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**Item No:** 7.2

**Application:** 162526

**Applicant:** St Mary's PCC

**Agent:** Mr Ben Downie

**Proposal:** Demolition of existing south porch and erection of new extension for meeting room and ancillary facilities

**Location:** St Marys Church, High Street, Wivenhoe, Colchester

**Ward:** Wivenhoe

**Officer:** Mark Russell

**Recommendation:** Conditional Approval

## **1.0 Reason for Referral to the Planning Committee**

- 1.1 This application has been referred to the Planning Committee following a call-in by Councillor Scott for the following reasons:

*Residents have expressed concern that this listed building is being changed with the loss of the porch and the design of the community room is deemed unsuitable and incongruous. The church is an important historical asset, it is felt the committee should look at the proposed changes in the context of the surrounding area and its character.*

## **2.0 Synopsis**

- 2.1 The application at hand seeks to demolish the existing Victorian porch at St. Mary's church (grade II\*) and erect an extension on the southern aspect to provide a meeting room and associated facilities. This partially incorporates the fabric from the former porch (dressed door surround).
- 2.2 The following report describes the consultation process and the many letters of support as well as several objections including Historic England's concerns regarding the proposed significant changes to this Grade II\* listed building.
- 2.3 The process of negotiation, involving meetings with Historic England and members of the Parochial Church Council is then described, including several changes to the proposal which led to a reconsultation in May 2017.
- 2.4 The application is subsequently recommended for approval.

## **3.0 Site Description and Context**

- 3.1 St. Mary's Church (properly described as "The Parish Church of St. Mary the Virgin, Wivenhoe") is arguably Wivenhoe's premier building and has a long history, with parts of it being constructed from Roman brick. The north and south arcades and the north aisle are 14<sup>th</sup> century, with the entire building having been restored in 1859 and again in 1884 following the Colchester Earthquake. Modern additions include the chancel, north and south chapels and north and south porches. The southern porch and adjacent walling together with the chancel are Victorian work.
- 3.2 The church sits within a pleasant, if none-too-large church yard. This is largely laid to grass with several large trees. A war memorial is at the northern end of the site, away from the development side and there are several gravestones about the site.
- 3.3 In the heart of Wivenhoe's conservation area, the level of built environment is generally of very high quality, with the church virtually surrounded on all sides by listed buildings, including the Grade I Old Garrison House to the south.

3.4 The southern aspect of the church, where the works are proposed, is a key view of old Wivenhoe as one moves up Rose Lane from the quayside. The sole visual detraction is the flat-roofed fish and chips shop and its extraction flue.

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

4.1 The application description aptly explains the works which are being proposed. Whilst Planning permission is required for most of these works, there is no requirement for Listed Building Consent due to the Ecclesiastical Exemption, which hands the responsibility for these matters over to the church.

4.2 The details of the design were refined during discussions with the applicants and will be explained in more detail in the relevant section, but broadly speaking, the fundamentals of the proposals have remained the same throughout the process, as follows:

4.3 It is proposed to remove the southern porch which, as stated is a Victorian addition.

4.4 In its place, a new larger porch is to be constructed in a larger format partially incorporating some historic fabric to create “a shared ante space entered via an upgraded Carolin Garden.” The character of the southern elevation would remain punctuated by a legible porch that defines the entrance. The form and character of the former porch is thus maintained by the proposed scheme.

4.5 To the east of the porch an attached meeting room is proposed and this element is the *raison d’être* for the scheme.

4.6 This meeting room follows the rhythm of the existing building, which is comprised of three ranges of dual-pitched roofs. The roof to the meeting room is of the same pitch and is subservient to the existing church. A contemporary but respectful architectural style is employed that reflects the ecclesiastical context but is clearly of its own time stylistically.

4.7 The extension is to be well-fenestrated to allow for light within it and within the body of the main church building itself as well as views into the church from outside.

4.8 In terms of works to the grounds, many of which do not require Planning permission, it is proposed to remove a large Lime tree, which is described as being too large for its location. In its place will be a newly-landscaped Carolin garden with new planting and paving.

