

# Planning Committee

Town Hall, Colchester  
16 June 2011 at 6.00pm

## **This committee deals with**

planning applications, planning enforcement, public rights of way and certain highway matters.

If you wish to come to the meeting please arrive in good time. Attendance between 5.30pm and 5.45pm will greatly assist in noting the names of persons intending to speak to enable the meeting to start promptly.

# Information for Members of the Public

## Access to information and meetings

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## Have Your Say!

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## **Material Planning Considerations**

The following are among the most common issues which the Planning Committee can take into consideration in reaching a decision:-

- planning policy such as adopted Local Development Framework documents, for example the Core Strategy, Development Plan Documents (DPDs) and the Site Allocations DPD, Government guidance, case law, previous decisions of the Council
- design, appearance and layout
- impact on visual or residential amenity including potential loss of daylight or sunlight or overshadowing, loss of privacy, noise disturbance, smell or nuisance
- impact on trees, listed buildings or a conservation area
- highway safety and traffic
- health and safety
- crime and fear of crime
- economic impact – job creation, employment market and prosperity

The following are among the most common issues that are **not** relevant planning issues and the Planning Committee cannot take these issues into account in reaching a decision:-

- land ownership issues including private property rights, boundary or access disputes
- effects on property values
- restrictive covenants
- loss of a private view
- identity of the applicant, their personality or previous history, or a developer's motives
- competition
- the possibility of a "better" site or "better" use
- anything covered by other legislation

## **Human Rights Implications**

All applications are considered against a background of the Human Rights Act 1998 and in accordance with Article 22(1) of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003 there is a requirement to give reasons for the grant of planning permission. Reasons always have to be given where planning permission is refused. These reasons are always set out on the decision notice. Unless any report specifically indicates otherwise all decisions of this Committee will accord with the requirements of the above Act and Order.

## **Community Safety Implications**

All applications are considered against a background of the implications of the Crime and Disorder Act 1998 and in particular Section 17. Where necessary, consultations have taken place with the Crime Prevention Officer and any comments received are referred to in the reports under the heading Consultations.

## **Equality and Diversity Implications**

All applications are considered against a background of the Council's Equality Impact Assessment (EIA) Framework in order that we provide a flexible service that recognises people's diverse needs and provides for them in a reasonable and proportional way without discrimination in relation to gender disability, sexual orientation, religion or belief, age, race or ethnicity. The legal context for this framework is for the most part set out in the Race Relations (RRA) and Disability Discrimination (DDA) legislation.

# COLCHESTER BOROUGH COUNCIL PLANNING COMMITTEE 16 June 2011 at 6:00pm

## Members

Chairman : Councillor Ray Gamble.  
Deputy Chairman : Councillor Theresa Higgins.  
Councillors Christopher Arnold, Peter Chillingworth,  
John Elliott, Stephen Ford, Peter Higgins, Sonia Lewis,  
Jackie Maclean, Jon Manning, Philip Oxford and  
Laura Sykes.

**Substitute Members** : All members of the Council who are not members of this Committee or the Local Development Framework Committee and who have undertaken the required planning skills workshop. The following members meet the criteria:-  
Councillors Nick Barlow, Lyn Barton, Mary Blandon,  
John Bouckley, Nigel Chapman, Barrie Cook, Nick Cope,  
Annie Feltham, Bill Frame, Mike Hardy, Marcus Harrington,  
Pauline Hazell, Michael Lilley, Sue Lissimore, Nigel Offen,  
Ann Quarrie, Will Quince, Paul Smith, Terry Sutton and  
Julie Young.

## Agenda - Part A

(open to the public including the media)

Members of the public may wish to note that Agenda items 1 to 6 are normally brief and agenda items may be considered in a different order if appropriate.

An Amendment Sheet is circulated at the meeting and is available on the council's website by 4.30pm on the day of the meeting (see Planning and Building, Planning Committee, Latest News). Members of the public should check that there are no amendments which affect the applications in which they are interested. Could members of the public please note that any further information which they wish the Committee to consider must be received by 5pm on the day before the meeting in order for it to be included on the Amendment Sheet. With the exception of a petition, no written or photographic material can be presented to the Committee during the meeting.

## Pages

### 1. Welcome and Announcements

(a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.

(b) At the Chairman's discretion, to announce information on:

- action in the event of an emergency;
- mobile phones switched off or to silent;

- location of toilets;
- introduction of members of the meeting.

## **2. Have Your Say!**

The Chairman to invite members of the public to indicate if they wish to speak or present a petition on any of items included on the agenda. You should indicate your wish to speak at this point if your name has not been noted by Council staff.

## **3. Substitutions**

Members may arrange for a substitute councillor to attend a meeting on their behalf, subject to prior notice being given. The attendance of substitute councillors must be recorded.

## **4. Urgent Items**

To announce any items not on the agenda which the Chairman has agreed to consider because they are urgent and to give reasons for the urgency.

## **5. Declarations of Interest**

The Chairman to invite Councillors to declare individually any personal interests they may have in the items on the agenda.

If the personal interest arises because of a Councillor's membership of or position of control or management on:

- any body to which the Councillor has been appointed or nominated by the Council; or
- another public body

then the interest need only be declared if the Councillor intends to speak on that item.

If a Councillor declares a personal interest they must also consider whether they have a prejudicial interest. If they have a prejudicial interest they must leave the room for that item.

If a Councillor wishes to make representations on an item on which they have a prejudicial interest they may do so if members of the public are allowed to make representations. In such circumstances a Councillor must leave the room immediately once they have finished speaking.

An interest is considered to be prejudicial if a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice the Councillor's judgement of the

public interest.

Councillors should consult paragraph 7 of the Meetings General Procedure Rules for further guidance.

## **6. Minutes**

**1 - 6**

To confirm as a correct record the minutes of the meetings held on 18 May and 19 May 2011.

## **7. Planning Applications**

In considering the planning applications listed below, the Committee may chose to take an en bloc decision to agree the recommendations made in respect of all applications for which no member of the Committee or member of the public wishes to address the Committee.

1. 110616 Cuckoo Farm, Boxted Road, Colchester  
(Mile End) **7 - 28**

Construction of a park and ride facility with associated terminus building, landscaping, access road, lighting and associated infrastructure.
2. 110508 Land adjacent to and west of new Northern Approaches roundabout, A12 Trunk Road, Colchester  
(Mile End) **29 - 39**

Variation to condition 3 of O/COL/01/1625 to allow application for approval of the reserved matters to be made to the Local Planning authority before expiration of six years from the date of the permission.
3. 110736 Wyvern Farm, 274 London Road, Stanway, Colchester  
(Copford and West Stanway) **40 - 47**

Retrospective application to regularise unauthorised uses in respect of Units 17, 18, 25 and 29 for light industrial (B1c) storage use (B8), retention of existing portacabins for office use (B1a) together with storage of hardcore and occasional crushing.
4. 110023 21 Regent Street, Rowhedge  
(East Donyland) **48 - 56**

Proposed new dwelling on land adjacent to 21 Regent Street, Rowhedge.
5. 102685 Garage Court, Gloucester Avenue, Colchester, CO2 9AX  
(Shrub End) **57 - 65**

Provision of 4 affordable dwellings, with associated parking and landscaping.

## **8. Exclusion of the Public**

In accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).





**PLANNING COMMITTEE**  
**18 MAY 2011**

*Present :-* Councillors Christopher Arnold, Peter Chillingworth,  
John Elliott, Ray Gamble, Peter Higgins,  
Theresa Higgins, Sonia Lewis, Jackie Maclean,  
Jon Manning, Philip Oxford and Laura Sykes

*Substitute Member :-* Councillor Julie Young for Councillor Stephen Ford

**1. Chairman**

*RESOLVED* that Councillor Gamble be appointed Chairman for the ensuing Municipal Year.

**2. Deputy Chairman**

*RESOLVED* that Councillor T. Higgins be appointed Deputy Chairman for the ensuing Municipal Year.

**PLANNING COMMITTEE**  
**19 MAY 2011**

- Present :-* Councillor Ray Gamble\* (Chairman)  
Councillors Peter Chillingworth\*, John Elliott\*,  
Stephen Ford, Peter Higgins, Theresa Higgins\*,  
Sonia Lewis\*, Jackie Maclean, Jon Manning,  
Philip Oxford and Laura Sykes\*
- Substitute Member :-* Councillor Nigel Chapman  
for Councillor Christopher Arnold
- Also in Attendance :-* Councillor Nick Barlow  
Councillor Martin Goss  
Councillor Anne Turrell

(\* Committee members who attended the formal site visit.)

**3. Minutes**

The minutes of the meetings held on 14 April and 28 April 2011 were confirmed as a correct record.

**4. 100502 Former Severalls Hospital Site, Boxted Road, Colchester, CO4 5HG**

The Committee considered an application for a development to provide 248 residential units, representing phase 1, of the development of Severalls Hospital Site. The Committee had before it a report in which all information was set out, see also Amendment Sheet.

The Committee made a site visit in order to assess the impact of the proposal upon the locality and the suitability of the proposal for the site.

David Whybrow, Principal Planning Officer, attended to assist the Committee in its deliberations. He referred to a further change to the scheme to be added to those listed in paragraph 1.1 of the report in respect of seeking to reinforce the green link from the Country Park to Tower Lane. In respect of the site drainage requirements, he referred to further works having been identified by the Environmental Agency to remove blockages downstream which had been costed, and a signed Unilateral Undertaking was required before commencement of the development. In respect of reducing the impact of the development on Thomas Wakely Close, he explained in detail the changes that had been made to the new properties as set out on the Amendment Sheet and it was suggested that the two metre separation strip of soft landscaping to be provided at the rear of the gardens of Thomas Wakely Close be covered by a covenant and/or a Tree Preservation Order as a safeguard and that this strip and all other landscaping areas be put into the control of a management company so that residents would be able to control their use. He explained that there were some play areas to be provided as part of phase 2 of the development, but that it might be

possible for an attenuation pond in this phase to be covered over to provide a kick about or other recreation facility. The bus gate would be similar to the one provided in Mile End Road.

Mrs Louisa White addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. She explained that the developers had held a number of meetings with residents and their concerns had been taken into consideration and amendments made to the scheme. The ward councillors had also been supportive of the residents. She thanked the architects who had understood the problems and assisted in devising solutions. The planning officer had facilitated the meetings and also answered residents' questions.

Councillor Turrell attended and, with the consent of the Chairman, addressed the Committee. Although she was not happy about development in this location, in this instance the developers and the planning officer had worked with the residents and gone to extraordinary lengths to solve the problems, and for this she thanked them both.

Councillor Goss attended and, with the consent of the Chairman, addressed the Committee. Contrary to his expectations he now believed that this would be one of the best developments in Colchester and a benchmark in developments for the next twenty years. He did not want the 2,200 new homes either and had not changed his stance on that, however this scheme was now the best outcome for existing residents and the future community on this site. He referred to the model of a management company which councillors and residents could both be part of. He considered that planning officers had done a sterling job and all developers should use this model and engage with the local community.

Members of the Committee paid tribute to the applicants for the work and compromises that they had been prepared to make. Queries were raised about the removal of permitted development rights and whether that would impinge on existing residents. The committee referred to this development being comprised of sustainable homes to a very high level. They would be interested to see how the scheme developed in the future. They believed the two metre strip between Thomas Wakely Close and the new development needed to be protected and they were aware that a covenant was not a long term protection. It would be necessary to apply a TPO to the strip of land.

The planning officer explained that a TPO could only be placed on the strip when the development was complete, however, officers would ensure the two metre strip was subject to a covenant. He confirmed that Permitted Development Rights were to be removed.

*RESOLVED* (UNANIMOUSLY) that –

(a) Consideration of the application be deferred for a linking to the amended Section 106 Agreement agreed earlier in anticipation of this application being approved and the A12 junction opening earlier than originally phased.

(b) Subject to such linking to the amended Section 106 Agreement, the Head of Environmental and Protective Services be authorised to grant consent with conditions and informatives, the heads of which were set out in the report.

**5. 101541 and 101543 Lower Park, Colchester Road, Dedham, CO7 6HG**

These applications were withdrawn by the Head of Environmental and Protective Services in order that various matters could be clarified. The applications to come back to a future meeting.

**6. 100383 Nos. 9, 11, 13, 125, 135, 137 and 139 Albany Gardens, Colchester, CO2 8HQ**

This application was withdrawn by the Head of Environmental and Protective Services. The application to come back to a future meeting providing there was further clarification on the justification for the affordable housing contribution.

**7. 110573 61-67 Rectory Road, Wivenhoe, CO7 9ES**

The Committee considered an application for a residential development of nine dwellings, carports, landscaping and access, including partial demolition of existing building. The application is a resubmission of application 102585. The Committee had before it a report in which all information was set out, see also Amendment Sheet.

The Committee made a site visit in order to assess the impact of the proposal upon the locality and the suitability of the proposal for the site.

Bradly Heffer, Principal Planning Officer, attended to assist the Committee in its deliberations. He confirmed that the scheme which comprised residential and industrial units achieved the council's current parking standards for both elements but commented that the parking area behind the dwellings facing onto Rectory Road needed further consideration. He also confirmed that there was no overshadowing or loss of light in terms of impact on windows of existing properties and that an existing access onto Ernest Road would be permanently closed. A further condition was suggested requiring final details of a building referred to as a car port as no drawings for it had been submitted.

Peter Johnson addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He was content with the development in terms of its relationship with the existing residential area. He noted that the roofs were hipped and there was no impact on neighbouring properties. He was also satisfied that the vehicular access had been upgraded and that current parking standards were met. He referred to comments made by the occupiers at 113 Ernest Road regarding a one metre distance between the boundary and the car part.

