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Item No: 7.1

Application: 220149

Applicant: Colchester Borough Council

Agent: Mrs Rebecca Howard

Proposal: Redevelopment of site to involve the demolition of the existing garages on site, and provision of 3 no. new dwellings

Location: Land to the South of, Veronica Walk, Colchester

Ward: Greenstead

Officer: Nadine Calder

Recommendation: Approval

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee because the applicant is Colchester Amphora Homes Limited on behalf of Colchester Borough Council.

2.0 Synopsis

- 2.1 The key issues for consideration are the principle of the proposal, the design, scale and form, its impact on neighbouring amenity in terms of outlook, light and privacy and provision of parking. These matters have been considered alongside planning policy requirements and other material matters, leading to the application being subsequently recommended for approval.

3.0 Site Description and Context

- 3.1 The application site lies within the defined settlement limits for Colchester. It currently accommodates two flat-roofed blocks of garages which are offered for rent (managed by Colchester Borough Homes). A total of 19no. garages are on site.
- 3.2 The site is roughly rectangular in shape and is bounded by residential development to all sides, with a small area of open space lying directly to the west of the site. Vehicular access to the site is gained from Veronica Walk to the north east while pedestrian access to Hickory Avenue and Erica Walk is provided to the south and west respectively.

4.0 Description of the Proposal

- 4.1 The proposal includes the demolition of the existing garages and the construction of a terrace of three dwellings, comprising one 3-bed and two 2-bed dwellings with associated landscaping, parking and private amenity provision. The proposal is to be 100% affordable and would be owned by Colchester Borough Council and managed by Colchester Borough Homes. All dwellings would be designed to Part M Cat 2 standards. The palette of materials includes red brick, buff brick, and rock panel cladding.

5.0 Land Use Allocation

- 5.1 The site lies within the defined settlement limits for Colchester but has no other allocation.

6.0 Relevant Planning History

- 6.1 There is no planning history that is particularly relevant to this proposal. The proposal was however the subject of preliminary discussions in late 2020/early 2021 which helped inform the final scheme

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 Local Plan 2017-2033 Section 1

The shared Section 1 of the Colchester Local Plan covers strategic matters with cross-boundary impacts in North Essex. This includes a strategic vision and policy for Colchester. The Section 1 Local Plan was adopted on 1 February 2021 and is afforded full weight. The following policies are considered to be relevant in this case:

- SP1 Presumption in Favour of Sustainable Development
- SP2 Recreational disturbance Avoidance and Mitigation Strategy (RAMS)
- SP7 Place Shaping Principles

Appendix A of the Section 1 Local Plan outlines those policies in the Core Strategy Focused Review 2014 which are superseded. Having regard to the strategic nature of the Section 1 Local Plan, policy SD2 of the Core Strategy is fully superseded by policies SP5 and SP6 of the Section 1 Local Plan. Policies SD1, H1 and CE1 of the Core Strategy are affected in part. The hierarchy elements of policies SD1, H1 and CE1 remain valid, as given the strategic nature of policies SP3, SP4 and SP5 the only part of the policies that are superseded is in relation to the overall requirement figures.

The final section of Policy SD1 which outlines the presumption in favour of sustainable development is superseded by policy SP1 of the Section 1 Local Plan as this provides the current stance as per national policy.

All other Policies in the Core Strategy, Site Allocations and Development Management Policies and all other adopted policy which comprises the Development Plan remain relevant for decision making purposes.

7.3 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

H1 - Housing Delivery

H2 - Housing Density

H3 - Housing Diversity

H4 - Affordable Housing

UR2 - Built Design and Character

ER1 - Energy, Resources, Waste, Water and Recycling

- 7.4 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
DP12 Dwelling Standards
DP16 Private Amenity Space and Open Space Provision for New Residential Development
DP17 Accessibility and Access
DP19 Parking Standards

- 7.5 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:

n/a

- 7.6 The site does not lie in a Neighbourhood Plan Area.

