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Item No: 7.3

Application: 192671

Applicant: Amphora Homes For Colchester Borough Council

Agent: Mr Lee Spalding

Proposal: Demolition of existing garages and the construction of new affordable housing to provide 4no. two storey dwellings - 2 x 3 bedroom and 2 x 2 bedroom.

Location: Garage site, Hardings Close, Aldham

Ward: Lexden & Braiswick

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 with Colchester Borough Homes as the agent.

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 Aldham. It currently accommodates two flat-roofed blocks of garages which are offered for rent (managed by Colchester Borough Homes). A total of 15 no. garages are on site. The garages appear to be in a reasonable state of repair. The remainder of the site is used as unallocated open parking spaces.
- 3.2 The site forms part of the wider setting of the grade II* Church of St Margaret & St Catherine.

4.0 Description of the Proposal

- 4.1 The proposal includes the demolition of the existing garages and the construction of two pairs of semi-detached residential dwellings, comprising of 2x 2-bedroom dwellings and 2x 3-bedroom 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.

5.0 Land Use Allocation

- 5.1 The site lies within the defined settlement limits for Aldham 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 over the summer of 2019 which helped informing 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 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

UR2 - Built Design and Character

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

DP12 Dwelling Standards

DP14 Historic Environment Assets

DP16 Private Amenity Space and Open Space Provision for New Residential Development

DP17 Accessibility and Access

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:

n/a

7.5 The site does not lie in a Neighbourhood Plan area.

7.6 Submission Colchester Borough Local Plan 2017-2033:
The Council is developing a new Local Plan that has been submitted to the Planning Inspectorate (October 2017). An Inspector has been appointed and the formal examination commenced in January 2018. The examination is ongoing.

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

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

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

- 7.7 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

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 Archaeology Advisor confirmed that the proposed development will not cause any material harm to the significance of below-ground archaeological remains and that there will be no requirement for any archaeological investigation.
- 8.3 The Contaminated Land Officer raises no objection to the proposed development subject to a condition that requires the reporting of unexpected contamination and an informative about asbestos-containing material in existing structures.
- 8.4 Environmental Protection do not object subject to conditions including the submission of a Construction Method Statement and limits to hours of work.
- 8.5 The Landscape Officer raises no objection to the proposal subject to a condition requiring the submission of a detailed scheme of hard and soft landscaping works for the site, prior to commencement of the works.
- 8.6 The Tree Officer is satisfied with the arboricultural content of the proposal.
- 8.7 The Development Manager, in his capacity as a Historic Environment Specialist, raises no objection to the proposal.

8.8 The Highway Authority does not object to the proposal subject to conditions.

8.9 Historic England have no comment to make.

9.0 Parish Council Response

9.1 The Parish Council objects to the proposal.

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 15 households have submitted numerous objections to the proposal. The reasons for objecting can be summarised as follows:

- **Parking**
 - Loss of parking on forecourt;
 - Not enough parking in the area;
 - Residents will have to walk further to their cars if parked in Green Lane, Church Grove and New Road;
 - Suggested parking in Green Lane will add to problems for buses and emergency vehicles;
 - Not enough parking allocated to new dwellings and visitors;
 - Elderly residents in the area who need access to care;
 - Safety issues with cars parked on Green Lane;
- **Design**
 - Proposal is not in keeping with surrounding area;
- **Impact on amenity**
 - Access to rear garden greatly restricted;
 - Overlooking;
 - Loss of sunlight to garden;
 - Construction noise and disruption;
 - Quiet rural residential estate will be disrupted;
 - Loss of view;
- **Sustainability**
 - There are no facilities or amenities in Aldham, no footpath access to station or bus stops;
 - There are more suitable sites for affordable housing;
 - There is no specific demand to live in Aldham;
- **Other Matters**
 - No need for affordable housing;
 - No light survey;
 - Decrease in house values;
 - We do not need more houses in the village;

11.0 Parking Provision

- 11.1 The Vehicle Parking Standards SPD, to which Development Policy DP19 refers, provides the parking standards for residential development. The adopted standard for dwellings of two or more bedrooms is a minimum of two car parking spaces per dwelling; and a minimum of one secure covered cycle space per dwelling (unless a secure area can be provided within the curtilage of the dwelling). Visitor car parking is also required: 0.25 spaces per dwelling (rounded up to the nearest whole number).
- 11.2 The proposal provides two parking spaces per dwelling plus one visitor space and this complies with the adopted standards. However, the scheme affects tenanted garages. This will be further assessed in the main body of the report (paragraphs 17.13 – 17.20).