Members of the Committee were comfortable with the design, style and use of materials and considered the development fitted in with the street scene. There was some concern about whether the amended plan showed the amended number of parking spaces and there were further concerns about parking spaces being the correct size, the apparent lack of disabled parking spaces for the industrial units, and these being family homes and the lack of spaces in the local school. Referring to the continuous metal railings along the Rectory Road frontage, there was a comment that there should be a gap for residents to access the pavement directly without having to walk around the rear.

The planning officer confirmed that the plan had changed in respect of parking spaces and the scheme now included twelve parking spaces for the existing industrial unit and thus complied with the standards. He also referred to the iron railings needing to be continuous in order for it to act as a deterrent to on street parking. It was confirmed that car ports were not required to be the new size of parking spaces.

*RESOLVED* (UNANIMOUSLY) that –

(a) Consideration of the application be deferred for the completion of a Section 106 Legal Agreement to secure a contribution towards Open Space, Sport and Recreational Facilities and Community Facilities in accordance with the Council's Supplementary Planning Documents.

(b) Upon receipt of a satisfactory Section 106 Legal Agreement, the Head of Environmental and Protective Services be authorised to grant consent with conditions and informatives as set out in the report and on the amendment sheet with an additional condition requiring that disabled parking spaces are allocated in accordance with adopted standards.

## **8. Performance Monitoring // Application Determination and Appeals**

The Head of Environmental and Protective Services submitted a report giving details of planning application determination performance together with an appeals analysis update for the period 1 January to 31 March 2011, and also a year end analysis of National Indicator 157, eight week and thirteen week performance, and appeal performance both for the year ended 31 March 2011.

Andrew Tyrrell, Development Manager, attended to assist the Committee in its deliberations. He referred to the National Indicator 157 performance which for Major applications, Minor applications and Other applications was above the targets.

*RESOLVED* that the report be noted and officers be congratulated on the performance achieved.

## **9. Performance Monitoring // Enforcement**

The Head of Environmental and Protective Services submitted a report giving details of the performance record of the Enforcement Team for the period 1 January to 31 March 2011.

Andrew Tyrrell, Development Manager, attended to assist the Committee in its deliberations.

Members of the Committee commented that the new system was very efficient.

RESOLVED that the report be noted and officers be congratulated on the performance achieved.

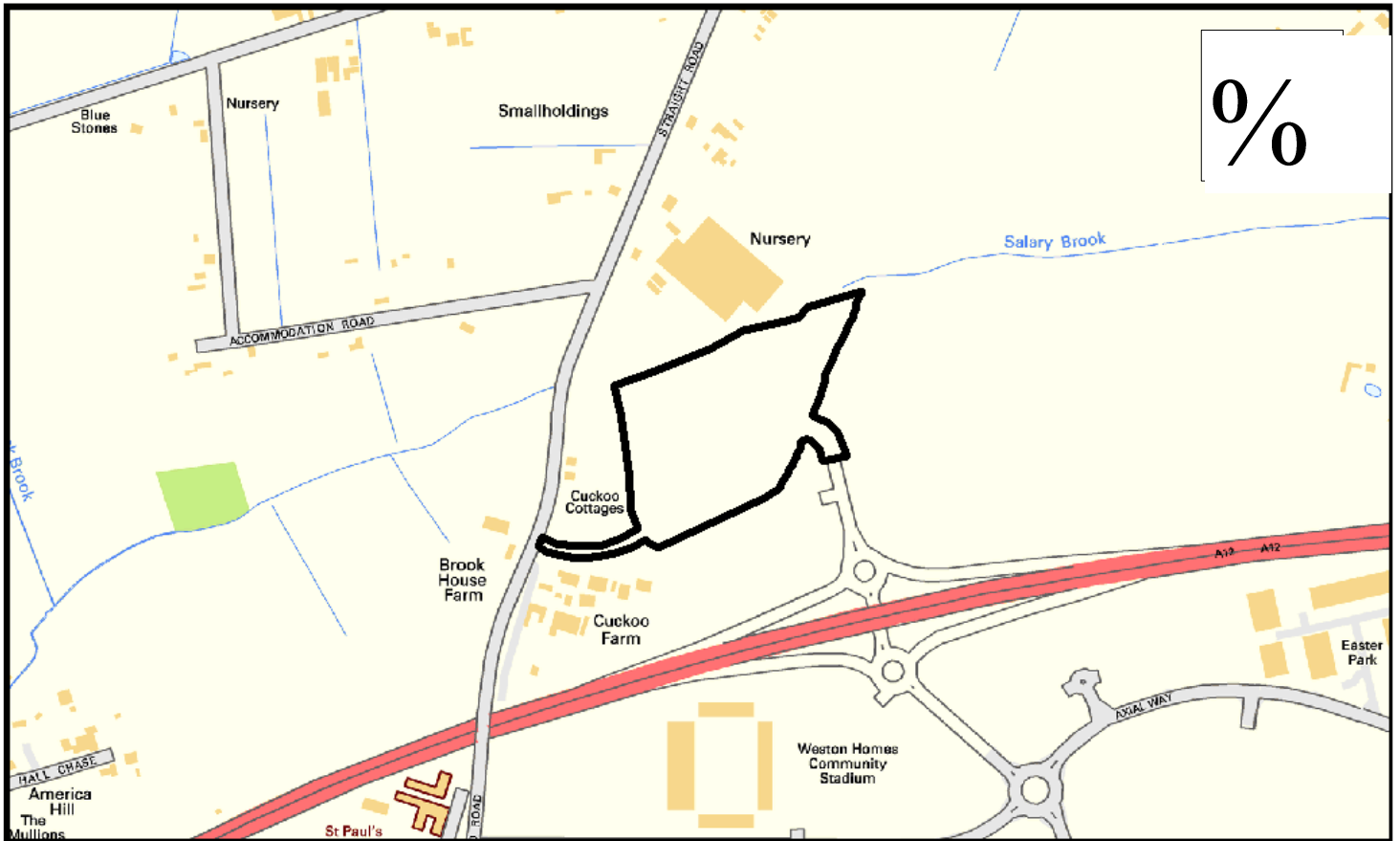
#### **10. Performance Monitoring // Actions to improve customer service for period 1 January 2011 to 31 March 2011**

The Head of Environmental and Protective Services submitted a report detailing the progress being made in terms of improving the quality of customer service.

Andrew Tyrrell, Development Manager, attended to assist the Committee in its deliberations. He referred to the Team achieving a score of seven on a scale of one to ten for customer service. Customers have noticed a marked improvement in the last six months and the service had achieved an award for customer services since the report was written. The council was now one of the leading councils in the country as a result of the measures put in place to improve service to customers.

Members of the Committee commented that the duty officer system was working well and they hoped the improvements made would be continued.

RESOLVED that the report be noted.



**Application No:** 110616

**Location:** Cuckoo Farm (prop Park & Ride), Boxted Road, Mile End, Colchester

**Scale (approx):** 1:1250

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# Committee Report

Agenda item

**7**

To the meeting of: **Planning Committee**  
on: **16 June 2011**  
Report of: **Head of Environmental and Protective Services**  
Title: **Planning Applications**

Relevant planning policy documents and all representations at the time this report was printed are recorded as BACKGROUND PAPERS within each item. An index to the codes is provided at the end of the Schedule.

## 7.1 Case Officer: **Bradly Heffer**

## **MAJOR**

**Site:** Cuckoo Farm (prop Park & Ride), Boxted Road, Mile End, Colchester

**Application No:** 110616

**Date Received:** 31 March 2011

**Applicant:** Essex County Council

**Development:** Construction of a park and ride facility with associated terminus building, landscaping, access road, lighting and associated infrastructure.

**Ward:** Mile End

**Summary of Recommendation:** Essex County Council be advised that Colchester Borough Council fully supports the planning application

## 1.0 Introduction

1.1 This report concerns a proposal for a new Park and Ride facility on land in North Colchester. In this case the Borough Council is a consultee, and the decision to allow or refuse planning permission for the development rests with Essex County Council. The land is owned by Colchester Borough Council.



## **2.0 Synopsis**

- 2.1 This report sets out the terms of the application and the policy context. A summary of consultation responses is also included and a discussion of the proposal. The report concludes that Essex County Council be advised that Colchester Borough Council supports the development. A number of comments and conditions are suggested to be included as part its formal consultation response.

## **3.0 Site Description and Context**

- 3.1 The site for this proposal is an irregularly-shaped area of land located immediately north of the recently constructed junction 28 on the A.12 trunk road. To the south of the site is the new BP petrol station which is also adjacent to the new road junction. To the west are a number of established dwellings that face on to Boxted Road and to the south west is the Cuckoo Farm group of buildings. To the north and west lies rural land used primarily for agricultural purposes. Other notable landmarks in the vicinity of the site include the Weston Homes Community Stadium, to the south on the opposite side of the A.12 trunk road.
- 3.2 The site itself has a given area of 5.73 hectares, and its northern and eastern boundaries are defined by established trees and hedges. It is currently utilised for agricultural purposes.

## **4.0 Description of the Proposal**

- 4.1 This proposal seeks to create a new Park and Ride facility on the identified land. This would consist of the provision of a 1000 space car park, a terminus building, landscaping, a new access road, lighting and associated infrastructure.
- 4.2 The submitted drawings and supporting information advise that the car park would be provided in two phases to ensure that the facility would be well-used before the full capacity of 1000 spaces is provided. The first phase of the development would provide 650 spaces. The following list comprises the key elements of the proposal:
- The terminus building would be constructed using a 'green' sedum roof and is designed to include sustainable energy elements including water heating via solar panels, air source heat pumps, sun pipe lighting and insulation exceeding building regulations standards
  - A landscaping scheme including bunding of the boundaries of the site with the neighbouring residential properties to the west.
  - The surface water drainage of the site would utilise a balancing pond immediately to the north-east of the site that was a requirement for surface water drainage from the junction 28 works.
  - The site would also provide parking for up to six coaches

- Within the overall 1000 spaces provided 20 of these are shown for use by disabled drivers and 12 spaces for parent and child. The submitted plans show a possible increase in the number of disabled spaces which could be provided to meet increased demand for this facility. The proposals would also include provision for 20 cycle spaces. The supporting information advises that motorcycles would utilise individual car parking spaces, but if this demand was significant then individual spaces would be provided.

4.3 The application submission is accompanied by a suite of supporting documentation that includes:

- Planning Statement
- Design and Access Statement
- Access Statement
- Statement of Community Engagement
- Landscape and Visual Impact Assessment
- Site waste management plan
- Tree and Hedgerow report
- A12 Operation Technical Report
- Archaeological Investigation report including desk-based assessment and site inspection
- Carbon Impact Assessment
- Ecological Appraisal Report and Bat Survey
- Flood Risk Assessment
- Lighting Details
- Photovoltaic module information

These documents are available for inspection on the Council's website.

## **5.0 Land Use Allocation**

5.1 Within the adopted Local Development Framework Proposals Maps (October 2010) the application site is located in the North Colchester Growth Area, a Regeneration Area and an area identified for a park and ride use plus a service station.

## **6.0 Relevant Planning History**

6.1 Prior to the submission of this proposal there have been no previous applications on the site. However, the proposed Park and Ride use has been through public consultation (including an exhibition) and subsequent allocation through the planning policy process.

## **7.0 Principal Policies**

7.1 The following national policies are relevant to this application:

Planning Policy Statement 1: Delivering Sustainable Development  
 Planning Policy Statement 7: Sustainable Development in Rural Areas  
 Planning Policy Statement 9: Biodiversity and Geological Conservation  
 Planning Policy Guidance 13: Transport

7.2 In addition to the above national policies, the following policies from the adopted Colchester Borough Core Strategy (December 2008) are relevant:

SA NGA1 – Appropriate Uses in the North Growth Area  
SA NGA4 – Transport Measures in North Growth Area  
SD1 - Sustainable Development Locations  
SD2 - Delivering Facilities and Infrastructure  
UR1 - Regeneration Areas  
UR2 - Built Design and Character  
TA1 - Accessibility and Changing Travel Behaviour  
TA2 - Walking and Cycling  
TA3 - Public Transport  
TA4 - Roads and Traffic  
TA5 - Parking  
ENV1 - Environment  
ER1 - Energy, Resources, Waste, Water and Recycling

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

DP1 Design and Amenity  
DP15 Retention of Open Space and Indoor Sports Facilities  
DP17 Accessibility and Access  
DP18 Transport Infrastructure Proposals  
DP19 Parking Standards  
DP20 Flood Risk and Management of Surface Water Drainage  
DP21 Nature Conservation and Protected Lanes  
DP25 Renewable Energy

## 8.0 Consultations

8.1 The Council's Spatial Policy section comment as follows:

### **“Overview**

The site is located in the North Colchester Growth Area (NGA) and the Regeneration Areas as shown on the Local Development Framework (LDF) Proposals Map. Being located immediately north of the A12 adjacent to the new Junction 28 (opened in December 2010), the site also has its own designation, specifically as 'Park and Ride plus Service Station'. Linkage to the town centre is shown via the Transit Corridor and road improvements, specifically the Northern Approach Road (NAR), phase 3 of which is scheduled to open in September 2012. The site is currently owned by Colchester Borough Council and is in agricultural use.

### **National and regional policy**

Including the Park and Ride proposal at this location in the LDF is consistent with national policies PPS1 'Delivering Sustainable Development' and PPG13 'Transport'. The proposals provide supporting assessments and propose mitigation works to satisfy PPS7 'Sustainable Development in Rural Areas' and 'PPS9 Biodiversity and Geological Conservation'.