- 7.7 Submission Colchester Borough Local Plan 2017-2033:
The Section 1 Local Plan was adopted on 1 February 2021 and is afforded full weight. The Section 2 Emerging Local Plan is at an advanced stage having undergone examination hearing sessions in April 2021 and recent consultation on modifications. Section 2 will be afforded some weight due to its advanced stage. However, as it is yet to complete full and final examination, the exact level of weight to be afforded will be considered on a site-by-site basis reflecting the considerations set out in paragraph 48 of the NPPF. Proposals will also be considered in relation to the adopted Local Plan and the NPPF as a whole.

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.

- 7.8 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
Affordable Housing
Open Space, Sport and Recreation
Sustainable Construction
Managing Archaeology in Development.

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 The Arboricultural Officer does not object to the proposal.
- 8.3 The Archaeological Advisor confirmed that there are no archaeological issues arising from the proposed development.
- 8.4 The Contaminated Land Officer does not object to the proposed development subject to conditions, including site characterisation, submission of remediation scheme, implementation of approved remediation scheme, reporting of unexpected contamination and a validation certificate.
- 8.5 Environmental Protection did not provide any comments on the proposal.
- 8.6 The Landscape Advisor does not object to the proposal subject to conditions.
- 8.7 The Highway Authority does not object to the proposal subject to conditions, including all off street parking to be provided in precise accordance with the details contained within the current Parking Standards, the provision of details for cycle storage and the provision of a construction management plan.

9.0 Parish Council Response

- 9.1 This area is non-parished.

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 Four letters of objection were received, the main reasons for objecting were as follows:
- Impact on/loss of parking;
 - Loss of garages; and
 - Unacceptable noise as a result of construction works.
- 10.3 A further general comment was received from Colchester Cycling Campaign, requesting that convenient secure cycle parking should be provided at one space per bedroom that is as convenient as the car garages/parking.

11.0 Parking Provision

- 11.1 The proposal provides two parking spaces per dwelling plus two visitor spaces and the provision therefore complies with (exceeds) the adopted standards. It is also proposed to formalise a part of the site and provide five unallocated (but properly laid out) parking spaces to the north west of the proposed dwellings. However, the scheme affects currently tenanted garages. This will be further assessed in the main body of the report below.

12.0 Accessibility

- 12.1 With regard to the Equalities Act and compliance with policies DP12 and DP17 that detail requirements in terms of accessibility standards the scheme involves a wheelchair unit and has been designed to be inclusive, accessible and adaptable. As the development will be owned and managed by Colchester Borough Homes there is the scope and budget to manage the units in accordance with the needs of the occupants.

13.0 Open Space Provisions

- 13.1 The proposed dwellings have adequate amenity space overall.

14.0 Air Quality

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

15.0 Planning Obligations

- 15.1 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.

16.0 Report

Principle of Development

- 16.1 The application site lies within the settlement boundary for Colchester and an area that is residential in character where development such as that proposal is considered to be acceptable in principle in policy terms; subject to the development satisfying all other aspects of the Development Plan. These are assessed in detail in the following paragraphs.

Affordable Housing Need

- 16.2 Providing more affordable homes is a key corporate strategic priority of the Council, because of the unmet demand that exists. To this extent, the Council has set up a Housing Company, Colchester Amphora Homes Limited (CAHL), to develop mixed-tenure housing schemes with 30% affordable homes alongside private sale property. CAHL have also been appointed to deliver

100% affordable housing on a number of sites, including the development of garage sites.

- 16.3 This application is one of several submitted concurrently by CAHL for affordable housing on under-used Council owned, Colchester Borough Homes (CBH) managed garage sites. These applications are the result of ongoing work by the Council to find innovative ways of enabling more affordable housing to be built, in line with stated Council priority objectives.