4.9 The proposed materials have changed during discussions and will be covered in the relevant section below.

## **5.0 Land Use Allocation**

5.1 Place of Worship.

## **6.0 Relevant Planning History**

6.1 None

## **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 Planning (Listed Buildings & Conservation Areas) Act 1990 sets out a presumption in favour of the preservation of heritage assets (s.66(1) and 72(1)) and harm is undesirable and should be avoided if possible. The National Planning Policy Framework (NPPF) must be taken into account in planning decisions and is a material consideration, setting out national planning policy (see paragraphs 126-141 concerning Heritage Assets). 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  
UR2 - Built Design and Character

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  
DP4 Community Facilities  
DP14 Historic Environment Assets

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

The Essex Design Guide  
External Materials in New Developments  
Community Facilities  
Managing Archaeology in Development.  
Wivenhoe Town Plan and Executive Summary

## 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 Historic England: Supplied a lengthy response which raised concerns over the initial proposal. This concluded: “Historic England considers the enlargement of St. Mary’s Church on the scale and in the manner proposed would cause harm to its special architectural and historic interest.” It repeated its view that the matter would be better dealt with by the provision of a series of detached church rooms, adding: “We do not consider the proposals form the most appropriate means of providing ancillary facilities for the church due to the size of addition proposed.”
- 8.3 Whilst this may read as an objection, Historic England held back from so doing, adding: “We understand, however, the parish’s wish to proceed with the enlargement of the church.....It is therefore for your authority, in accordance with paragraphs 132 and 134 of the National Planning Policy Framework, to assess whether the benefits of the current scheme could only be achieved by the proposed means and, if so, whether they would justify the harm to the special interest or significance of the church that would ensue.”
- 8.4 Historic England has subsequently been reconsulted and a response is awaited. However, given that it did not originally object and the current scheme is an improvement it is presumed that no objection will be forthcoming.
- 8.5 Historic Buildings Officer: Initially raised concerns over several issues. After your Officers met with the applicants and the general changes were agreed, the following comments were made:

**Proposed plan** - southward projection creates an awkward ‘pinch point’, compromises the setting of the church. However, public benefit outweighs the harm. The tree is best removed to allow a more open aspect.

**Porch** – detailing of porch must be carefully considered from the demolition to the reconstruction. Existing materials should be retained and reused and added to with other similar materials.

**Parallel buttresses** - to break down the perceived width of the extension. Their detailing must look as if it is supporting the church rather than being “visual devices”. i.e. should look as if they are bearing the load as if traditional rubble wall construction.

**East elevation** glazed ‘arrow’ design not fully supported, but if necessary, should be well detailed and the ‘surround’ of all the elements considered. The accumulation of different frames, finishes, details etc on a small façade can result in an untidy and clumsy finish.

**Zinc** - is nearly always treated and rarely acquires the patina of age or visual interest of the lead. An option to avoid this might be untreated zinc or an alloy e.g. from KME Tecu, which ages more gracefully and will acquire a patina of

age. Potential bulkiness of the verge/gutter etc profile. needs to be carefully considered.

**Glazed screen at upper level** - a seamless effect - for the glazing may be desirable to not overload the building with 'verge'/incidental details of different materials and finishes. The frame details should be carefully considered at design stage and not detail stage.

**Doors** - should be tailor-made for St. Mary's if money permits – contemporary craftsmanship would be a welcome.

**Glazed roof:** Again the detailing should be considered at design stage.

**West elevation** - The choice of slate, ridge and verge details are fundamental to the success of this elevation as it is so simple.

The **facing brick** is the single most important element of the proposed design. Ideally the applicant should discuss this with the LPA prior to any panels being made.

- 8.6 Archaeology: *This proposal is located in the area of high archaeological interest, defined in the Colchester Historic Environment Record, within the churchyard (HER no. MCC10041) and abutting the Church of St Mary the Virgin (HER no. MCC89804). There is high potential for encountering burials as well as remains of earlier foundations, at this location. Groundworks relating to the proposed development would cause significant ground disturbance that has potential to damage any archaeological deposits that exist.*

*There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 141), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.*

A standard archaeological condition is recommended, but with the following non-standard informative:

*I will, on request of the applicant, provide a brief for the archaeological investigation. In this case, full archaeological excavation of the footprint of the extension will be required in advance of construction because of the use of piled foundations (that are damaging to sensitive, buried archaeological remains), with continuous archaeological monitoring of other services and groundworks relating to the consent. In addition, a detailed record will be required of the south porch and south-facing wall of the Church will be required before the development is commenced.*

- 8.7 Environmental Control: Condition hours of work.