The regional East of England Plan (paragraph 7.10) supports strategic park and ride provision alongside parking controls and other demand management measures. It

also identifies Colchester as a Key Centre of Development and Change (policy SS3), a priority

area for regeneration (policy SS5), a Regional Centre for retail and other town centre uses (policy E5) and as a Regional Transport Node (policy T5). Colchester is also a 'Growth Point' within the Haven Gateway sub region which will deliver considerable investment. Essex County Council is the local highways authority covering Colchester. The Local Transport Plan2 (LTP2) supports park and ride to improve a town centre's economy and the key aims of the strategy for Colchester are to improve accessibility and promote sustainable travel behaviour including through public transport, transit corridors, park and ride and quality gateways/interchanges. The draft LTP3, to be finalised in summer 2011, makes reference to Colchester's role within the Haven Gateway sub region. It notes that Colchester is the dominant town within this area, with a strong economy and that it will accommodate the majority of the future growth in the sub region. It states that a number of key corridors and some junctions experience congestion in peak periods, affecting air quality and public transport journeys. Innovative transport solutions included to address these problems are: provision of park and ride serving the town centre; improving access to North Station and tackling congestion hotspots.

#### **Local Development Framework policy**

Colchester's Core Strategy (CS) emphasises the importance of the town centre and regeneration, directing development towards accessible and sustainable locations and supporting a number of growth areas including the NGA of which the proposed park and ride is a key project, noted in CS policy UR1 'Regeneration Areas'. Policy SA NGA4 of the Site Allocations (SA) DPD relates to transport measures in the NGA and also includes the delivery of park and ride.

Transport policies TA3 'Public Transport' and TA5 'Parking' also support delivery of park and ride. These state that park and ride will help reduce congestion and will offer a more sustainable alternative to town centre car parking. This is particularly the case for long stay car parking and will allow the release of this land for more suitable town centre uses. Policies TA1 'Accessibility and Changing Travel Behaviour' and TA2 'Walking and Cycling' are also relevant. These promote improved accessibility and changes to travel behaviour as part of a comprehensive transport strategy for Colchester. In addition the design and construction of infrastructure should be improved to make walking and cycling more attractive, direct and safe, with these improvements being focused at locations including public transport interchanges.

Transport policies DP17 'Accessibility and Access', DP18 'Transport Infrastructure Proposals' and DP19 'Parking Standards' in the Development Policies Development Plan Document (DP DPD) sets out further relevant criteria to consider this planning application against.

The Design and Access statement provides detail on access to the site by all modes, including those on foot and bike, and movement round the site including marked and accessible pedestrian routes. Parking for up to six coaches are also included as well as a coach stop. These facilities increase the accessibility of the site for non-car users, maximising potential uptake of the facility and the potential for interchange e.g. with scheduled and holiday coaches.

Along with the measures to promote full accessibility across the site that are noted in the Design and Access Statement e.g. kerb-free save for bus boarding point, seating should be provided within and adjacent to the terminal building. This will particularly benefit those with mobility issues as well as those using the site for travel by coach for which wait times can be significantly longer than those of high frequency local bus/park and ride routes. Depending on the opening hours of the terminal building compared to

that of the whole site and its use by coaches, waiting provision at the coach pick up point should potentially be included.

Whilst section 3.11 of the Carbon Impact Assessment notes that the likely number of full time equivalent employees will be low, approximately seven, encouragement should be made for these staff to use sustainable travel options to commute to work, following established travel plan principles.

In relation to DP18 supporting information including the A12 Operation Technical Note and a Design and Access Statement has been provided. These illustrate that demand/economic sustainability, access to the site and general traffic generated will not unreasonably harm the surroundings or the operation of the A12 (with improvements to the latter being seen with the delivery of park and ride, page 24). These also show that delivery at this location gives the best combination of sustainable development objectives. Mitigation measures are proposed to minimise impact on the environment.

Regarding DP19 and in accordance with the Essex Planning Officers Association (EPOA) Vehicle Parking Standards, in addition to the standard car parking provision the proposal also includes 20 disabled and 12 parent and toddler parking spaces and covered parking for 20 cycles (all to be monitored and provision increased if necessary). Motorcycles are to be parked in standard car parking bays, which will be sub-divided with markings given sufficient demand. It is noted that this provision e.g. number of disabled and cycle parking spaces and standard parking space size is proposed at the minimum level, based on experience from existing sites including Sandon in Chelmsford, turnover of spaces and likely number of users given the location.

The Carbon Impact Assessment submitted assumes 11% of cars will be electric or hybrid by 2022 and notes that will be one way in which the carbon impact of the facility will reduce over time (section 4.26). As such, comprehensive provision should also be made for vehicle charging points - for car park and potentially buses.

The application proposes delivering the total car parking capacity in two phases – 650 initially to ensure that the facility is well-used, before completing up to an additional 350 spaces to reach the full 1,000 spaces. The borough council supports this expansion as demand analysis requires, based on consideration of the relevant policies, parking strategy and pricing structure, and planned growth and regeneration, in order to continue to deliver congestion, air quality and accessibility benefits for Colchester, particularly in the town centre, at the Crown Interchange, along radial routes including Ipswich Road and the A133.

As detailed in both the Access Statement and Design and Access Statement proposals to accommodate parking by those visiting the Community Stadium, particularly on match Saturdays when park and ride site usage by commuters, shoppers and visitors is predicted to be lower, is welcomed. Provision for and use by pedestrians and cyclists travelling between these sites via both the preferred Bosted Road route and via the A12 junction should be monitored.

#### **Continued partnership working**

The borough council welcomes early dialogue with Essex County Council regarding detailed delivery. This should include: routing to and through to the town centre; bus priority measures; level of service provision including frequency and intermediate stops at key locations to enable interchange; provision of real time information and information promoting Colchester's wider offer, and pricing structures and ticketing solutions that reflect the town's parking strategy and meet the needs of users accessing key locations on the route into town.

It is noted that section 4.3 of the Carbon Impact Assessment refers to a 10 minute frequency service operating 7am – 7pm Monday – Saturday with town centre route options via Head Street and Balkerne Hill or the town centre circuit via High Street. Ensuring that the service effectively serves the commuter market, including those using

Colchester Station, as well as the wider objectives of the Better Town Centre proposals including Changing Colchester After Dark will be needed.

Dialogue is also required with ECC to allow the land which is currently in Colchester Borough Council ownership to be used for park and ride.

**Recommendation:** Approval

The proposal supports Colchester’s sustainable transport, accessibility and parking policies, in turn supporting planned growth in housing and employment. Provision of additional transport capacity through high quality public transport provision will encourage modal shift away from the private car, particularly for commuters during peak periods. “

8.2 The following comments have been received from the Environmental Control section:

“Should planning permission be granted Environmental Control wish to make the following comments:-

That there is a planning condition in place to ensure that the earth bunding is completed as proposed to mitigate noise effects on nearby residential properties.

The lighting will be introduced to an in an intrinsically dark area and therefore residential properties are likely to be sensitive to any glare. We therefore require that the lighting report addresses this issue and any lighting should meet the minimum source intensity values specified in the current ‘*Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light*’ for zone E1.”

Conditions are also recommended for inclusion on a planning permission.

8.3 The following comments have been received from Natural England:

“Natural England has reviewed this application and has the following comments:

**Sustainable Design**

Natural England is supportive of Sustainable Design and Construction principles. We are pleased to see that efforts have been made to ensure the sustainability of these proposals and that these are incorporated within the Design and Access Statement ‘sustainability’ section.

We are particularly supportive of the intention to include a green roof on the terminus building, as well as helping alleviate flood risk and air pollution, green roofs are also important habitats and can support a wide range of invertebrates and other species. The inclusion of solar panels to provide hot water, sun pipes to light internal parts of the terminus building, and the other proposed technologies will minimise electricity usage, reduce carbon emissions and save money. We are pleased to see that construction materials will be from local, sustainable sources where possible. Natural England support the intention that existing trees will be retained wherever possible. We recommend that all new planting is of appropriate native species, as well as supporting wildlife, these species are most suited to our climate and consequently are likely to require less maintenance. Natural England is generally supportive of the role Park and Ride systems can play in delivering sustainable transport, we are however especially pleased to see cyclists and pedestrians also considered in this scheme

design. We support the incorporation of the covered cycle park area and cycle/footpaths linkages as detailed.

### **Protected species**

Natural England is satisfied with the protected species surveys and agree with the conclusions of the survey work. We advise that the proposals as presented have the potential to affect species protected under European or UK legislation and therefore licenses may be required in addition to planning permission. Natural England refers you to our Standing Advice on protected species at:

<http://www.naturalengland.org.uk/ourwork/planningtransportlocalgov/spatialplanning/standingadvice/default.aspx>

### **Great Crested Newts**

Natural England agrees with the conclusion that there is limited potential for Great Crested Newts (GCNs) to be within the site, however note that there are two suitable water bodies within 50 metres of the site. GCNs live in terrestrial habitats outside the breeding season and can be found over 200 metres from breeding ponds. To be precautionary therefore we would recommend that a pre-construction survey is conducted to determine whether these water bodies have been colonised between application submission and construction should permission be granted.

### **Bats**

Natural England agrees with the conclusion that there a moderate risk to bats as a result of the proposals. This risk can be minimised by the retention of mature trees (particularly those known to support bats) where ever possible and the use of directional lighting to reduce light pollution. Preconstruction surveys will be needed to determine which trees are being used by bats prior to the selective felling of trees should permission be granted. We would recommend that additional planting is used to 'join up' any gaps in hedgerows to maintain flight corridors."

#### 8.4 The Council's Archaeological Officer advises:

"I concur with the proposal by the Essex County Council Historic Environment Management Team that there shall be an archaeological field evaluation conducted at this development site which will assist in informing the decision-making process as advised in PPS5, (DCLG 2010). Following this evaluation there may be a further recommendation for archaeological mitigation.'

#### 8.5 The following comments have been received from the Design and Heritage Officer:

"The layout appears to lack tree planting and therefore insufficient visual mitigation of the parked cars. We should be looking to achieve a similar level of tree plating that has been planted within the Stadium car park. Please see Adam John for a suitable planting detail.

The roof supports look as if they will be tempting to climb where they drop close to the ground. The lower element should be designed in such a way to inhibit climbing without resorting to a separate piece of equipment to achieve this. The solar panels appear ad-hoc to the design where they located in the traffic island. The arrangement of such a large array of panels like this should have a more considered location.

The cycle parking does not look adequately covered by CCTV, being a long way from cameras or obscured by the closest ones.

The bus turning, pick up area is poorly considered, lacking planting and visual mitigation of parked coaches. More could be done with the island to mitigate and improve the aesthetics of this part of the scheme. It appears that the surface water retention facility is provided outside the red line of the application. I wonder if there is any merit in providing an observation/seating area at the balancing pond. It is a far more attractive area than the utilitarian provision made within the site.”

8.6 The following comment has been received from the Council’s Senior Curator of Natural History:

“The bat survey mentions trees with rot holes etc which may accommodate bat colonies.

Such niches are also important for saproxylic invertebrate species, many of which are of conservation concern. The stumps and roots of dead trees may also support Stag Beetle (*Lucanus cervus*) which is common in this area and is a Biodiversity Action Plan (BAP) species.

In the absence of an invertebrate survey it would be desirable to retain the trunks, root plates and major boughs of any mature trees that are felled on site or dead stumps that need to be removed to provide habitat for these species.”

8.7 The Council’s Development Team, having considered the proposal, raised the following issues:

- The possibility of recharging points for electric vehicles should be pro being provided with the developer.
- The adequacy of the crossing point shown on the footway/cycleway leading to Boxted Road for large agricultural vehicles was queried.
- Vehicular access to the Council-owned land on the east of the park and ride site should be safeguarded.

8.8 The Highways Agency has advised that it is still in detailed discussions with Essex County Council regarding this proposal and it is anticipated that discussions will conclude on or before 10<sup>th</sup> June. The Agency’s final recommendation will be sent to ECC as the determining authority in this case. Members will be advised of any further representation made by the Agency.

8.9 The Council’s Landscape Planning Officer comments as follows:

“Although in part acceptable the following site specific requirements need to be applied to any revised proposals:

Given the fine grain of the Landscape & Visual Impact Assessment study it needs to be revised to use the Colchester Borough Landscape Character Assessment (the next available LCA level up) as the principal data to draw this L&VIA down from and to formulate conclusions from, rather than the current broader brush national level characterisation. Tree planting needs to be strengthened within the car park area itself in order soften the dominance of the car parking, help compartmentalise and the space and afford cooling shade. Trees within their own planting beds utilising the area of one parking space are recommended. In order to minimise the loss of car parking spaces it is recommended large clear stem trees at wide spacings are used and in addition to these occasional converted beds existing dead space at the end of rows



and other incidental spaces are also planted up with shrub and tree cover. The formality of the avenue needs to be far more informal, comprising fragmented organic groupings of native trees, preferably *Crataegus monogyna* as nurse stock and *Quercus robur* as emergent dominant stock to complement existing hedgerow structure. Within the structural planting proposals, in order to complement existing woodland composition locally it is recommended the following revisions to the proposed planting pallets are applied to any revised proposals:

- Under 'Additional feathered trees' *Fraxinus* needs to be removed due to it's fragile nature and branch shedding habit, being incompatible adjacent to parking areas also the proposed *Tilla cordata* being more commonly found in urban and sub-urban locations, both need to be replaced with the more complementary *Acer campestre*.
- Under 'Trees' the proposed *Alnus*, *Populus* & *Tilla* would not generally be found in the existing woodland or hedgerow structure locally, these need to be removed from the pallet and replaced through increasing the percentage of the remainder and the inclusion of *Acer campestre* & *Sorbus aucuparia*, resulting in a more simplified but complementary mix.
- Under 'Shrubs' the mix needs to be simplified to complement existing woodland/hedgerow structure to comprise *Crataegus* & *Prunus spinosa* forming 70% of the mix, *Ilex aquifolium* 10%, *Cornus sanguinea*, *Corylus avellana*, *Cytisus scoparius* & *Sambucus nigra* the other 20%.