Design, Layout and Impact on Surrounding Area

- 16.4 At the heart of the National Planning Policy Framework (the Framework), there is a presumption in favour of sustainable development. Good design is a key aspect of sustainable development, and the Framework indicates that new development should respond to local character and should reflect the identity of its surroundings. This is reflected in Development Policy DP1 and Core Strategy Policy UR2 as well as Section 1 Plan Policy SP7 and emerging Section 2 Policy DM15. These policies state that all proposals should be well designed, having regard to local building traditions, and should be based on a proper assessment of the character of the application site and the surrounding built and natural environment.
- 16.5 The site is surrounded by residential rear gardens belonging to dwellings fronting Blackthorn Avenue to the east, Hickory Road to the south and Erica Walk to the west. The proposal comprises of a terrace of three dwellings. The surrounding area is characterised by mainly terraced dwellings, with a few semi-detached properties, all of which are of no particular architectural merit. The external materials for the proposed development include a mixture of red brick and buff brick with rock panel cladding to add visual interest to the development. The arrangement of the cladding feels a little awkward however, it does help in breaking down the massing of the building. While the proposed development would not follow the architectural approach of the surrounding area, it would be of an appearance that would enhance the visual amenity of the surrounding area. The use of brick for the main bulk of the proposed development would ensure that the proposal respects the character of existing built development that surrounds the site, with the introduction of contrasting materials elevating the appearance of the proposed development.
- 16.6 Paragraph 134 of the Framework makes it clear that great weight should be given to proposals that help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings. Whilst the design of the proposed development in itself is not outstanding, as referred to in the Framework, it is considered that a more contemporary approach to the proposed development would create some visual interest in an area that is otherwise very repetitive in design and appearance. The visual amenity of the surrounding site would therefore be improved. As a result, the proposal is held to be acceptable in terms of its overall design, appearance and impact on the surrounding area.
- 16.7 In addition to the above, the area of open space to the west of the proposed dwellings currently lacks natural passive surveillance and does not serve any

real purpose. The application proposes a development that provides an active frontage to this area and introduces windows at both ground and first floor level which not only ensures that there is active surveillance of this area but also adds visual interest and may encourage an increased informal use of this area of open space. The proposal is therefore considered to have a positive impact on the surrounding area in this respect by discouraging anti-social behaviour.

Impact on Neighbour Amenities

- 16.8 As identified above, the proposed development would be located amongst existing residential development. Consideration needs to be given as to how the proposal would affect the occupants of nearby residential properties in terms of loss of light, privacy and overbearing impacts.
- 16.9 The development has been designed to front Veronica Walk and is thus located at a 90 degree angle to neighbouring properties to the east and west. Due to the intervening relatively long rear gardens, the development would retain a generous back to back distance to the nearest existing dwellings to the south while the existing area of open space would provide adequate separation between the development and neighbouring properties to the west. Residents to the east benefit from relatively generous rear gardens themselves, and the proposal would retain the existing footway running north to south along the rear of the neighbouring properties to the east, thus providing proper separation, while it is also proposed to provide a new hedge along the eastern boundary of the proposed development.
- 16.10 The proposed arrangement is considered to minimise any impact on neighbouring occupiers in terms of causing loss of light or appearing overbearing on their outlook. The first floor window in the eastern elevation would serve a landing and does therefore not raise any concern in terms of potential overlooking. The first floor windows in the western elevation, which have been introduced to provide natural surveillance to the existing area of open space and to add visual interest, would mainly overlook the area of open space as there is a generous distance between the rear gardens of neighbouring dwellings to the west and the proposed development. As such, it is considered that the proposed development would not adversely impact the privacy of neighbouring occupiers.
- 16.11 With regard to the proposed residential use of the site, it is considered that this is more compatible with the surrounding area than the current garage usage. The proposal to create three residential dwellings on this site is held to have the potential to create less vehicular movements (and associated noise and disturbance) to and from the site which would have a positive impact on the amenities of neighbouring occupiers of the site.
- 16.12 Taking into account the above, it is concluded that the proposed development is acceptable with regard to impact on the amenities of existing neighbouring occupiers as well as future occupiers of the proposed development.