## 9.0 Parish Council Response

9.1 Wivenhoe Town Council stated that its Members supported the proposal for the Church annex.

## **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 Thirty-nine letters of representation were received, the vast majority of which (thirty-five) supported the proposal, with two objections and two general observations.

10.3 The main points of support related to the need for such a facility for the community and also for it being available for hire to other users. A need for facilities for the disabled was also mentioned.

10.4 Supporters also stated that the proposal was well-considered and sympathetic to the conservation area.

10.5 The objections were to the scale and design of the extension and the negative effect on the conservation area. Concerns were also raised over the loss of green space and the severing of the link between different parts of the churchyard, the loss of the porch and tombstones and of views of windows.

10.6 The general observations related to: i) the fate of the tombstones which currently form part of the flagstone path - it was requested that details of these be recorded; and ii) the fact there was no statement from the Diocesan Council which confirmed that it agreed with the works.

## **11.0 Parking Provision**

11.1 n/a

## **12.0 Open Space Provisions**

12.1 n/a

## **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 This application is not classed as a “Major” application and therefore there was no requirement for it to be considered by the Development Team and it is considered that no Planning Obligations should be sought via Section 106 (s.106) of the Town and Country Planning Act 1990.

## **15.0 Report**

15.1 The main issues in this case are the visual effect of the proposal on the character and appearance of the conservation area and the significance of the listed building, as well as any direct impact on the fabric of the latter and the community benefits which would be gained from the proposal. The NPPF identifies that in some cases, harm to significance although undesirable may be unavoidable to deliver wider public benefits. In such cases, the harm if less than substantial, needs to be balanced against the public benefits identified.

15.2 On the latter point, there is universal agreement, even amongst objectors, that the type of facility being sought is desirable and indeed essential for Wivenhoe’s growing community.

15.3 Indeed, Core Strategy policy SD3 states: “The Council will work with local partners, such as Parish Councils or Community Associations, to plan and manage community facilities..” whilst Development Policies policy DP4 clearly states: “Support will be given to the provision of new community facilities.” There is clearly policy support for and no reason to deny permission for facilities such as those proposed.

15.4 The applicant did investigate alternative ways of accommodating a meeting room within the existing building, but found this not to be possible due to a lack of space. This, when combined with what is seen to be a growing attendance at church (which, it is hoped, will grow further) led to the following conclusion: “Reducing the available seating in order to provide space for facilities such as a meeting room, a kitchen and two toilets (one for disabled use), and storage would limit our overall capacity and thus have a negative impact on our ability for growth.”

15.5 This led to a position where external alterations and additions became inevitable and the real consideration, therefore, relates simply to the effect on the church and the wider Wivenhoe conservation area.

15.6 In early discussions, Historic England raised concerns about extending the building, instead favouring a separate building within the church grounds. However, the church opposed this idea due to issues of workability and also through concerns that this would push the development towards a boundary and affect the setting of the church. It was thus concluded that an extension was the only option.