The protected hedgerow proposed for breaching has been assessed for 'importance' under the Hedgerows Regulations 1997 and found to be 'not important', i.e. the proposed breach would be permissible. Given the potential impact for light encroachment onto the adjacent rural landscape the lighting needs to be confirmed as being in accordance with E2 of the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light."

In addition to the details reported above, the full text of all consultation responses is available to view on the Council's website.

## **9.0 Parish Council Response**

9.1 Myland Community Council has objected to the proposal on the following summarised grounds:

Sustainability - we do not believe this proposal is sustainable.

Air pollution

Light contamination,

Continual noise

No infrastructure in place

NAR3 and express bus way have yet to even be started

Route into Town has not been sorted out

The obvious bottle neck at North Station has not been sorted out

The North Colchester Transport Strategy has hardly even been started

Does not serve the A134 or northern villages such as Boxted, Gt Horkesley, etc

No up to date traffic surveys

Impact on local residents

Location

Joyriding

Other potentially anti social behaviour activities over night/weekends due to proximity of the second stage car park and the footpath / cycleway to the existing residences.  
Impact on flora / fauna  
Impact on current local bus services

The representation details grounds for objection to each point and the full text may be viewed on the Council's website.

9.2 Fordham Parish Council has commented as follows:

'The Council welcome the proposals and provision of a Park and Ride facility and expect that there will be associated road improvements on surrounding roads to facilitate the increased traffic.

We believe that there is not enough provision for toilets in the terminus building given the number of people expected to use the site.'

## 10.0 Representations

10.1 Although the application will be determined by the County Council as part of the Borough Council's consideration of this scheme, local notification of residents was undertaken. As a result of notification nine representations have been received. Copies of the representations made will be available for consideration by the County Council. Seven of these are objections to the proposal while the eighth makes some general observations and concerns. Members are advised to read the full text of the comments made (available to view on the Council's website) as some are extensive in nature. Nevertheless, the following comprises a summary of the range of comments made:

- The development will give rise to a series of detrimental impacts on residential and environmental amenity resulting from noise, light, fume pollution etc.  
*Officer comment: the proposal is a new large infrastructure proposal on the edge of the town and clearly its acceptability in planning terms (apart from the issue of land use) will depend on the appropriate mitigation of impacts. The various impacts of the development have been analysed and the results have been provided in reports appended to the application. It is considered that these demonstrate the impacts of the development can be properly addressed in order that the amenity of both local residents and the vicinity in general.*
- The landscaping that is proposed would take a long time to establish and would not adequately protect residential amenity or the overall rural character of the area.  
*Officer comment: it is acknowledged that the planting would take some time to mature. However, subject to the species changes suggested by the Council's Landscape Officer, it is considered that the overall scheme would provide a sufficient level of screening and accord with the range of planting appropriate to this location. This is considered to be a preferable approach to the provision of, say, faster growing evergreen species for example. The height of the proposed bunding in itself would assist in screening the car parking areas.*
- The scheme will have a detrimental impact on the ecology of the area.  
*Officer comment: the application is accompanied by information relating to ecological survey work and the impact of the development on ecology may be properly mitigated.*

- The use of the site would give rise to security issues, particularly during times when the use is not operating or times when it is used for ancillary parking for the football stadium

*Officer comment: the design of the proposal incorporates security elements to restrict vehicular access to the site, in the same way as other park and ride sites. The use CCTV cameras will also add to security measures, and the site would be staffed during operating hours. The Design and Access statement advises that ‘... it is a requirement of Essex County Council that the design shall receive accreditation under the ‘Secure by Design’ and ‘Safer Parking Award’ schemes as administered by Essex Police Design Liaison Unit to promote safety and crime reduction. The ‘Secure by Design’ award being applicable to the Terminus building and the ‘Safer Parking Award’ relating to the associated car park...’ The DAS goes on to advise that an initial meeting with the Police Architectural Liaison officer did not result in material changes having to be made to the design as submitted for Members’ consideration. On the issue of ancillary parking for the football stadium the application Access Statement states inter alia that ‘...As part of the planning application, it is also proposed that the Park and Ride site provides car parking for visitors to the adjacent Weston Homes Community Stadium. With restricted availability in the stadium car park, parking currently takes place in a disorganised manner on surrounding roads during stadium events (generally Saturday afternoons). The Park and Ride will help to reduce this problem by offering formal controlled parking. Experience of the Park and Ride at Sandon in Chelmsford (capacity of 1 175 parking spaces) has shown that there is much reduced demand on a Saturday compared to the rest of the week. 2010 figures show that Saturday usage peaks around midday when the site is, on average, at less than 20% of capacity. It would therefore be prudent to accommodate stadium visitors in the available spaces and thus ensure that potentially unsafe and often illegal parking is kept to a minimum...’ Members should note that the pedestrian route to the stadium would follow the proposed link to Boxted Road as opposed to the bridge link across the A12.*

- The proposal does not encourage car sharing nor does it have sufficient disabled parking provision

*Officer comment: the scheme in itself is considered to promote the use of public transport as a means of access to the town centre as opposed to the car. It is acknowledged that car sharing in itself may not increase as a consequence of the development. However, it is noted that tickets are based on a charge per car and therefore this could encourage sharing. As regards the provision of disabled spaces the requirement under the adopted standards would not be met and it is recommended that this shortfall is identified in the response to this consultation.*

- The proposed pedestrian/cycleway link onto Boxted Road would be unsafe. There is inadequate parking provision for cyclists. CCTV serving this element would overlook private property as well.

*Officer comment: the proposed access for pedestrians and cyclists is considered to be preferable in safety terms to a route across the A12/junction 28. This path would be illuminated (using low level lighting) and would also be served by CCTV cameras. The precise location of CCTV is a detailed matter that can be controlled to ensure that the privacy of nearby residents was not unacceptably impaired.*

- The facility should not be used until the NAR 3 is in place. The use of Boxted Road as an alternative route is not acceptable.  
*Officer comment: it is anticipated that the construction of the NAR 3 will be achieved earlier than originally programmed and that this road would be available for use by the proposed park and ride facility. The NAR 3 is scheduled to open in September 2012. In the event that the park and ride facility was available prior to the NAR 3 completion an alternative route is available for buses that utilises existing roads.*
- The construction traffic associated with the development will give rise to further detrimental environmental impacts – similar to those resulting from the recent construction of Junction 28.  
*Officer comment: the construction of the facility will be need to be properly controlled by condition and through other legislation such as that operated by Environmental Control.*
- The proposal could give rise to contamination of the water supply.  
*Officer comment: the site is located in Flood Zone 1 and is not at significant risk of flooding. In this case the drainage system for the proposed park and ride has been designed to be discharged to a proposed balancing pond to the north east of the site. Comments made in the Planning Statement advise as follows ‘... The flood risk assessment demonstrates that the development will not increase flood risk elsewhere, through increased surface run-off for example, and details of the drainage strategy for the development ensure that the site will cope with a 1 in 100 year storm event...a balancing pond is being provided to manage the flood risk caused by the Highway works (new A12 junction and petrol filling station) as well as the Park and Ride facility... It is proposed that excess surface water will be stored on site and discharged into the ground or into Salary Brook separately to be agreed with the Environment Agency...’*
- A Park and Ride facility would impact detrimentally on the town.  
*Officer comment: it is considered that the impact of the development on congestion levels, modal shift, and accessibility would be of clear benefit in planning terms.*
- The proposal could detrimentally impact on passenger levels of those using existing bus services in the area  
*Officer comment: the facility in itself is intended to enable motorists to park on the edge of the town and use a regular bus service to access the town centre. It is considered that the local services are still likely to prove more convenient to those already living in the town itself.*

Members should also note than one email referred to an on-line petition against the proposal. At the time this report was produced, 77 persons had signed.

10.2 The following comment has been received from Ward Councillor Turrell:

‘Would you please make sure that bunding, protection from noise and view etc for Cuckoo Farm Cottages is more than adequate to protect those residents quality of life. ECC have been working with the residents and should have amended the original proposal.’

10.3 The following comments have been received from Ward Councillor Goss:

'I am concerned about the impact this application will have on local residents in Cuckoo Farm Cottages. I want to ensure the bund, planting and other protection are fully in place and these residents as well as other local residents are consulted on the landscaping and tree planting scheme and actually have genuine input.

Colchester and particularly Mile End has been badly shafted previously when it comes to landscaping schemes associated with road building (just look at the Northern Approach road abysmal landscaping which is due to undergo yet more rework). Learn from previous incompetence please.

I am also concerned about the impact on local wildlife so again I want all the necessary bodies to be approached and for their comments to be taken on board.

Can we please ensure litter bins are provided at the Park and Ride site and a plan is in place for emptying these, maintaining the plantation which goes in with clear responsibilities and who will manage the site and litter pick it regularly.

Under no circumstances should the Park and Ride allow buses out onto and in from Boxted Road. This would be unacceptable to local residents and would not be supported by local ward members.

The park and ride must only use the NAR 3 extension and Axial Way.'

*Officer comment - The following comments have been received from the applicant authority's agent with regard to comments made by Councillor Goss:*

*'In the interests of securing the long term success and viability of the Park and Ride service it is essential that the cleanliness and appearance of the site are well-maintained. The management of the site will follow the model used at Sandon (Chelmsford Park and Ride) which has proved to be successful. We can therefore, assure Councillor Goss, that litterbins will be provided throughout the site, which will be emptied on a daily basis. Likewise, the contractor appointed will be required to follow strict standards in relation to landscape maintenance.*

*The cleaning specification prepared for contractors includes (but is not limited to) the following items:*

- \* clear leaves from car park, access roads and bus lane;*
- \* clear litter from all areas on a daily basis;*
- \* brush/sweep paved areas around the terminus building;*
- \* wipe clean signs and car park gates/machinery;*
- \* empty litter bins on a daily basis;*
- \* treat weeds to hard areas;*
- \* spot clean on a daily basis.*

*The landscaping specification requires that all grass, including path edges and obstacles are to be kept in a neat and tidy, even condition. The specification also requires that all trees are to be maintained in a healthy, vigorous condition, and to prevent obstructions to footpaths and roads. The specification requires that shrub beds are to be maintained litter and weed free. Seasonal bedding is to be maintained litter and weed free. Hedges are to be maintained in a neat tidy and attractive condition.*

*The details of the cleaning specification and landscaping maintenance do not form part of the planning application. However, if the application is successful, condition(s) may be attached to the permission, (as was the case with Sandon) that will need to be met. We would envisage that any such conditions would relate to the landscape proposals that formed part of the planning application prepared by Bidwells' Landscape Architects.'*

10.4 An objection to the proposal has been received on behalf of Colchester and Northeast Essex Friends of the Earth. In summary the following points are made:

- The proposed development will increase traffic and pollution
- The NAR suffers congestion and the busses currently using the road network should be given priority and funding
- There is an urgent need for a bus and coach interchange in the town
- Rail and bus links between Colchester and other settlements need to be improved.

10.5 A substantial representation to the County Council has been made by Colchester Cycling Campaign. A neutral view is expressed, i.e. not opposing the scheme. The full text can be seen on the Council's website.

10.6 A copy of an extensive representation to Essex County Council has also been received on behalf of Colchester Bus Users Support Group – the contents of which may be viewed on the Council's website. The following statement is taken from the document:

'This proposal does not comply with government requirements on the assessment of park and ride schemes, and has no 'green' / 'sustainable' credentials, given that it would most likely increase net vehicle mileage, abstract from real public transport services, and (even on the promoters' own figures) either *increase*, or have a wholly insignificant effect on reducing carbon emissions in Colchester, is not accompanied by any coherent or convincing traffic usage evidence, and the figures it has are based on an old 2007 report and not on the latest 2009/10 Mouchel modelling, which shows much lower likely usage.'

## **11.0 Parking Provision**

11.1 Members are advised that under the adopted current car parking standards, applications for Park and Ride developments are to be determined on their own merits. The scheme proposes individual car parking bay sizes of 5 metres by 2.5 metres which is recognised in the adopted standards as being acceptable in exceptional circumstances. Information submitted in support of the application advises that the above bay size has been used at the park and ride facility at Chelmsford, and has proved to be adequate. The information goes on to advise that '...The park and ride facility by its nature has a low turnover of vehicles and therefore the way in which users find and park in a space is considerably different to other types of car park i.e. a supermarket where there is a high turnover of vehicles. Using the minimum bay size has allowed the designers to maximise the number of cars that can park at the facility and therefore maximise the efficiency of the park and ride...' In terms of cycle parking

the standard is 1 space per 10 parking spaces, and the requirement for Powered Two Wheel (PTW) vehicles is 1 space, + 1 per 20 car spaces (for 1st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces).

Therefore for cycles, a 1000 space park and ride facility (the eventual intended capacity of the scheme) would need to provide 100 spaces. For PTW vehicles the requirement is 30 spaces. The first phase development of 650 spaces would require a provision of 65 cycle spaces and 24 PTW spaces.

- 11.2 In terms of disabled parking provision the adopted requirements are 4 bays plus 4% of total capacity. Therefore a 1000 space car park would require the provision of 44 spaces for disabled drivers, while a 650 space development would require a 30 space provision.

## **12.0 Open Space Provisions**

- 12.1 Members are advised that there are no specific LDF policy requirements for open space provision within park and ride schemes.