Parking and Highway Safety

- 16.13 Adopted parking standards require the provision of two parking spaces per dwelling, plus 0.25 visitor parking spaces per dwelling. On this basis, the development would require a total provision of seven parking spaces to be policy compliant. The development provides eight parking spaces (two per dwelling plus two visitor spaces). Secure cycle storage can be provided within the rear gardens of the individual plots. The development would utilise an existing and active vehicular access and adequate turning facilities within the site are provided. The development has therefore not attracted any objections from the Highway Authority on highway safety or efficiency grounds. As such, the proposed development is held to be acceptable in this regard subject to relevant conditions.
- 16.14 The proposed scheme however affects tenanted garages. The proposal results in the loss of 19 garages. The garages are unallocated to local residents. They are managed by CBH and are rented out. Information submitted as part of the application states that five of the affected garages are rented out to tenants.
- 16.15 The consultation exercises that have been carried out by the applicant to inform tenants of the garages that the garages they are renting are on a site that has been selected for development potential for affordable housing as part of Colchester Borough Council's ambition to deliver 350 new council homes, has resulted in one response at the time of writing this report. Should any more responses be received before the Committee, they will be reported to Members via the Amendment Sheet.
- 16.16 The consultation letters explained that if the site is redeveloped the Council would seek to ensure that people who are renting a garage are offered an alternative solution. Attached to the letter was a questionnaire, encouraging tenants to provide information on what they use the garage for and whether they would like to work with the Council to find an alternative garage facility should the site be redeveloped.
- 16.17 The one respondent explained that their garage is used for storage purposes. The worst-case scenario would therefore require a maximum of four cars being in need for displacement.
- 16.18 The Car Parking Displacement Survey that was submitted in support of this application states that at the time of their visits, which were carried out on a Tuesday at 1pm (this is likely to be less representative) and on a Sunday at 9am, there was sufficient capacity in the immediate surroundings of the site (i.e. within a 100m radius) for additional roadside parking and that the displaced cars would not increase the parking stress within the surrounding area to a significant level.
- 16.19 Whilst it is less than ideal to displace vehicles from off-street into the highway, it is considered that the absence of any demonstrable harm to highway safety and efficiency, combined with the public benefits of the

scheme, which include a 100% affordable housing provision, would result in the proposed development being acceptable in this instance. Furthermore, it should be noted that the Council, where possible, is willing to work with affected residents to find alternative solutions to mitigate the loss of their rented garage and would thus further reduce any impact on the surrounding area.

- 16.20 It is also noted that the area of land opposite the vertical block of garages may be used for informal parking by local residents. These vehicles would also need displacing as this area of land would be incorporated into the scheme. This land relates to Council owned land, however, due to it being unallocated and providing unrestricted access, it appears that it is used by local residents for parking purpose. This however is a benefit and there is no legal right for them to do so. The displacement of these cars does not carry as much weight in the assessment of this proposal as the displacement of vehicles potentially parked in the affected garages as this parking is unofficial and currently a bonus rather than a formal agreement with the Council.
- 16.21 There is an existing island in the middle of the access road, which is proposed to be removed, and this is likely to improve manoeuvring in the area and provide opportunities for additional parking on the wider side.
- 16.22 Overall, it is considered that the proposed development would result in a limited number of vehicles having to be displaced and as such, the proposal is unlikely to have such a negative impact on the surrounding highway network that would justify a refusal.

Private Amenity Space

- 16.23 Development Policy DP16 requires that all new residential development shall provide private amenity space to a high standard, with secure usable space that is also appropriate to the surrounding context. The minimum requirement for 2-bedroom houses is 50m² of private amenity space per dwelling, with 3-bedroom houses requiring a minimum of 60m². These requirements are echoed in emerging Section 2 Policy DM19.
- 16.24 The submitted site plan clearly shows that the development provides not only policy compliant private garden spaces, but that the proposed spaces are of a high standard with the siting, orientation, size and layout making for a secure and usable space. The proposed arrangement is therefore appropriate in its context.
- 16.25 Policy DP16 also states that *“all new residential development will pay a commuted sum towards open space provision and maintenance.”* No exception is made in relation to developments of affordable housing. Indeed, Supplementary Planning Document “Provision of Open Space, Sport and Recreational Facilities” specifies that *“the standards, outlined above, are to be applied to all additional new residential Units. (...) New development includes most specialised types of housing including agricultural dwellings,*

affordable housing and also staff accommodation since all will create additional demands for open space.”