12.0 Accessibility

- 12.1 With regards to the Equalities Act and compliance with policies DP12 and DP17 that detail requirements in terms of accessibility standards the proposal includes level access to the primary entrance with the dwellings following the general principles of Lifetime Homes. 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 Environmental and Sustainability Implications

- 14.1 The Council has declared a Climate Emergency and has committed to being carbon neutral by 2030.
- 14.2 The purpose of the planning system is to contribute to the achievement of sustainable development as defined in the National Planning Policy Framework. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic, social and environmental objectives.
- 14.3 The consideration of this application has taken into account the Climate Emergency and the sustainable development objectives set out in the NPPF. It is considered that on balance the application represents sustainable development.

15.0 Air Quality

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

16.0 Planning Obligations

- 16.1 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.

17.0 Report

Principle of Development

- 17.1 The application site lies within the village envelope of Aldham and an area that is residential in character where development such as that proposed is considered to be acceptable 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

- 17.2 Providing more affordable homes is a key corporate strategic priority of the Council, because of the 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.
- 17.3 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.
- 17.4 The supporting information states that the last affordable housing property in Aldham, which became available in May 2019, received 119 applications from people wanting to move into the property. A larger number of people, 313, have identified Aldham as one of their preferred locations to live. Therefore, the demand for affordable homes in this village is unquestionable.

Design, Layout and Impact on Surrounding Area

- 17.5 At the heart of the National Planning Policy Framework (NPPF), there is a presumption in favour of sustainable development. Good design is a key aspect of sustainable development and the NPPF 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. 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.

- 17.6 The proposal to create four rectangular plots and provide two pairs of semi-detached properties is in keeping with the character of Hardings Close, which consists of mainly terraced and semi-detached properties set in rectangular plots. Properties in the Close generally benefit from reasonable garden spaces to the rear and generous soft landscaped front gardens; very few of which are used for the parking of vehicles. Both features are an important characteristic of development within Hardings Close and the village of Aldham in general, emphasising the village's rural location and feel.
- 17.7 The development would be arranged in a way that would reflect the character as described above. The properties would be slightly set back from the front boundary of the individual plots to allow for some soft landscaping while a reasonable amount of private amenity space would be provided to the rear. There are some inconsistencies between the proposal and the main pattern of development in Hardings Close in that the front gardens are smaller than most other front gardens and parking arrangements would be more dominant than existing arrangements due to their location to the front of the dwellings. The design of the dwellings also differs from the main pattern of development within the immediate vicinity due to the front gables on the two properties flanking either end of the site and the use of hipped ends. This introduces a new built form that is not found elsewhere within the immediate surroundings of the site. The development would therefore, to some degree, be different from the existing built form of the surrounding area, thus causing some loss of the cohesive character that contributes to the visual amenity of the area.
- 17.8 This limited harm will have to be weighed against the benefits of the proposal, which includes a 100% affordable scheme. It should also be noted that the development would replace existing garage buildings and an area that is used for the parking of vehicles and as such does not make a positive contribution towards the visual amenity of the area. The proposed scheme, subject to an appropriate soft landscaping scheme which could be secured via condition, therefore has the potential to visually improve the character and appearance of the site and this weighs in favour of the proposal.
- 17.9 Having considered the above, it is concluded that, on balance, the benefits of the scheme outweigh the harm the proposal would cause as a result of its design.

Impact on Neighbour Amenities

- 17.10 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.

- 17.11 The proposed dwellings would be located at a 90 degree angle to existing properties either side of the site. This, coupled with the distance between the proposed properties and the nearest residential development to the east and west, would ensure that there would be no unacceptable impacts in terms of loss of light or overbearing impacts on neighbouring occupiers. The proposal has also been carefully considered with regards to retaining the privacy of existing residents. The properties therefore have no windows in the flank walls facing existing neighbours in Hardings Close. The two 2-bedroom properties would however be provided with one first floor side facing window each. These windows would serve a bathroom and are to be obscured glazed. As such, the two windows would not negatively impact the privacy of future occupiers of the proposed development.
- 17.12 It is therefore 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