## **13.0 Report**

- 13.1 At national level the planning policies of central government identify the importance of sustainable development. PPS1 'Delivering Sustainable Development' deals with this issue and recognises sustainability as a principle requirement of land use planning. PPG 13 'Transport' recognises the provision of sustainable transport and reduction in the reliance of the car as core aims. At a regional level the East of England Plan identifies Colchester as a growth area and also as a Regional Transport Node. Within the East of England Plan it is recognised that park and ride facilities assist in reducing traffic, in combination with other measures. Given the fact that Colchester is identified as a transport node, it is recognised that a park and ride facility is an appropriate facility in these circumstances. Leading on from this the Essex Local Transport Plan also recognises the role of park and ride facilities. It is noted that the Transport Plan proposes the provision of park and ride facilities in Colchester.
- 13.2 At the local level the Local Development Framework formally adopted by the Borough Council clearly identifies that the site for this proposal is allocated for a park and ride use. The site falls within the recognised North Colchester Growth Area and it is an established aim of the Council to secure a park and ride facility in this location. For example, policy SA NGA4 'Transport Measures in North Colchester' includes a series of schemes that will be delivered in this area, including at criterion (e) '...park and ride...' Additionally, Core Strategy policy TA3 'Public Transport' recognises that '...Park and Ride facilities will also provide visitors with sustainable access to the Town Centre and other major destinations...' Therefore it is considered that the principle of this development taking place on this site is established in planning terms, and Members will note the comments made by the Spatial Policy team in this regard.
- 13.3 Members will be aware that the completion of the new trunk road junction 28 has provided a means of vehicular access to the land and also that a new petrol filling station has recently been erected on adjoining land, again in accordance with the adopted site allocation.

- 13.4 In terms of the submitted scheme it is noted that this would take the form of a two-phase development, the first of which would provide a 650 space car park, together with the new terminus building and associated development. The proposed layout shows that the means of vehicular access to the site would be in the form of a one-way system whereby cars and buses would enter the site via separate marked lanes. Cars would head towards the identified parking spaces and buses would turn immediately right and arrive at the terminus. The terminus building would incorporate ticket machines and driver/ staff facilities, a staffed inquiry office, real time passenger information and toilets (including a disabled w.c. and baby changing facilities). Both cars and buses would exit the site utilising a shared lane leading to the new road junction. It should be noted that the entrance route to the car parking area would also incorporate a vehicle height restrictor and also entrance barriers and security gate. Similarly, the exit for cars would also incorporate barriers and a security gate. These elements are considered to be fundamentally important in order to ensure that the *type of vehicle* using the facility can be properly controlled and also that access for vehicles can be restricted.
- 13.5 The routes of buses serving the proposed site would utilise the NAR 3 (as yet un-built) which is intended to link junction 28 with the existing Northern Approach Road, thereby offering a direct route into the town centre. The return route for buses would follow the same roads. Eventually buses would use an express bus corridor that is planned to run adjacent to NAR 3, and is to be provided as part of the redevelopment of the Severalls hospital site. This facility would serve all buses and not exclusively those generated by this proposal. Members should note that if the park and ride facility was to open in advance of the completion and opening of the NAR 3 an alternative interim bus route is proposed that would utilise United Way (past the Community Stadium) and southwards along Boxted Road. Local residents' and Ward Members' concerns about the use of Boxted Road as an interim route for buses is fully appreciated. It is acknowledged that the impact of pedestrians using Boxted Road on matchdays has given rise to highway safety concerns. A temporary road closure is in operation along Boxted Road; this coming into force for a period after cessation of matches at the Community Stadium. Additionally, Members are advised that the provision of footpath improvements along Boxted Road have been secured as part of the approved Phase 2 development at Severalls. These factors should combine to help mitigate conflict between park and ride buses and users of the Community Stadium. Nevertheless, it is recommended that the response of Colchester Borough Council to Essex County Council should make clear that the use of Boxted Road as a route for park and ride buses is a strictly interim arrangement, pending delivery of NAR3.
- 13.6 In terms of the overall impact of the proposed development on the road network these have been assessed through the necessary modelling works. In relation to the capacity of the new junction 28, this is predicted to work satisfactorily in 2023 with the park and ride facility in place. Importantly, the provision of a park and ride scheme was factored into the consideration of potential traffic impacts at the time that the Northern Approach Road was first considered. Therefore issues such as congestion and bottlenecking e.g. at the Colchester North Station area were considered at that time. It is your officer's view that the provision of a park and ride facility would assist in reducing the overall number of vehicles that would travel along the Northern Approach



Road route to and from the town, particularly at peak times in the morning and evening. .

- 13.7 The general arrangement of the proposed development is such that the northern, western and southern boundaries incorporate bunded and landscaped areas which are intended to mitigate the impact of the development on the amenity of adjoining and nearby residents and the locality in general. It should also be noted that the initial provision of 650 spaces as the first phase of the development would not extend to the western bunded area and, in effect, a vacant area of land would exist between the car park and the western bund – this land eventually being used for the additional 350 spaces that would comprise phase 2 of the development. The width of the proposed bunding would vary dependent on position within the site. From information submitted with the application the western bund (intended to mitigate the visual impact of the development primarily on the existing dwellings to the west on Boxted Road) would have a width varying between approximately 30 metres at its narrowest point and 60 metres at its widest. The submitted plans also indicate that the rear wall of the nearest dwelling on Boxted Road would be approximately 95 metres distance from the edge of the proposed car parking area as extended i.e. when the 1000 space capacity is reached under phase 2. The western bund would be located within this space. Sectional drawings provided show that the proposed bunding would 2.5 metres high at its highest point and additionally tree and shrub screening would be provided. As a planning judgement it is considered that the position of the facility in relation to surrounding properties, together with the landscape mitigation measures as described would mean that the residential amenity of the occupiers of the dwellings in Boxted Road would not be unacceptably impaired by the development in terms of visual impact.
- 13.8 Another impact to be addressed as part of this proposal is that of the proposed lighting of the scheme. The submitted drawings show that the majority of the parking area would be lit using a series of 8 metre high columns. The nearest of these to the houses on Boxted Road would be approximately 112 metres (the distance measured off plan between the rear wall of the house and the column). Additionally this nearest column would be provided as part of the second phase of the development. The submitted technical information for the lighting of the development advises as follows ‘...The park and ride shall be lit utilising high efficiency, low maintenance and low light pollution Dark Sky compliant luminaires, incorporating metal halide lamps. The proposed luminaires have been selected as they are dark sky compliant/night time friendly and offer the best optical solution to stop/cut off spill light on to the adjacent and surrounding properties. The external car park lighting will be installed with a centrally operated wireless control system. The controls system shall offer a full range of control, maintenance monitoring and energy measurement by a central located computer within the terminus building. The system will allow each external luminaire to be controlled wireless giving the site the capability of switching on/off by external daylight levels, programmable timed on/off switching, energy saving by manually or programmed switching off area not in use and time staggered site shut off, reducing lighting pollution and energy...’ The fact that the lighting would be located behind the proposed bunding would also assist in limiting its overall impact and appearance. The proposal also includes the provision of lower lighting elements (70cm high) to serve the proposed footway and cycle link between the park and ride facility and Boxted Road.

## **14.0 Conclusion**

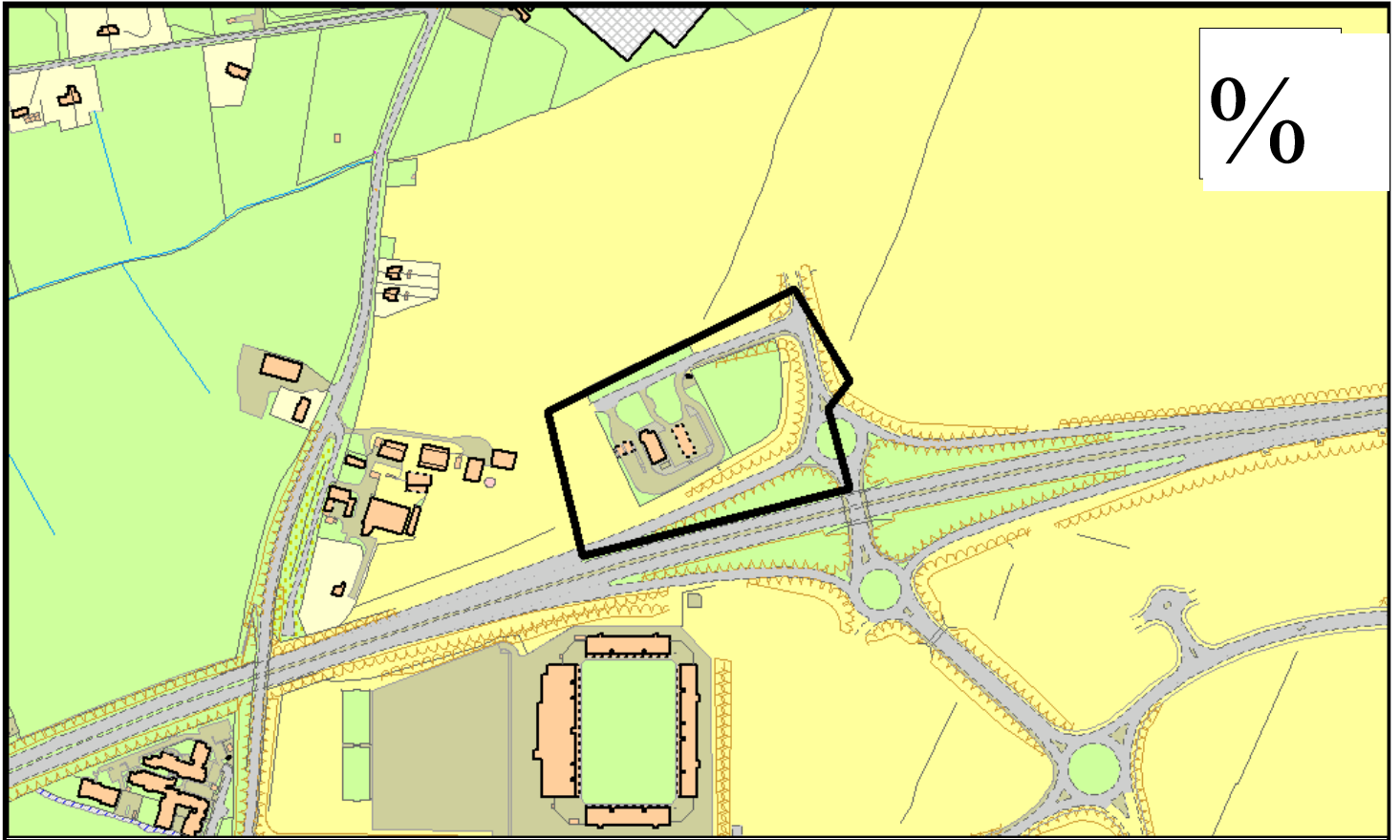
- 14.1 Members are respectfully reminded that, in the determination of this application, Colchester Borough Council's role is a consultee and as such is not the determining authority in this case. It is for the County Council to consider the range of consultation responses made and the weight to be attached to them, as part of its role as determining authority.
- 14.2 Through the process leading to the formal adoption of the Council's Local Development Framework a site has been clearly allocated, to the north of the town, for park and ride purposes. It is a fundamental aim of this Council to achieve a park and ride facility to serve the town and adopted policy text makes this clear. As this scheme seeks to provide the facility within the identified and allocated LDF site it is your officer's view that the principle of the proposed facility being provided here is established and must be acceptable.
- 14.3 Bearing the above in mind, it is also important that the impacts of the development are properly mitigated and that the amenity of local residents and the wider area is not unacceptably impaired by the development. As Essex County Council is the determining authority in this case it will have to consider the points raised in the consultation responses received from Ward Councillors, Myland Community Council and local residents. These have been summarised in this report for Members' information. Additionally, following on from the Council's own internal consultation process various issues have been highlighted that should, it is felt, form part of this Council's formal consultation response to the County Council.

## **15.0 Recommendation**

- 15.1 Essex County Council be advised that Colchester Borough Council fully supports the planning application for a park and ride development on the identified site as it accords with the Council's adopted Local Development Framework Core Strategy and the Strategic Plan. In determining the proposal the County Council should have due regard to the following points:
- The Borough Council welcomes early dialogue with Essex County Council regarding detailed delivery. This should include: routing to and through to the town centre; bus priority measures; level of service provision including frequency and intermediate stops at key locations to enable interchange; provision of real time information and information promoting Colchester's wider offer, and pricing structures and ticketing solutions that reflect the town's parking strategy and meet the needs of users accessing key locations on the route into town. It is noted that section 4.3 of the Carbon Impact Assessment refers to a 10 minute frequency service operating 7am – 7pm Monday – Saturday with town centre route options via Head Street and Balkerne Hill or the town centre circuit via High Street. Ensuring that the service effectively serves the commuter market, including those using Colchester Station, as well as the wider objectives of the Better Town Centre proposals including Changing Colchester After Dark will be needed. Dialogue is also required with ECC to allow the land which is currently in Colchester Borough Council ownership to be used for park and ride.
  - Parking provision should be in accordance with the standards adopted by the Borough Council.