- 15.7 In terms of which direction to extend towards, it was concluded that the “rear” (south) of the church would impact the setting least, with the main (north) aspect containing the highly visible access from the High Street, the war memorial and the majority of the graves; an offering that it is desirable to retain. Furthermore, the historic fabric that is directly affected by the proposals is of lower significance being Victorian as opposed to medieval.
- 15.8 What this does mean is that the space between the building and its southern boundary does become scarce and could compromise both the setting of the church to the south and also circulation space around the grounds. Your Officers raised concerns about this latter point and amendments have been received which, in their opinion, free this up to a satisfactory degree.
- 15.9 The main view of the new porch and extension is from the south and is glimpsed as one emerges from the river front up Rose Lane, then coming in to full view quite close to the church itself, through the gap to the left of the chip shop and opposite the Grade I listed Old Garrison House.
- 15.10 The current view of the old porch would be mimicked by that of the new, but the main new key feature would be the extension to the right (east) of this. Currently one has full views (albeit obstructed in part by the chip shop, amongst other buildings) of the main body of the church; the southern flinted wall, the buttresses, the arched window and the roof. This last feature would be hardly affected, but views of the other features on the south aisle wall would be largely lost, replaced by views of the new slate roof with its two large windows. The affected elevation is Victorian in origin and therefore of lesser significance than other, earlier areas of the church. Furthermore, the quality of the Victorian fabric affected is not exceptional in its architectural quality.
- 15.11 Views in to the site from either side (east and west) would also necessarily be altered, although these have a more limited throw due to the relationship with surrounding buildings.
- 15.12 On the western side, views of the six metre deep brick porch wall and pitched slate roof would be obliquely glimpsed from parts of the High Street, but would only really be seen from inside the site and from a limited number of gardens on Anchor Hill.
- 15.13 On the eastern side, the extension shows a fully-glazed, zinc-seamed gable and French doors with brick piers and stone dressings in the lower half. Also in view is a glazed link between the new and old roofs. With the exception of some possible surprise glimpses between buildings on Alma Street, the only views on this side of the development would be from the rear of some houses on Alma Street and East Street and from within the site itself.

- 15.14 In total, the proposed changes to the public aspect of the church and to its immediate and wider conservation area setting are considered to be neutral and have been evolved to sit within Wivenhoe's conservation area as subtly as possible without causing any harm to the appearance or setting of any of the identified designated heritage assets.
- 15.15 In terms of fabric, the main intervention is the proposed removal of the southern porch. The current porch, whilst sympathetic to the main building and appearing to be contemporary to it, in fact largely dates from 1859 (there having previously been a porch to the south from at least as early as 1566) when it was extensively restored at the time that the church was being extended, then being further restored following the earthquake of 1884.
- 15.16 The applicant's Design & Access Statement makes it clear that the southern porch is the poor relation in comparison to its northern counterpart, with a cramped interior, slightly slacker pitch and comparative paucity of detail. In sum, its removal can be justified in heritage terms, pending the acceptability of the replacement.
- 15.17 The replacement porch is to be an integral part of the proposed meeting room structure, acting as an access point in to the new room and also, as an access porch to the south (an access which had, apparently, been lost when the WC was installed), with a store and a new WC on the left hand side and a further WC (for people with disabilities) to the right. A new kitchen will act as a link to the meeting room and is deliberately articulated being set back from the porch element.
- 15.18 This gives the desired internal usage, whilst still allowing the porch to be expressed as a separate entity.
- 15.19 The new door to the south porch will be fully glazed giving a view into the building from the street.
- 15.20 The choice of materials evolved during discussions with your Officers. The preferred choice now is a mixture of facing brick with stone dressings, with the porch dressings being re-used. Metal windows and a slate roof complete the offering, with the aforementioned glazed element filling out the eastern aspect.
- 15.21 The final part of the proposal is improved landscaping to the Carolin garden. This is described as currently being poorly-paved with little planting. The proposal is to remove an over-sized lime tree and to re-landscape the garden with new paving and planting.

## **16.0 Conclusion**

- 16.1 To summarise, the proposal at hand would provide a much needed community facility with adaptations for people with disabilities.
- 16.2 The proposed works are held to be visually satisfactory, with sympathy to the existing listed building and the wider setting of the Wivenhoe Conservation Area, whilst giving rise to no negative effects on residential amenity. Whilst the

loss of historic fabric is a direct impact that will result in a modest degree of harm, this harm is less than substantial and would be justified by the significant public benefits identified above. This approach is in conformity with Government policy set out at paragraphs 126-141 of the Framework.

16.3 The recommendation is, therefore, one of approval.

## **17.0 Recommendation to the Committee**

17.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to the following conditions:

### **1. ZAA - Time Limit for Full Permissions**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

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

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers A-1207-PL-01 A, A-1207-PL-03 E, A-1207-PL-04 D, A-1207-PL-05 C, A-1207-PL-06 D.