- 17.13 Adopted parking standards require two parking spaces per dwelling, plus cycle parking, for new dwellings. The same standards also require 0.25 visitor parking spaces per dwelling. On this basis, the development would require a total of nine parking spaces, and this is provided as shown on the submitted drawings.
- 17.14 Furthermore, the proposed scheme affects tenanted garages. The proposal results in the loss of 15 garages. The garages are unallocated to local residents. They are managed by CBH and are rented out. The remainder of the site is used by local residents for unallocated open parking. Information submitted by CBH, as the managers of the garages, states that six of the 15 garages are rented out with only three of the six being rented by local residents. It is not known whether the garages are used for storage or parking purposes, although it is noted that at least one of the three garages is not used for the purposes of parking a car. Consequently, a maximum of two additional cars would have to be displaced.
- 17.15 This is in addition to the vehicles that are parked on the remainder of the site. Given that this is unallocated open land with unrestricted access, it is a benefit for local residents that they can park their cars on the site. However, there is no legal right to do so.
- 17.16 The Car Parking Displacement Survey that was submitted in support of this application states that at the time of their visit, which was carried out on a Sunday at 9.30am, 12 cars were parked on the forecourt. Based on this, a total of 14 cars would have to be displaced. The survey concludes that there is sufficient capacity in the immediate surroundings of the site (i.e. within a 100m radius) for the additional roadside parking and that the displaced cars (which was based on a total of 23 cars due to the assumption that 11 garages were used for parking purposes) would not increase the parking stress within the surrounding area to a significant level.

- 17.17 The fact that only a maximum of two garages are used by local residents for the parking of a vehicle results in nine less cars to be displaced than assumed by the above survey. This would therefore result in even less parking stress within the surrounding area.
- 17.18 Due to the local objections relating to parking, your Officer has carried out three site visits in order to survey the site on different times of the day. These visits took place on the following dates and times:
- 19th July 10:25am;
 - 22nd November 8:35am; and
 - 6th December 7:00am
- 17.19 During the first visit, a total of six cars were parked on the site; the second visit recorded another six cars while at the third visit there were nine cars parked on the site with one car leaving Hardings Close as the Officer arrived. It can be reasonably assumed that based on the direction of travel, this car was parked on the site and consequently, a total of 10 cars are expected to have been parked on the site at 7am.
- 17.20 The Car Parking Displacement Survey was carried out early on a Sunday morning. This recorded the most cars parked on the forecourt. The subsequent visits by your Officer, including one early morning visit (as requested by a local resident) recorded less cars than the Sunday morning visit. It can therefore be reasonably assumed that the area is usually used for the parking of around 12 cars by local residents. The conclusions of the above survey therefore remain valid and it is expected that the proposed development would not cause a significant increase in parking stress within the surrounding area.
- 17.21 Notwithstanding the above, should Members of the Planning Committee consider the parking arrangements to be inappropriate, then the Applicant would be willing to provide an additional 5-6no. parking spaces to the north west of the site (as outlined in blue on the submitted drawings). The spaces would be accessed via New Road. This development would involve the tarmacking of an existing grassed area to provide additional unallocated parking spaces to residents.
- 17.22 Hardings Close is an established road where effective provisions for emergency and refuse are already made. The development includes a new turning area to which the Highway Authority does not have any objections on highway safety grounds subject to conditions.

Private Amenity Space

- 17.23 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 properties requiring a minimum of 100m². The submitted layout plan clearly shows that the development provides not only policy compliant private garden spaces, but that the proposed spaces and arrangement are reflective of the gardens associated with other properties in Hardings Close. The proposed arrangement is therefore appropriate in its context.
- 17.24 Existing mature trees along the rear boundary of the site will result in the garden areas being shaded for large parts of the day, thus making the garden areas slightly less attractive and enjoyable. This in itself would however not render the proposal unacceptable as the space would still be secure and usable, as requested by policy.
- 17.25 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.”
- 17.26 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. This is based on the pressing need for the delivery of affordable housing being a greater priority. It does not set a precedent for private market housing as this does not provide 100% affordable housing.
- 17.27 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 take money from one part of the budget and move it to another.
- 17.28 In conclusion, the scheme provides acceptable private amenity space and open space provisions.

Trees

- 17.29 Development Plan Policy DP1 requires development proposals to demonstrate that they respect and enhance the character of the site, context and surroundings including its landscape setting.
- 17.30 An Arboricultural Impact Assessment (AIA) was carried out in support of the application. The report found that there are some trees of modest amenity value on and immediately adjacent to the site, most of which are B or C category standard trees. The dominant individual tree species adjacent to the site is Hornbeam and Maple.
- 17.31 The AIA concludes that, subject to appropriate controls, the development can be implemented without undue impact on retained trees. As such, the proposal is considered to be acceptable in terms of its impact on trees. Furthermore, a satisfying landscaping scheme would be secured via condition and the development is therefore considered to be acceptable in terms of its landscape impact.