- Seating should be provided within and adjacent to the terminus building. Similarly waiting provision should also be provided at the coach pick up point.
- Staff working at the site should be encouraged to use sustainable travel options to commute to work, following established travel plan principles.
- Comprehensive provision should be made for vehicle charging points for cars and buses.
- Continued monitoring of pedestrian and cyclist routes from the site to the Community Stadium should be undertaken.
- The earth bunding is completed as proposed to mitigate noise effects on nearby residential properties. The lighting will be introduced to an in an intrinsically dark area and therefore residential properties are likely to be sensitive to any glare. Therefore the lighting report should address this issue and any lighting should meet the minimum source intensity values specified in the current '*Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light*' for zone E1. Any lighting of the development shall fully comply with the figures specified in the current '*Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light*' for zone E1 (for an intrinsically dark area). This shall include sky glow, light trespass into windows of any property, source intensity and building luminance. Upon completion of the development and prior to the use commencing a validation report undertaken by competent persons that demonstrates compliance with the above shall be submitted to the planning authority for approval. Having been approved any installation shall thereafter be retained and maintained to the standard agreed. Prior to being discharged into any watercourse, surface water sewer or soakaway all surface water drainage shall be passed through an oil interceptor designed and constructed to have a capacity compatible with the site being drained. Roof water shall not pass through the interceptor.
- All new planting is of appropriate native species - as well as supporting wildlife, these species are most suited to our climate and consequently are likely to require less maintenance. A pre-construction survey should be conducted to determine whether nearby water bodies have been colonised by Great Crested Newts between the time of application submission and commencement of construction should permission be granted. Pre-construction surveys will be needed to determine which trees are being used by bats prior to the selective felling of trees should permission be granted. It is recommended that additional planting is used to 'join up' any gaps in hedgerows to maintain flight corridors.
- There shall be an archaeological field evaluation conducted at this development site which will assist in informing the decision-making process as advised in PPS5, (DCLG 2010). Following this evaluation there may be a further recommendation for archaeological mitigation.
- The roof supports of the terminus building look as if they will be tempting to climb where they drop close to the ground. The lower element should be designed in such a way to inhibit climbing without resorting to a separate piece of equipment to achieve this. The solar panels appear ad-hoc to the design where they are located in the traffic island. The arrangement of such a large array of panels like this should have a more considered location. The cycle parking does not look adequately covered by CCTV, being a long way from cameras or obscured by the closest ones. The bus turning, pick up area is poorly considered, lacking planting and visual mitigation of parked coaches. More could be done with the island to mitigate and improve the aesthetics of this part of the scheme. The merit of providing an observation/seating area at the balancing pond should be explored.

- The adequacy of the crossing point shown on the footway/cycleway leading to Bosted Road for large agricultural vehicles should be confirmed. Also, vehicular access to the Council-owned land on the east of the park and ride site should be safeguarded.
- Landscape proposals should have due regard to the Council's Landscape Character Assessment as the principal data, rather than the current broader brush national level characterisation. Tree planting needs to be strengthened within the car park area itself in order to soften the dominance of the car parking, help compartmentalise the space and afford cooling shade. Trees within their own planting beds utilising the area of one parking space are recommended. In order to minimise the loss of car parking spaces it is recommended large clear stem trees at wide spacings are used and in addition to these occasional converted beds, existing dead space at the end of rows and other incidental spaces are also planted up with shrub and tree cover. The formality of the avenue needs to be far more informal, comprising fragmented organic groupings of native trees, preferably *Crataegus monogyna* as nurse stock and *Quercus robur* as emergent dominant stock to complement existing hedgerow structure. Within the structural planting proposals, in order to complement existing woodland composition locally it is recommended the following revisions to the proposed planting pallets are applied to any revised proposals:
  - Under 'Additional feathered trees' *Fraxinus* needs to be removed due to its fragile nature and branch shedding habit, being incompatible adjacent to parking areas also the proposed *Tilia cordata* being more commonly found in urban and sub-urban locations, both need to be replaced with the more complementary *Acer campestre*.
  - Under 'Trees' the proposed *Alnus*, *Populus* & *Tilia* would not generally be found in the existing woodland or hedgerow structure locally, these need to be removed from the pallet and replaced through increasing the percentage of the remainder and the inclusion of *Acer campestre* & *Sorbus aucuparia*, resulting in a more simplified but complementary mix.
  - Under 'Shrubs' the mix needs to be simplified to complement existing woodland/hedgerow structure to comprise *Crataegus* & *Prunus spinosa* forming 70% of the mix, *Ilex aquifolium* 10%, *Cornus sanguinea*, *Corylus avellana*, *Cytisus scoparius* & *Sambucus nigra* the other 20%.
- The protected hedgerow proposed for breaching has been assessed for 'importance' under the Hedgerows Regulations 1997 and found to be 'not important', i.e. the proposed breach would be permissible.
- If necessary, the use of the alternative route for Park and Ride buses (utilizing Bosted Road) shall be a strictly interim measure and shall cease as soon as the NAR3 road is available for use.



**Application No:** 110508

**Location:** Land Adj. to & West of new Northern Approach roundabout, A12 Trunk Road, Colchester

**Scale (approx):** 1:1250

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**7.2 Case Officer: Bradly Heffer**

**Due Date: 17/06/2011**

**MAJOR**

**Site:** Land Adj. to & West of new Northern Approach roundabout, A12 Trunk Road, Colchester

**Application No:** 110508

**Date Received:** 18 March 2011

**Applicant:** Mr Patrick O'Sullivan

**Development:** Variation to condition 3 of O/COL/01/1625 to allow application for approval of the reserved matters to be made to the Local Planning Authority before expiration of six years from the date of the permission.

**Ward:** Mile End

**Summary of Application:** Conditional Approval

## **1.0 Introduction**

1.1 This application is referred to the Planning Committee because it is submitted on behalf of Colchester Borough Council and therefore must be reported to the Council's Planning Committee for formal determination.

## **2.0 Synopsis**

2.1 The proposed development seeks to renew an outline planning permission for a development on land adjacent to the A.12. The report will explain the proposal and comment on consultation responses received. Following a discussion of the material considerations, the recommendation of your officer is that a renewal of permission may be granted in this case.

## **3.0 Site Description and Context**

3.1 The site for this proposal is a roughly rectangular area of land that is immediately adjacent to, and to the west of the newly built junction 28 of the A.12 trunk road. The site is partially occupied by a recently constructed petrol filling station. The remainder of the site area is currently undeveloped and has the character of rural land.

3.2 Established residential development is located to the west of the application site, as well as Cuckoo Farm buildings. To the north is open land that is currently used for agricultural purposes. Members will note that this land to the north is the subject of another report on this agenda relating to a Park and Ride proposal.

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

- 4.1 The proposal seeks to vary the terms of condition 3 attached to outline planning permission reference O/COL/01/1625. Under this condition the submission of a reserved matters application would need to be made within 5 years of the date of the outline planning permission being granted – which was 21<sup>st</sup> March 2006. This current application seeks to vary the terms of the condition in order to allow submission of a reserved matters application within six years of the date of the outline permission.

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

- 5.1 Within the Local Development Framework the application site is located in North Colchester Growth Area, a Regeneration Area and an area allocated for a Park and Ride and service station use.

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

- 6.1 Under planning application O/COL/01/1625 planning permission was granted for the following development:

‘Outline application for replacement roadside services to include petrol filling station comprising associated Class A1 retail shop, re-fuelling facilities, car wash and Class A3 roadside restaurant and lorry park.’

#### **7.0 Principal Policies**

- 7.1 The following national policies are relevant to this application:

Planning Policy Statement 1: Delivering Sustainable Development  
Planning Policy Guidance 13: Transport

- 7.2 In addition to the above national policies, the following policies from the adopted Colchester Borough Core Strategy (December 2008) are relevant:

SA NGA1 – Appropriate Uses within the North Growth Area  
SA NGA2 – Greenfield Sites in the North Growth Area  
SA NGA4 – Transport Measures in North Growth Area  
SA NGA5 - Transport Infrastructure related to the NGAUE  
SD1 - Sustainable Development Locations  
SD2 - Delivering Facilities and Infrastructure  
UR1 - Regeneration Areas  
UR2 - Built Design and Character  
TA4 - Roads and Traffic  
TA5 - Parking  
ENV1 - Environment

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

DP1 Design and Amenity  
DP17 Accessibility and Access  
DP18 Transport Infrastructure Proposals  
DP19 Parking Standards

7.4 Regard should also be given to the following Supplementary Planning Guidance/Documents:

Vehicle Parking Standards

## **8.0 Consultations**

8.1 Spatial Policy has no comment to make with regard to this application.

8.2 The Highways Agency comments as follows:

‘As the application will not adversely affect the A12 trunk road at this location, the Highways Agency does not intend to issue a direction...’

8.3 The Highway Authority advises that it does not wish to make any comment and defers to the Highways Agency as the maintenance authority.

8.4 Environmental Control has no comment.

8.5 Natural England has responded as follows:

‘Natural England has **no comment** to make in relation to this application. From the information provided with this application we do not feel that the variance to condition as stated is likely to significantly affect the natural environment.’

In addition to the details reported above, the full text of all consultation responses is available to view on the Council’s website.

## **9.0 Parish Council Response**

9.1 Myland Community Council has advised that it has no objection to the proposal.

## **10.0 Representations**

10.1 None received

## **11.0 Parking Provision**

11.1 As this application seeks to vary the period of submission for reserved matters application there are no plans for consideration apart from the ‘red-line’ application plan. As part of a reserved matters application submission the parking provision would have to accord with the requirements in the Council’s adopted standards.



## **12.0 Open Space Provisions**

12.1 There are no open space requirements required by Council policy applicable to this type of development proposal.

## **13.0 Report**

13.1 The outline application O/COL/01/1625 established the principle of providing a petrol filling station and restaurant facility on the identified land. Subsequent to this permission a planning permission has been granted for the erection of a filling station and Members will be aware that this has been built and is now open to the public. The remainder of the land is to be used for the provision of a restaurant.

13.2 It is noted that the site allocation in the Local Development Framework recognises the service station use and the outline planning permission recognises the ancillary nature of the restaurant as an adjunct to the filling station. It is felt therefore that the use does not conflict with land use policy. As regards the physical impact of the proposal, this can be considered as part of the required reserved matters application. It is noted that the decision notice attached to the grant of permission did restrict the size of the restaurant and the relevant condition would be imposed as part of this subsequent permission.

## **14.0 Conclusion**

14.1 In conclusion it is considered that the variation of condition to allow a further year for the submission of a reserved matters planning application would be appropriate in this case.

## **15.0 Recommendation – Conditional Approval**

### **Conditions**

1 - A1.1 Outl Perms (submission of reserved matters (1))

Approval of the details of the layout, scale, appearance, access and landscaping of the site (hereinafter called “the reserved matters”) shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: The outline application as submitted does not give particulars sufficient for consideration of these reserved matters.

2 - A1.2 Outl Perms (submission of reserved matters (2))

Plans and particulars of the reserved matters referred to in condition 1 above, relating to the siting, design and external appearance of the buildings to be erected and the landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason: The outline application as submitted does not give particulars sufficient for consideration of these reserved matters.

### 3 - A1.3 Outl Perms (time limit for subm of res matter)

Application for approval of the reserved matters shall be made to the Local Planning Authority before expiration of one year from the date of this permission.

Reason: In order to comply with Section 92 of the Town and Country Planning Act 1990.

### 4 - Non-Standard Condition

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In order to comply with Section 92 of the Town and Country Planning Act 1990.

### 5 - Non-Standard Condition

The development hereby approved shall not commence until details of car parking, servicing and vehicle turning facilities within the site have been submitted to and approved in writing by the Local Planning Authority and development shall not take place other than in accordance with those approved details.

Reason: To ensure adequate parking, servicing and vehicular turning facilities are provided within the application site area in the interests of highway safety.

### 6 - Non-Standard Condition

The site shall be used for a petrol filling station and roadside service area comprising the following unless the Local Planning Authority first gives written approval to any variation: -

- Lorry Park:- maximum of 20no. spaces
- Class A3 roadside/cafe/restaurant:- 250sqm (gross floor area measure externally)
- Petrol filling station sales building including associated Class A1 retail sales area:- 320sqm (gross floor area measured externally)
- Car wash and plant room:- 80sqm (gross floor area measured externally)
- Forecourt canopy:- 430sqm (gross area measured externally) No part of the application site shall be used for the sale, display or repair of motor vehicles.

Reason: For the avoidance of doubt as to the scope of this permission and to ensure that the use does not cause harm to the amenity of the surrounding area.

### 7 - Non-Standard Condition

No external lighting fixtures for any purpose shall be constructed or installed until details of all external lighting proposals have been submitted to and approved by the Local Planning Authority; and no lighting shall be constructed or installed other than in accordance with those approved details.

Reason: To reduce the undesirable effects of light pollution and to protect the amenity of nearby residential properties and to mitigate against adverse impacts to wildlife.

#### 8 - Non-Standard Condition

No development shall commence on the site of the proposed roadside services until details of foul and surface water drainage have been submitted to and approved by the Local Planning Authority. The drainage works shall be constructed in accordance with the approved details unless the Local Planning Authority first gives written approval to any variation and in any event they shall be completed before the proposed roadside services are taken into beneficial use.

Reason: To ensure satisfactory drainage of the site.

#### 9 - Non-Standard Condition

No development shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority:

- Existing and proposed cross-sections through the site and any adjacent properties.
- Finished floor levels of all buildings in relation to finished ground levels within the development site, and compared to existing ground and floor levels within adjacent sites.

The development hereby granted shall be carried out in accordance with the approved finished floor and ground levels, unless the Local Planning Authority first gives written approval to any variation.

Reason: To ensure that the development is constructed at suitable levels having regard to access, the appearance of the development and the amenity of nearby residential properties.