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

### **3. Non-standard condition – Details of materials**

Prior to the commencement of any works, full details of the facing STONEWORK and dressings including the bond, mortar mix and joint profile shall be submitted to and approved, in writing, by the Local Planning Authority.

Reason: To protect the special character and architectural interest and integrity of the building and conservation area in accordance with the requirements of section 66(1) and Sections 72 (1) and (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **4. Non-standard condition – Sample Panel of Materials**

Prior to the commencement of any works a sample panel of all new facing brickwork shall be constructed on site showing the proposed brick types, colours and textures, face bond and pointing, mortar mix and finish profile and shall be made available for inspection by the Local Planning Authority and the materials and methods demonstrated in the sample panel shall have been approved, in writing, by the Local Planning Authority. The applicant shall also provide the Local Planning Authority with a justification for the choice of materials. The approved sample panel shall then be retained on site until the work is completed and all brickwork shall be constructed in all respects in accordance with the approved details.

Reason: To protect the special character and architectural interest and integrity of the building and conservation area in accordance with the

requirements of section 66(1) and Sections 72 (1) and (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### **5. Non-standard condition – Salvage of stone elements**

All stone elements of the existing porch including stone surrounds and stone dressings shall be carefully salvaged and set aside in a secure location for reuse on the new porch.

Reason: To protect the special character and architectural interest and integrity of the building and conservation area in accordance with the requirements of section 66(1) and Sections 72 (1) and (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### **6. Non-standard condition – Glazing and Associated Fixings**

All glazing and associated fixings should be non-ferrous to ensure that the adjacent fabric is not subject to damage from oxidisation.

Reason: To protect the special character and architectural interest and integrity of the building and conservation area in accordance with the requirements of section 66(1) and Sections 72 (1) and (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### **7. Non-standard condition – Additional large scale drawings**

Additional large scale drawings that show details of proposed new:

- Windows
- Doors
- Eaves
- Buttresses
- Verges
- Slate roof (including ridge, verge, eaves and gutter detail) and parapet
- Gutters
- Rainwater goods
- Glazed roof

to be used, by section and elevation, at scales [of/between 1:20 and 1:1] as appropriate including manufacturers details and details of how the proposed elements will be fixed/will adjoin the surrounding elements and materials, shall be submitted to and approved in writing by the Local Planning Authority to the relevant part of the works being undertaken. The development shall be implemented in accordance with the approved additional drawings.

Reason: To protect the special character and architectural interest and integrity of the building and conservation area in accordance with the requirements of section 66(1) and Sections 72 (1) and (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### **8. Non-standard condition – Details of roof, ridges and gutters**

Details of roof, ridge and gutter including buildup shall be submitted to and approved in writing by the LPA prior to the relevant part of the works being carried out and shall be implemented as such.

Reason: To protect the special character and architectural interest and integrity of the building and conservation area in accordance with the requirements of section 66(1) and Sections 72 (1) and (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### **9. Non-standard condition – Recording of works**

Prior to the commencement of any works a record of the existing porch shall be carried out by a building recorder, or an organisation with acknowledged experience in the recording of standing buildings which included historical research and photographs, shall be submitted to and approved in writing by the LPA prior to the removal of the porch.

Reason: In order to have a record of this phase of the Church's construction for posterity.

#### **10. Non-standard condition – Rainwater Goods**

All rainwater goods (gutters, downpipes, hopper heads and soil pipes) shall be finished in CAST-IRON and painted BLACK and retained as such.

Reason: To protect the special character and architectural interest and integrity of the building and conservation area in accordance with the requirements of section 66(1) and Sections 72 (1) and (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### **10.ZMY - Minor additions and new services**

Prior to any new services being installed or any existing services being relocated (in each case including communications and telecommunications services) details thereof (including any related fixtures, associated visible ducts or other means of concealment) shall have been submitted to and approved, in writing, by the Local Planning Authority and the works shall be carried out in complete accordance with the approved specification.