Heritage Impacts

- 17.32 Aldham Parish Church, a Grade II* listed building, lies to the south west of the application site. Consideration will therefore have to be given to the impact of the proposed development on the setting of this listed building.
- 17.33 Development Policy DP14 requires development affecting the historic environment to preserve or enhance heritage. In all cases there will be an expectation that any new development will enhance the historic environment in the first instance, unless there are no identifiable opportunities available.
- 17.34 The application is supported by a Heritage Statement. This explains the history and significance of the Parish Church and provides an assessment of the impact the proposed development would have on the setting of this designated heritage asset.
- 17.35 The application site is visible from within the churchyard to the north of the church, but views are filtered and enclosed by the afore-mentioned trees with an outgrown gappy row of coniferous hedging on the site boundary. The application site is set at a lower level to the yard area and consequently does not have a significant presence.
- 17.36 A significant view of the church and tower is gained from within Hardings Close near to its junction with Green Lane. This view is currently gained across and over the low-level garage buildings where the church is seen in the context of the wider suburban estate of the late 1960's/70's with housing flanking and framing the view. This view is only semi-public in reality as the estate does not provide a through route and hence the majority of those experiencing the view are residents or their visitors. It is unlikely that receptors visit the Close intentionally to experience this view. The contribution of this view to the significance of the church is low or negligible

as it is already substantially altered by the existing housing. All sense of the original rural isolation of the church has been lost and there is no sense of a village as opposed to a suburban setting obtained from this vantage point. Whilst this view would be obscured by the development substantially, it is not considered this would harm the significance of the heritage asset as the view does not contribute to our appreciation of the historic rural setting of the asset or its intrinsic significance derived from its architectural design and medieval fabric

- 17.37 The key public view of the Church obtained from Green Lane would not be materially affected by the proposed development. Views north from the churchyard provide filtered views of essentially suburban housing that does not contribute to the understanding or appreciation of the church as a highly graded historic building. The replacement of the garage block by two pairs of houses of similar design to the existing would block views of the wider estate gained from the churchyard but the visual separation, existing intervening trees and changes in level would in combination result in a neutral impact upon the significance of the listed building in my opinion. A marginal/very low degree of harm could arguably result from the consolidation of the built form of the estate but as all sense of the original rural setting has long since been lost to development and this impact would be at the very lowest end of the 'less than substantial harm' spectrum and clearly outweighed by the public benefits from the provision of 4 units of affordable housing. It is consequently considered that paragraph 196 of the NPPF is satisfied.
- 17.38 The detailed form of the dwellings broadly reflects that of the existing 1960's semi-detached dwellings in scale and form. The scheme has been revised to introduce a hipped roof form to reduce the bulk of each pair of dwellings and to increase a sense of space around the units. Whilst the detailed architecture of the dwelling is undistinguished, it is considered contextually appropriate and reinforces the existing character of the 1960's estate housing in conformity with paragraph 127c) of the NPPF. The proposal is therefore considered to be acceptable with regards to its impact on a designated heritage asset and is thus in compliance with the aims of Policy DP14.

Other Matters

- 17.39 Refuse and recycling storage facilities will be provided within the individual plots. This will therefore not have any adverse impact on the visual amenity of the surrounding area.
- 17.40 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.

- 17.41 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 no further action is required, other than vigilance during site clearance and groundworks for any unrecorded contamination. There are therefore no objections to the proposal on the basis of contamination.
- 17.42 A payment of £122.30 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.
- 17.43 The comments made by local residents are noted. Those that relate to material planning considerations have been addressed in the above assessment. Other matters, including loss of view, decreasing house values or whether or not development is needed are not matters that can be taken into consideration when assessing a proposal. In terms of construction noise, it has to be noted that construction is an inevitable part of development and is restricted to a relatively short period of time. Conditions including restricting the hours of work and the requirement for a Construction Management Plan, which will deal with the parking of construction vehicles etc., are suggested to ensure that the disturbance during construction is kept to a minimum.