#### 10 - Non-Standard Condition

Development shall not commence on the site of the proposed roadside services until a scheme to decontaminate and reinstate the existing roadside services site (including details of removal of the existing facilities) has been submitted to and approved in writing by the Local Planning Authority. The buildings within the existing roadside services site shall be demolished in accordance with the said agreed 'scheme'. The scheme to decontaminate and reinstate the existing roadside services shall include an investigation and assessment of the extent of contamination, the remedial measures to be taken to avoid risk to the public, the environment and any future occupier/buildings on the site, a schedule and method statement of demolition, and, a date for commencement and completion of the scheme. The scheme shall be undertaken and completed in accordance with the approved scheme unless the Local Planning Authority first gives written approval to any variation. On completion of the works a validation report shall be submitted to and approved in writing by the Local Planning Authority and subsequently the applicant/developer shall submit a validation certificate to confirm that the existing roadside services site has been remediated in accordance with the approved scheme.

Reason: To safeguard the health and safety of the public and to ensure the existing roadside services site is reinstated in a satisfactory manner having regard to the visual qualities of the area.

#### 11 - Non-Standard Condition

No development shall commence on the site of the proposed roadside services until a scheme of noise attenuation measures have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved details before the site of the proposed roadside services is beneficially occupied unless the Local Planning Authority first gives written approval to any variation.

Reason: To protect the amenity of nearby residential property and the locality.

#### 12 - Non-Standard Condition

Before any plant or machinery (including any ventilation system) is used on the premises it shall be enclosed with sound insulating material and mounted in such a way which will minimise transmission of structure/ground borne sound in accordance with a scheme (including manufacturers acoustic specifications where appropriate) which shall first have been submitted to and approved in writing by the Local Planning Authority. No plant or machinery shall be installed other than in accordance with the approved details unless the Local Planning Authority first gives written approval to any variation.

Reason: To protect the amenity of nearby residential property and the locality.

#### 13 - Non-Standard Condition

Prior to the development hereby approved being brought into use, refuse storage facilities and facilities for the collection of recyclable materials shall be provided in accordance with a scheme which shall have previously been submitted to and approved in writing by the Local Planning Authority. Such facilities shall thereafter be retained to the satisfaction of the Local Planning Authority.

Reason: To ensure that adequate facilities are provided for refuse storage and the collection of recyclable materials.

#### 14 - Non-Standard Condition

No Class A3 (cafe/restaurant) Use, as defined by the Town and Country Planning (Use Classes) Order 1987 (as subsequently amended) (or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order), shall commence operation until there has been submitted to and approved in writing by the Local Planning Authority full details of equipment to be installed for the extraction and control of fumes and odours together with a code of practice for the future operation of that equipment. The use shall not take place other than in accordance with the approved details unless the Local Planning Authority first gives written approval to any variation.

Reason: To ensure the use does not harm the local environment and the amenities of the area by virtue of air pollution or odours.

#### 15 - Non-Standard Condition

No movement of heavy goods vehicles or plant shall occur to, from or within the site associated with site clearance, demolition or construction work except with the prior written consent of the Local Planning Authority (including the use of plant or machinery or power tools) other than between the hours of 07.30 hrs to 18.30 hrs on weekdays and 07.30 hrs to 13.00 hrs on Saturdays and at no time on Sundays or Bank/Public Holidays, except with the prior written consent of the Local Planning Authority.

Reason: To protect the amenity of nearby residential property.

#### 16 - Non-Standard Condition

Details of all construction accesses, lorry/construction routes and any haul road provision that are required in connection with site clearance, demolition or construction shall be submitted to and approved in writing by the Local Planning Authority prior to works of any kind commencing on site. The development shall be implemented in accordance with the approved details unless the Local Planning Authority first gives written approval to any variation.

Reason: In the interests of highway safety and to protect local amenity.

#### 17 - Non-Standard Condition

No site clearance, demolition or construction shall commence on site until arrangements for the control of dust and mud have been made to prevent, as far as reasonably practicable, the deposit of dust on nearby property, and the accumulation of mud on the highway. Such arrangements shall be agreed in writing with the Local Planning Authority prior to commencement and shall be implemented in accordance with the approved details unless the Local Planning Authority first gives written approval to any variation.

Reason: In the interests of highway safety and to protect local amenity.

#### 18 - Non-Standard Condition

Samples of the materials to be used on all external finishes shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The development shall only be carried out using the approved materials unless the Local Planning Authority first gives written approval to any variation.

Reason: To ensure the use of an appropriate choice of materials having regard to the siting of the application site within an area of Strategic Open Land.

#### 19 - Non-Standard Condition

No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority. These details shall include, as appropriate:

- Means of enclosure
- Car parking layout
- Other vehicle and pedestrian access and circulation areas
- Hard surfacing materials
- Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signage, lighting)
- Proposed and existing functional services above and below ground (e.g. drainage, power, communication cables, pipelines, etc indicating lines, manholes, supports etc)

Soft landscape details shall include:

- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, plant size and proposed numbers/densities
- Implementation timetables

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

#### 20 - Non-Standard Condition

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

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

#### 21 - Non-Standard Condition

All existing trees and hedgerows shall be retained, unless shown to be removed on the approved drawings (AERC Environmental Statement, Addendum 4 and 'Tree Assessment' May 2003) or the Local Planning Authority first gives written approval to any variation.

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

#### 22 - Non-Standard Condition

All existing trees, shrubs and other natural features not scheduled for removal by AERC Environmental Statement, Addendum 4 and 'Tree Assessment' May 2003 shall be safeguarded during the course of all works (in accordance with BS5837:1991). No work shall commence until all such trees, shrubs and natural features are protected in an area behind a fence line to a standard to be agreed by the Local Planning Authority (in accordance with BS1722:part 4). All agreed protective fencing shall be maintained during the course of works on site. No access, works or placement of materials or soil shall take place within the protected areas without the prior written consent of the Local Planning Authority.

Reason: To safeguard existing trees, shrubs and other natural features within the site in the interest of visual amenity.

#### 23 - Non-Standard Condition

No burning or storage of materials shall take place where damage could be caused to any tree, shrub or other natural feature to be retained on the site or adjoining land.

Reason: To protect the health of trees, shrubs and other natural features to be retained in the interest of visual amenity.

#### 24 - Non-Standard Condition

All trees and hedgerows on or overhanging the site shall be protected from damage as a result of works on site in accordance with BS5837:1991. All existing trees shall be monitored and recorded for at least five years following contractual completion of the relevant phase of the approved development. In the event that any trees and or hedgerows die, are removed, destroyed, fail to thrive or are otherwise defective during such a period, they shall be replaced during the first planting season thereafter to specifications agreed in writing with the Local Planning Authority.

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

## 25 - Non-Standard Condition

No site clearance, demolition or construction works shall take place within the application site until details of mitigation measures (including methodology, timescale for completion and long term maintenance and monitoring plan) have been submitted to and approved in writing by the Local Planning Authority to protect and enhance the habitat of bats.

Reason: To ensure that the impact of the development on protected species are properly mitigated.

### **Informatives**

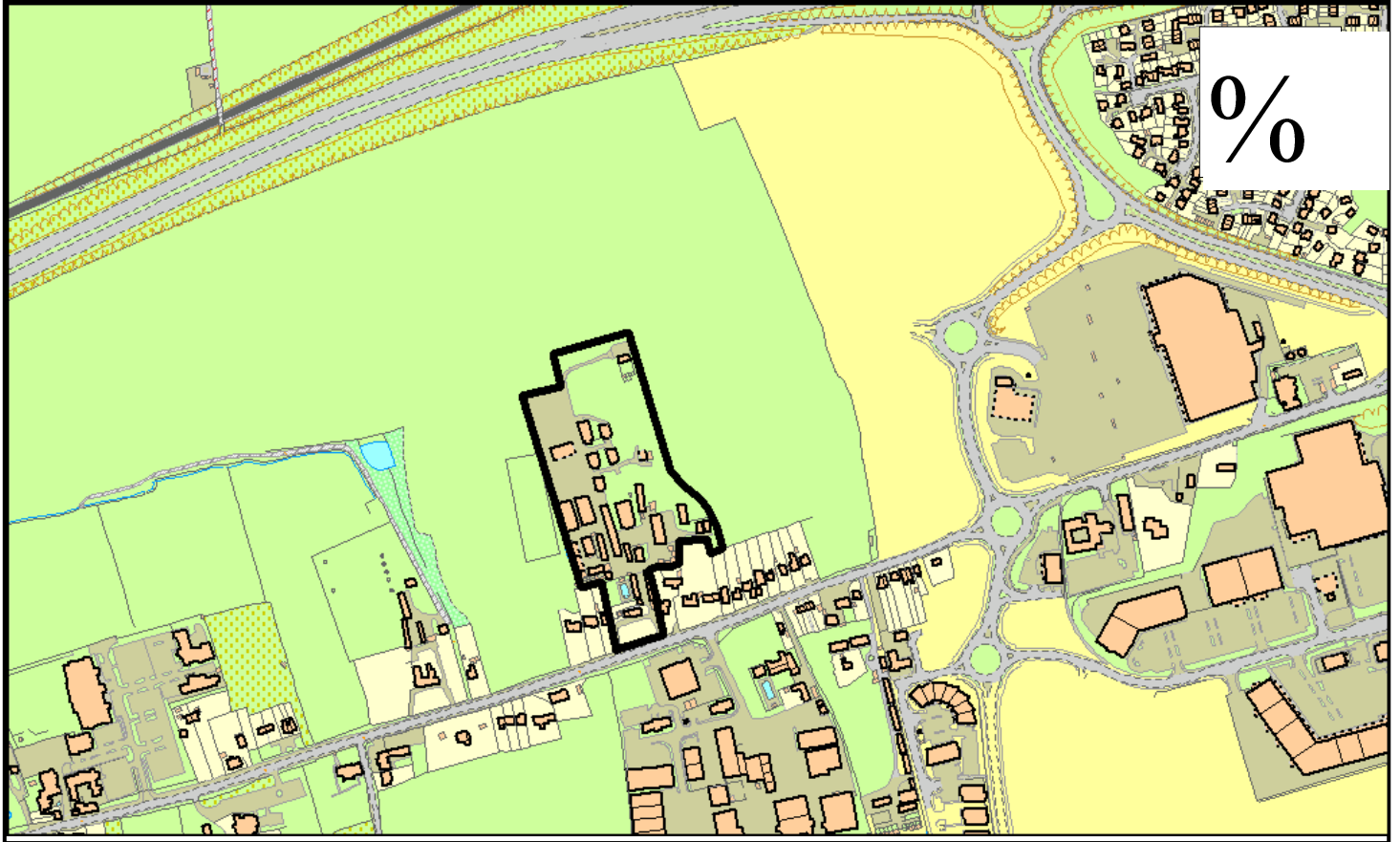
(1) The developer is advised that all highways related details shall be agreed in conjunction either with Essex County Council Highway Authority or the Highway Agency.

(2) The developer is advised, in connection with condition no. 10 above, that if a temporary access to the existing roadside services site is required amongst other things in order to complete demolition, decontamination and remedial works then this must be agreed in writing in advance with the Local Planning Authority and in conjunction with the Highway Agency.

(3) The number and standard of parking spaces, including disabled, cycle and motorcycle spaces, shall be in accordance with the Parking Standards – Design and Good Practice – Essex County Council 2009.

(4) 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.

(5) All works affecting the highway should be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be made by initially telephoning 01206 838600.



**Application No:** 110736

**Location:** Wyvern Farm, 274 London Road, Stanway, Colchester, CO3 8PB

**Scale (approx):** 1:1250

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**7.3 Case Officer: Mark Russell**

**Due Date: 28/07/2011**

**MAJOR**

**Site:** Wyvern Farm, 274 London Road, Stanway, Colchester, CO3 8PB

**Application No:** 110736

**Date Received:** 28 April 2011

**Agent:** The Johnson Dennehy Planning Partnership

**Applicant:** Mr J.I.S Mason

**Development:** Retrospective application to regularise unauthorised uses in respect of Units 17, 18, 25 and 29 for light industrial (B1c) storage use (B8), retention of existing portacabins for office use (B1a) together with storage of hardcore and occasional crushing.

**Ward:** Copford & West Stanway

**Summary of Recommendation:** Conditional Approval

## **1.0 Introduction**

1.1 This application is referred to the Planning Committee because of a call in by Councillor McLean who is concerned about the hours of concrete crushing.

## **2.0 Synopsis**

2.1 The following report details the proposal for retrospective Planning permission for light industrial and storage use at four former farm buildings, the retention of portakabins for office use and the storage and occasional crushing of hardcore. Objections, relating mainly to noise from the crushing activities, are described as are consultation responses involving Environmental Control and the Highway Authority. These lead to the Local Planning Authority's conclusion that the proposal is acceptable with conditions – limiting hours of work and in particular limiting the crushing to 12 days a year (Monday to Friday only) and between 8am and 6pm.

## **3.0 Site Description and Context**

3.1 Wyvern Farm is an agricultural holding with a large farmhouse and an extensive range of former agricultural buildings. This is located on the main east-west distributor London Road. The holding is approximately 48.5 hectares, some of which is still in agricultural use. The part of the site relevant to the application is no longer involved with agricultural activities, and comprises a range of buildings in various states of disrepair. To the north is farmland, to either side are residential dwellings. The buildings also wrap around to the rear of some of these properties.

## 4.0 Description of the Proposal

4.1 The proposal seeks to regularise a clutch of existing, unauthorised uses, namely:

- Units 17 and 18: Storage use;
- Unit 25: Storage of, and occasional repair of, tractors;
- Unit 29 (the rear section of): Light industrial use by a joinery company;
- Office use in three portakabins;
- Storage of earth and hardcore, and the occasional crushing of the same.