Reason: To protect the special character and architectural interest and integrity of the building in accordance with the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### **11.ZMZ - No New Pipework or Extraction Fixtures**

No new plumbing, pipes, soil stacks, flues, vents or ductwork shall be fixed on the external faces of the building other than those shown on the drawings hereby approved unless otherwise first agreed, in writing, by the Local Planning Authority.

Reason: To protect the special character and architectural interest and integrity of the building in accordance with the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **12.ZNA - No New Minor Fixtures**

No new grilles, security alarms, lighting, cameras or other appurtenances shall be fixed on the external faces of the building other than those shown on the drawings hereby approved unless otherwise first agreed, in writing, by the Local Planning Authority.

Reason: To protect the special character and architectural interest and integrity of the building in accordance with the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **13.ZNB – Fixtures**

No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to any elevation fronting a highway.

Reason: To protect the special character and architectural interest and integrity of the building in accordance with the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **14 ZPD - Limits to Hours of Work**

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: Not at all

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.

### **15 Non-standard condition – Archaeological work**

No works shall take place until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been previously submitted to and approved, in writing, by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording.
- b. Provision to be made for analysis of the site investigation and recording.
- c. Provision to be made for reporting, publication and dissemination of the analysis and records of the site investigation.
- d. Provision to be made for archive deposition of the analysis and records of the site investigation.
- e. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- f. The scheme of investigation shall be completed as agreed and approved in writing by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SD1 and ENV1 of Colchester Borough Council's Core Strategy (2008).

### **16 - ZFC - Simple Landscaping Scheme Part 1 of 2**

The development hereby approved shall not be occupied until a scheme of hard and soft landscaping works for the publicly visible parts of the site has been submitted to and agreed, in writing, by the Local Planning Authority. This scheme shall include any proposed changes in ground levels and also accurately identify positions, spread and species of all existing and proposed trees, shrubs and hedgerows on the site, as well as details of any hard surface finishes and external works, which shall comply with the recommendations set out in the relevant British Standards current at the time of submission.

Reason: In order to ensure that there is a sufficient landscaping scheme for the relatively small scale of this development where there are public areas to be laid out but there is insufficient detail within the submitted application.

### **17 - ZFD - Simple Landscaping Scheme Part 2 of 2**

All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out in full prior to the end of the first planting and seeding season following the first occupation of the development or in such other phased arrangement as shall have previously been agreed, in writing, by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees, in writing, to a variation of the previously approved details.

Reason: In order to ensure that there is a sufficient landscaping scheme for the development where there is insufficient detail within the submitted application.

### **17 Non-Standard condition – Recording of headstones**

During the course of development, any remaining headstones that are being used as paving shall be examined (including their undersides) and any inscriptions shall be matched with the register of burials prior to the development hereby permitted coming in to use.

Reason: In the interests of a fuller understanding of the history of this important site.

## **18.0 Informatives**

18.1 The following informatives are also recommended:

### **(1) ZT0 – Advisory Note on Construction & Demolition**

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

### **(2) ZTA - Informative on Conditions Stating Prior to Commencement Occupation**

PLEASE NOTE that this permission contains a condition precedent that requires details to be agreed and/or activity to be undertaken either **before you commence the development or before you occupy the development**. This is of critical importance. If you do not comply with the condition precedent you may invalidate this permission and be investigated by our enforcement team. Please pay particular attention to these requirements. To discharge the conditions and lawfully comply with your conditions you should make an application online via [www.colchester.gov.uk/planning](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.

**(3) ZTB - Informative on Any Application With a Site Notice**

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) Non-standard informative - Archaeology**

PLEASE NOTE The submitted scheme of archaeological investigation should be in accordance with an agreed brief. This can be procured beforehand by the developer from Colchester Borough Council. Please see the Council's website for further information:

<http://www.colchester.gov.uk>

In this case, full archaeological excavation of the footprint of the extension will be required in advance of construction because of the use of piled foundations (that are damaging to sensitive, buried archaeological remains), with continuous archaeological monitoring of other services and groundworks relating to the consent. In addition, a detailed record will be required of the south porch and south-facing wall of the Church will be required before the development is commenced.