18.0 Conclusion

- 18.1 To summarise, whilst the proposal accords with most of the relevant policies in the Development Plan, it does not fully comply with policies DP1 and UR2 in so far as the design of the proposed development is out of keeping with the main pattern of development within Hardings Close. Having balanced the weight to be given to this conflict, and having had regard to all other material planning considerations, your Officers are of the opinion that the benefits of the proposal, which include a 100% affordable scheme and the tidying up of an area used for unallocated open parking, would outweigh the minor harm the design would cause to the visual cohesion of the area. It is therefore concluded that the proposed development is acceptable in this instance.

19.0 Recommendation to the Committee

19.1 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 COR/384548 005 Rev P05, 0016 Rev P05, 0017 Rev P05, 0018, 0019 Rev P05, 0020 Rev P05 and the Arboricultural Impact Assessment (reference EAS-014v2).

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 - *Full Landscape Proposals TBA*

No works shall take place above ground floor slab level until a scheme of hard and soft landscape works for 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, proposed planting, 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. 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 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.

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

5. Non Standard Condition – Construction Management Plan

No development shall take place, including any ground works or works of demolition, until a Construction Management Plan (CMP) 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. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and under body washing facilities

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

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 washing facilities;
measures to control the emission of dust and dirt during construction; and
a scheme for recycling/disposing of waste resulting from 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. Non Standard Condition - Reporting of Unexpected Contamination

In the event that historic land contamination is found at any time when carrying out works in relation to the development, it must be reported in writing immediately to the Local Planning Authority and all development shall cease immediately. Development shall not re-commence until such times as an investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority, and where remediation is necessary, a remediation scheme has been submitted to and approved in writing by the Local Planning Authority. Development shall only re-commence thereafter following completion of measures identified in the approved remediation scheme, and the submission to and approval in writing of a verification report. 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: The site lies on or in the vicinity of residential garages and an historical 5000 gallon above ground heating oil storage tank near to the southern boundary, where there is the possibility of contamination.

8. Non Standard Condition – Vehicular Access

Prior to the first occupation of the proposed dwelling, the proposed vehicular accesses shall be constructed to accommodate the proposed access as shown on Drawing Number COR/384548/0005 Rev P04 and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.

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

9. Non Standard Condition - Car Parking Areas

The development shall not be occupied until such time as the car parking areas, have been provided in accord with the details shown in Drawing Number COR/384548/0005 Rev P04. 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 thereafter.

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

10. Non Standard Condition – Cycle Storage TBA

Prior to the occupation of the proposed development, storage for bicycles sufficient for all occupants of that development shall have been provided within the site in accordance with details that shall have previously been submitted to and agreed, in writing, by the Local Planning Authority. The agreed cycle storage provisions shall thereafter be maintained and made available for this use at all times.

Reason: To promote the use of sustainable means of transport.

11. 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.

12. ZIF - No Unbound Surface Materials

No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason: To avoid the displacement of loose material onto the highway in the interests of highway safety.

13. ZDG - *Removal of PD - Obscure Glazing But Opening*

Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the first floor windows in the side elevations shall be glazed in obscure glass to a minimum of level 4 obscurity before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

Reason: To avoid the overlooking of neighbouring properties in the interests of the amenities of the occupants of those properties.

20.0 Informatives

20.1 The following informatives are also recommended:

(1) ZT0 – Advisory Note on Construction & Demolition

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

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

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

(3) Non Standard Informative - Asbestos-containing material in existing structures

The applicant is advised to note Delta Simon's recommendations with respect to the potential presence of asbestos-containing materials in the existing structures. The applicant must ensure that an appropriate survey is undertaken prior to the demolition of all existing structures and any identified relevant material safely and appropriately removed from site, in accordance with all relevant regulations, in particular, the Control of Asbestos Regulations 2012.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land is free from contamination. The applicant is responsible for the safe development and safe occupancy of the site.

Reason: The potential presence of asbestos in existing structures has been identified and Environmental Protection wish to ensure that development only proceeds if it is safe to do so. This informative should not be read as indicating that there is any known danger from asbestos-containing material in this locality.

(4) NonStandard Condition - Landscape Informative

'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/B (this available on this CBC landscape webpage under Landscape Consultancy by clicking the 'read our guidance' link).'

(5) ZTM - Informative on Works affecting Highway Land

PLEASE NOTE: No works affecting the highway should be carried out without prior arrangement with, and to the requirements and satisfaction of, the Highways Authority. The applicant is advised to contact Essex County Council on 08456037631, or via email at development.management@essexhighways.org or by post to Essex Highways, Colchester Highways Depot, 653 The Crescent, Colchester, CO4 9YQ with regard to the necessary application and requirements.