February 2011.

32. Provision of Parking

The development shall not be occupied until such time as the car parking area, indicated on the approved plans, including any spaces for the mobility impaired has been hard surfaced, sealed and marked out in parking bays. The car parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development.

Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety and in accordance with Policy DM 1 and 8 of the Highway Authority's Development Management Policies February 2011.

33. Communal Bin/Refuse/Recycling Storage facility

Prior to the occupation of the proposed development a communal bin/refuse/recycling storage facility shall be provided within 25m of the highway boundary for each proposed use classes.

Reason: To minimise the obstruction caused in the highway by refuse vehicles, in the interests of highway safety and in accordance with Policy DM 1 and 8 of the Highway Authority's Development Management Policies February 2011.

34. Control of Demolition or Construction Working

No demolition or construction work shall take outside of the following times;
Weekdays: 08:00-18:00

Saturdays: 08:00-13:00

Sundays and Bank Holidays: No working

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.

35. Control of Lighting

Prior to the first occupation/use of the development hereby permitted, a validation report undertaken by competent persons that demonstrates that all lighting of the development (including resultant sky glow, light trespass, source intensity and building luminance) fully complies with the figures and advice specified in the CBC External Artificial Lighting Planning Guidance Note for zone EZ2 RURAL, SMALL VILLAGE OR DARK URBAN AREAS shall be submitted to, and agreed in writing by, the Local Planning Authority. Any installation shall thereafter be retained and maintained as agreed therein.

Reason: In order to allow a more detailed technical consideration of the lighting at the site, as there is insufficient information submitted within the application to ensure adequate safeguarding of the amenity of nearby properties and prevent the undesirable, disruptive and disturbing effects of light pollution.

36. Control of Noise Levels

Prior to the first use or occupation of the development as hereby permitted, a competent person shall have ensured that the rating level of noise emitted from the site's plant, equipment and machinery shall not exceed 0dBA above the background levels determined at all boundaries near to noise-sensitive premises. The assessment shall have been made in accordance with the current version of British Standard 4142 and confirmation of the findings of the assessment shall have been submitted to, and agreed in writing by, the Local Planning Authority and shall be adhered to 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.

37. Condition Deleted

38. Condition Deleted

39. Materials

No external facing or roofing materials shall be used in the construction of the development hereby permitted until precise details of the manufacturer, types and colours of these have been submitted to and approved, in writing, by the Local Planning Authority. Such materials as may be approved shall be those used in the development.

Reason: In order to ensure that suitable materials are used on the development as there are insufficient details within the submitted planning application.

40. Scheme to minimise off-site Flooding

No works shall take place until 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 103 and paragraph 109 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.

41 Time Limit for Implementing Revised Fenestration

The details of the revised elevations and the replacement shop fronts shown in principle on drawing nos **(TO BE INSERTED)** shall be implemented in full within 3 months from the date of this permission or an alternative timescale previously submitted to and approved in writing with local planning authority.

Reason: The fenestration as build is unacceptable and to secure the implementation of the approved details.

42 Large Scale Drawings

Prior to the commencement of work on the ground floor fenestration large scale drawings of the glazed curtain wall panel and surrounding brickwork at a scale between 1:20 and 1: shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented in full in accordance with condition 41.

Reason: To ensure these features which are essential to ensure the equality of the building are fully implemented.

43 Materials

Prior to the commencement of work on the ground floor fenestration, to the additional 5 care units, samples of all the materials including glazing, shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented in full.

Reason: In order to ensure that suitable materials are used on the development as there are insufficient details within the submitted planning application.

Informatives

- (1) 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) 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) 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.
- (4) The applicant should be advised to contact the Essex County Council travel plan team on travelplanteam@essex.gov.uk to make the necessary arrangements for the provision of the Travel Plan.
- (5) All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to: SMO1 – Essex Highways Colchester Highways Depot, 653 The Crescent, Colchester. CO4 9YQ.
- (6) PLEASE NOTE: This application is the subject of a Section 106 legal agreement and this decision should only be read in conjunction with this agreement.
- (7) An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer. It is recommended that petrol/oil interceptors be fitted in all car park areas. It is recommended that properly maintained fat traps are fitted and installed on all catering establishments