- 16.26 No Unilateral Undertaking or Monitoring Fee has been submitted with regard to addressing this policy. Consequently, the proposal presents a minor conflict with adopted policy. However, in similar previous cases at Council owned garage sites given permission in the past, the Council waived the commuted sum in order to make the provision of 100% affordable housing schemes viable. Given that the developer is the service provider, the requirement for contributions is effectively negated. It does not set a precedent for private market housing as this does not provide 100% affordable housing.
- 16.27 In addition, CBC is the provider and maintainer of public open spaces and is also the landowner. In this capacity, it has the power to provide and maintain the land for public benefit for the foreseeable future anyway. As maintenance of public open space is undertaken from the Council's overall budget, there would be no net gain to the community by requiring payment of open space contributions as it would simply transfer money from one part of the budget and move it to another.
- 16.28 In conclusion, the scheme provides acceptable private amenity space and open space provisions.

Landscape and Trees

- 16.29 Development Plan Policy DP1 and emerging Section 2 Policy DM15 require development proposals to demonstrate that they respect and enhance the character of the site, context and surroundings including its landscape setting.
- 16.30 There are a small number of trees in close proximity to, but outside of, the site and accordingly, a Tree Constraints Plan was submitted. The site currently contains garages and hardstanding in close proximity to these features, all of which are proposed to be retained. As such, it is considered that the development can be implemented without undue adverse impact on retained trees. Notwithstanding this, a Tree Protection Plan has been submitted setting out how the existing landscape features are proposed to be protected during construction works. Subject to the recommendations set out in this document being adhered to (which could be conditioned), it is considered that the proposed development is acceptable in terms of its impact on existing landscape features.
- 16.31 Provision of new soft landscaping features is also made to the front gardens of the properties and along the eastern boundary of the site. A satisfactory landscaping scheme could be secured via condition and the development is therefore considered to be acceptable in terms of its landscape impact.

Other Matters

- 16.32 Refuse and recycling storage facilities will be provided within the individual plots, and it is anticipated that kerbside collection is proposed. The proposed arrangements will not have any adverse impact on the visual amenity of the surrounding area.
- 16.33 The application site is located within Flood Zone 1 and consequently, the site is unlikely to be susceptible to flooding and the development would not contribute to surface water flooding.
- 16.34 The site has been used for garaging for some years and therefore a Ground Contamination Report was submitted with this application. The Contaminated Land Officer is satisfied with this report and concludes that the site could be made suitable for its intended use subject to conditions which have been accepted by the agent. There are therefore no objections to the proposal on the basis of contamination.
- 16.35 A payment of £137.71 per dwelling will be made in contribution towards the measures in Recreational disturbance Avoidance and Mitigation Strategy (RAMS) for the Essex Coast to avoid and mitigate adverse effects from increased recreational disturbance to ensure that Habitat Sites are not adversely affected, and the proposal complies with the Habitat Regulations.
- 16.36 The proposal includes the installation of solar panels which would have an environmental benefit and satisfies the criteria of emerging Section 2 Policy DM25 which states that the local planning authority will support proposals for renewable energy projects (including solar panels on buildings) at appropriate locations in the Borough to help reduce Colchester's carbon footprint.

Planning Balance

- 16.37 The Framework confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, identifying three dimensions to sustainable development: an economic, social and environmental dimension. In respect of the first of these, the current proposal would provide economic benefits through the creation of temporary employment during the construction phase. The provision of additional and more modern affordable housing within the Borough generally satisfies the social dimension. The social role of sustainable development is also described as fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs. The proposal is considered to satisfy this objective due to the development being generally well designed. In respect of the environmental, the proposal would remove an underused garage site and provide additional landscaping features. The proposed development is considered to be of an enhanced visual quality when compared to the existing development on the site and would deliver much needed affordable homes in the Borough.

- 16.38 The proposed development is therefore considered to represent sustainable development. There is also sufficient evidence to be confident that overall, the development would not cause significant harm to the amenity of nearby residents, create noise pollution or have a severe impact upon the highway network.

17.0 Conclusion

- 17.1 In summary, it is considered that the proposed development represents sustainable development and would not cause any visual or material harm to the character and appearance of the surrounding area, neighbouring occupiers or highway safety. Consequently, the proposed development is held to be acceptable. The provision of affordable homes is a significant public benefit in the planning balance.

18.0 Recommendation to the Committee

- 18.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to the following condition:

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

VEROWK-IWD-XX-XX-DR-A-1000 Rev P01 Existing Location Plan

VEROWK-IWD-XX-XX-DR-A-2000 Rev P02 Proposed Site Plan

VEROWK-IWD-02-XX-DR-A-2050 Proposed Floor Plans - Plots 1-3 (Block 01)

VEROWK-IWD-01-XX-DR-A-2051 Rev P1 Proposed Elevations - Plots 1-3 (Block 01)

EAS-109.2 TPP Tree Protection Plan (TPP)

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

3. ZBB - Materials As Stated in Application

The external facing and roofing materials to be used shall be those specified on the submitted application form and drawings, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure that materials are of an acceptable quality appropriate to the area

4. Non-Standard Condition - Hard and soft landscaping

No works shall take place until a scheme of hard and soft landscape works has been submitted to and agreed, in writing, by the Local Planning Authority. This scheme shall include any significant changes in ground levels and also proposed planting, including a medium sized tree to the planting bed abutting the visitor parking bays and a large focal point tree to the northern half of the retained area of public open space; details of any hard surface finishes and external works. The implementation of all the landscape works shall comply with the recommendations set out in the relevant British Standards current at the time of submission. The approved landscape scheme 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 hard or soft landscape works which, within a period of 5 years of being implemented fail, are removed or seriously damaged or seriously diseased shall be replaced, like for like, in the next planting season with others of similar specification/size/species/mix, 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 relatively small scale of this development where there are areas to be laid out but there is insufficient detail within the submitted application.

5. ZFE – Landscape management plan

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

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

6. ZPA – Construction Method Statement

No works shall take place, including any demolition, until a Construction Method Statement has been submitted to and approved, in writing, by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide details for:

- the parking of vehicles of site operatives and visitors;
- hours of deliveries and hours of work;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- wheel and body washing facilities;
- measures to control the emission of dust and dirt during construction; and
- 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.

7. ZGX - Contaminated Land Part 1 of 4 (Site Characterisation)

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

8. ZGY - Contaminated Land Part 2 of 4 (Submission of 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

9. ZGZ - Contaminated Land Part 3 of 4 (Implementation of Approved 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.

10.ZG0 - Contaminated Land Part 4 of 4 (Reporting of Unexpected Contamination)

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 9 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 10, 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 11.

11.ZG3 - *Validation Certificate*

Prior to the first occupation 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 12.

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.

12.Non-Standard Condition - Cycle Parking

Prior to first occupation of the development hereby approved, details of the number, location and design of cycle parking facilities shall be submitted to and approved, in writing, by the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to the first occupation of the proposed development hereby permitted within the site which shall be maintained free from obstruction and retained thereafter.

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

13. Non-Standard Condition - Parking

All off street parking shall be provided in precise accordance with the details contained within the current Parking Standards being provided within the site which shall be maintained free from obstruction and retained thereafter.

Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur in the interests of highway safety.

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: 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.

19.0 Informatives

19.1 The following informatives are also recommended:

1. ZT0 – Advisory Note on Construction & Demolition

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

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

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

3. INS – Non Standard Informative on Landscape

'Detailed landscape proposals, if/when submitted in order to discharge landscape conditions should first be cross-checked against the Council's Landscape Guidance Note LIS/C (this available on this CBC landscape [webpage: https://www.colchester.gov.uk/info/cbc-article/?catid=which-application-form&id=KA-01169](https://www.colchester.gov.uk/info/cbc-article/?catid=which-application-form&id=KA-01169) under Landscape Consultancy by clicking the 'read our guidance' link').

4. INS – Non Standard Informative on Highway Works

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.

5. INS – Non Standard Informative on EV Charging Points

Residential development should provide EV charging point infrastructure to encourage the use of ultra-low emission vehicles at the rate of 1 charging point per unit (for a dwelling with dedicated off road parking) and/or 1 charging point per 10 spaces (where off road parking is unallocated).