## 5.0 Land Use Allocation

5.1 Predominantly Residential

## 6.0 Relevant Planning History

85/1131	Heavy lorry service area, parking, overnight accommodation, restaurant and ancillary facilities.	REFUSED		09-06-1986
93/0639	Outline planning application to develop a comprehensive facility for the lorry/commercial driver, HGV operator and emergency services following the incidental reduction of ground level by 6 metres	REFUSED		17-02-1994
93/0639/1	Outline planning application to develop a comprehensive facility for the lorry/commercial driver, HGV operator and emergency services following the incidental reduction of ground level by 6 metres	NON-DETERMINATION/NO DECISION		17-02-1994
93/0639/2	Outline planning application to develop a comprehensive facility for the lorry/commercial driver, HGV operator and emergency services following the incidental reduction of ground level by 6 metres	NON-DETERMINATION/NO DECISION		17-02-1994
97/1154	Resubmission of COL/97/0216 for retrospective change of use of land and buildings for the dismantling of motor cars, storage and retailing of car parts to trade customers including alteration to existing access to highway	REFUSED		06-11-1997
C/COL/03/0539	Change of use and development of land and buildings from agriculture to rural business site (limitation of use to office use within Class B1 (a) ).	APPROVED CONDITIONS	WITH	02/07/2008
101256		APPROVED CONDITIONS	WITH	20-08-2010

## **7.0 Principal Policies**

- 7.1 The following national policies are relevant to this application:  
Planning Policy Statement 1: Delivering Sustainable Development  
Planning Policy Statement 7: Sustainable Development in Rural Areas  
Planning Policy Guidance 24: Planning and Noise
- 7.2 In addition to the above national policies, the following policies from the adopted Colchester Borough Core Strategy (December 2008) are relevant:  
SD1 - Sustainable Development Locations  
CE1 - Centres and Employment Classification and Hierarchy  
CE3 - Employment Zones  
UR2 - Built Design and Character  
TA4 - Roads and Traffic  
ENV2 - Rural Communities
- 7.3 In addition, the following are relevant adopted Colchester Borough Development Policies (October 2010):  
DP1 Design and Amenity  
DP5 Appropriate Employment Uses and Protection of Employment Land and Existing Businesses  
DP8 Agricultural Development and Diversification  
DP9 Employment Uses in the Countryside

## **8.0 Consultations**

- 8.1 The Highway Authority did not object, but asked for measures to control mud and debris and sought assurances that sufficient car parking was provided.
- 8.2 Environmental Control has visited the site with particular concerns about the crushing. It has not objected but has asked for strict limitations on the timings and amount of occasions that the crusher is in operation. A full response is awaited.
- 8.3 Environmental Policy had not responded at the time of writing.

In addition to the details reported above, the full text of all consultation responses is available to view on the Council's website.

## **9.0 Parish Council Response**

- 9.1 At the time of writing, Stanway Parish Council's comments were awaited.

## **10.0 Representations**

10.1 Four letters of objection have been received from nearby residents, the full text of these is available on the Council's website, but the salient points are as follow:

- Concern about the crushing activity, and the fact that few details of this have been supplied;
- There could be a serious increase in the movements of heavily loaded vehicles importing materials;
- No details regarding the screening of operations to minimise noise and dust pollution to protect the amenity of local residents;

## **11.0 Parking Provision**

11.1 This is not a key consideration for the application, but the submitted documents show that the site has 50 parking spaces with no proposed change. Parking has not been raised as an issue.

## **12.0 Open Space Provisions**

12.1 Not applicable

## **13.0 Report**

### Background

13.1 Wyvern Farm has previously been granted Planning permission under C/COL/03/0539 for a business park for B1 (office) use amounting to 5,200m<sup>2</sup>. This permission will run out on 2<sup>nd</sup> July 2011. The site (excluding the farmland to the west) is zoned in the Site Allocations document (2010) as "predominantly residential."

13.2 The site, therefore, is not likely to remain in its present form beyond the near future. Any permissions, therefore, will be granted on a temporary basis.

### Impact on the Surrounding Area

13.3 The chief visual impact is the portakabin arrangement which is partially visible from some public aspects, and also from some of the neighbouring gardens. The height, of two modules stacked upon each other is not, however, held to be visually damaging.

### Impacts on Neighbouring Properties

13.4 The physical form of the portakabins is not an issue. The apparent intensification, however, is. Several residents have cited noise issues, and in one case a recent increase in noise has been mentioned.

- 13.5 Your Environmental Control Officers visited the site on 1<sup>st</sup> June this year and discussed the proposal with the applicants. It is apparent that the proposed level of usage is quite low in terms of the crushing. The applicant has agreed, in writing, to limit the incidence of crushing to four times per year for three days for each episode. Further, this shall take place solely within the hours of 8am to 6pm on Mondays to Fridays.
- 13.6 In terms of the general noise climate at Wyvern Farm, complaints were received by your Environmental Control team on 28<sup>th</sup> February and 1<sup>st</sup> March, apparently relating to the same matter. There had been scraping and banging noises at 07.30am on a Sunday, with a large digging machine moving material around. Apparently the noise related to the urgent removal of cables from a roof. The cables had become tangled following the fall of a wooden pole from a barn roof.
- 13.7 Whilst there has been at least one previous complaints about noise (18<sup>th</sup> May 2010), this issue does not appear to have been a serious ongoing matter.
- 13.8 Our Environmental Control Manager has stated that a limited amount of crushing would be acceptable, especially as this is covered by Environmental Control legislation, and the company using the crusher is duty bound to inform the Environmental Control team about methods of screening, dust control and so on.
- 13.9 In terms of vehicle movements, when the retrospective application for a vehicle operating centre and office was submitted last year (101256) by the Mason group of companies, they had advised that there were 5 or 6 lorry movements per day. This incorporated all activities. The movements relating to the bringing in of concrete/rubble are not extra to this. The proposal does not, therefore, represent an intensification of existing vehicular activity.

#### Highway Matters

- 13.10 The Highway Authority has not raised any concerns, other than requesting measures to control the deposit of mud on to the Highway. This does not appear to have been an issue, but nevertheless a condition requesting more information from the applicants has been appended to this report.

### **14.0 Conclusion**

- 14.1 In conclusion, given what should be the temporary nature of the units on this site, and also given that Environmental Control feels that the uses would not be unacceptable, temporary permission is recommended.

## **15.0 Recommendation - APPROVE** subject to the following conditions

### **Conditions**

#### **1 - Non-Standard Condition**

The permission hereby granted is for the continued use of units 17, 18, 25 and the rear section of 29, as identified in the submitted application documents, for the purposes of light industrial and storage use, for the retention of portakabins for B1(a) use and the storage of hardcore and occasional crushing.

Reason: For the avoidance of doubt as to the scope of this consent.

#### **2 - Non-Standard Condition**

The permission hereby granted shall expire on 28th July 2014, at which point all of the above activities shall cease.

Reason: For avoidance of doubt as to the scope of this permission as Colchester Borough Council would wish to control the use of this land and building long-term.

#### **3 - Non-Standard Condition**

With the exception of the concrete crushing, the hours of use are restricted to 06:00 – 18:00 (Monday to Friday), 07:00 – 13:00 (Saturday) and at no time on Sundays or Public/Bank Holidays.

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

#### **4 - Non-Standard Condition**

The crushing shall take place no more than , and at no time during weekends or Bank/Public holidays.

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

#### **5 - Non-Standard Condition**

The development hereby approved shall comply fully with the submitted OS Plan dated 23rd May 2011, and drawing 120 dated April 2011 unless otherwise agreed in writing by the Council.

Reason: For the avoidance of doubt as to the scope of this consent.

#### **6 - Non-Standard Condition**

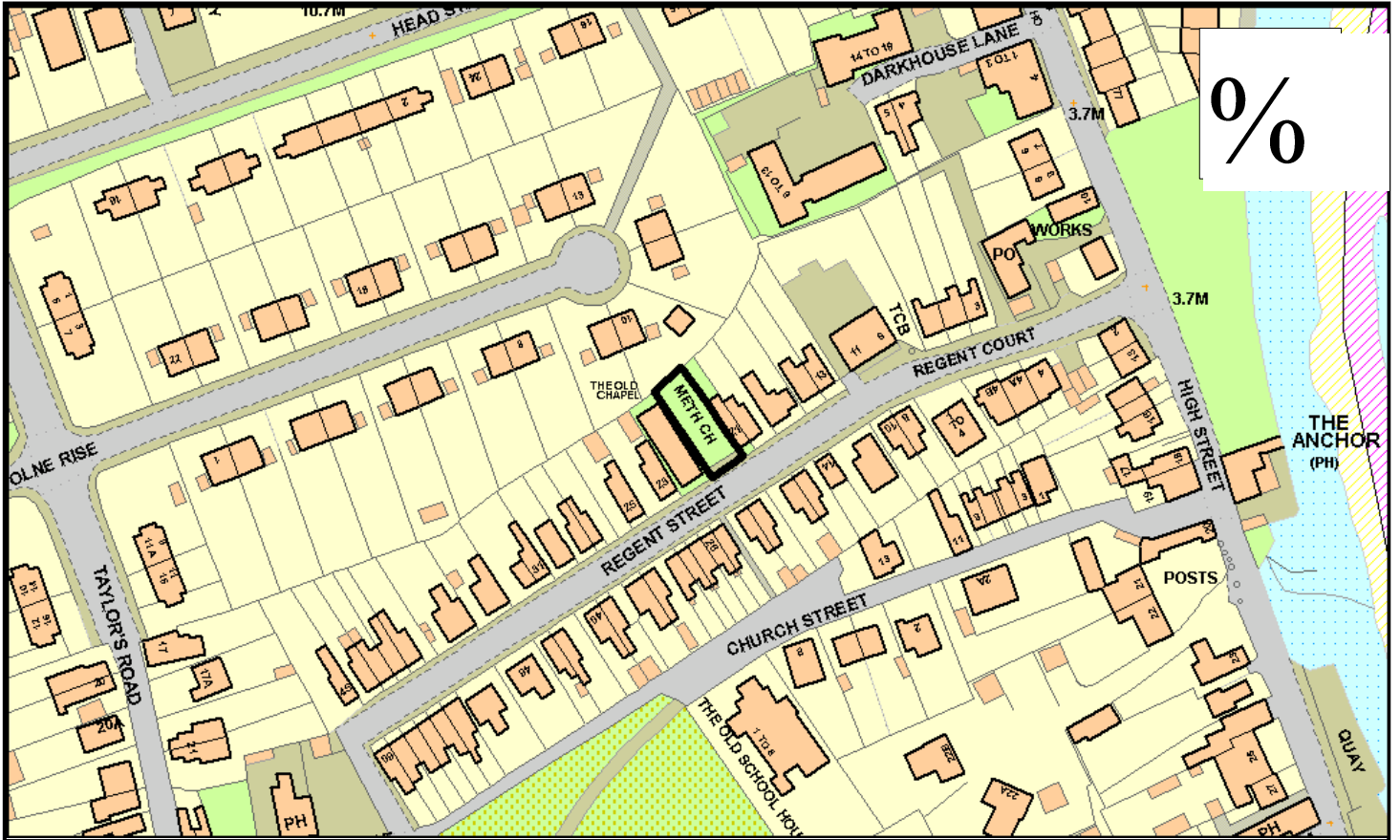
Within 28 days of this permission, the applicant shall provide details of measures to ensure no mud/debris is deposited on the public highway by any vehicle associated with the proposal. Such details shall be agreed in writign by the Local Planning Authority and shall be implemented at all times thereafter.

Reason: To ensure that no mud/debris is deposited on the public highway in the interests of Highway safety.

## **Informatives**

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

(2) All works affecting the highway should be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be made by initially telephoning 01206 838600.



**Application No:** 110023

**Location:** Land to West of, 21 Regent Street, Rowhedge, Colchester, CO5 7EA

**Scale (approx):** 1:1250

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#### 7.4 Case Officer: Nick McKeever

**MINOR**

**Site:** 21 Regent Street, Rowhedge, Colchester, CO5 7EA

**Application No:** 110023

**Date Received:** 11 January 2011

**Agent:** Chris Robards

**Applicant:** Mr D Wright

**Development:** Proposed new dwelling on land adjacent to 21 Regent Street

**Ward:** East Donyland

**Summary of Recommendation:** Conditional Approval subject to Unilateral Undertaking

### 1.0 Introduction

1.1 This application is referred to the Planning Committee because of an objection by the Rowhedge Society and from three local residents. The objections include concerns about parking provision and the impact upon the amenity of the former Methodist Chapel (The Old Chapel) that adjoins the site. In view of the concern about inadequate parking provision, and the fact that that the proposed parking is not in accordance with the recommended levels in the Council's adopted parking standards, the application is submitted to the Planning Committee for determination.

1.2 The application was originally included within the agenda for a previous Committee but was withdrawn by the Head of Environmental and Protective Services from this agenda for consideration of the impact upon windows serving habitable rooms within the flank wall of the Old Chapel, Regent Street, Rowhedge.

### 2.0 Synopsis

2.1 The principle of this infill development was established in 2004 by the approved outline application O/COL/04/0810. This outline application was supported by an indicative layout and front elevation drawing showing the new building as being attached to 21 Regent Street. The elevation drawing was excluded by condition. This committee report will consider the proposed scheme having regard to this previous approval and the current planning policy context. It will also consider the amended plans that have now been submitted in order to clarify an objection from the occupiers of The Old Chapel due to an overshadowing impact upon habitable rooms which have windows within the flank wall of this converted Chapel. The report will conclude that the development is acceptable in terms of its layout, detailed design and impact upon residential amenity.

### **3.0 Site Description and Context**

- 3.1 The site forms part of the garden of 21 Regent Street, Rowhedge, which is within an established residential area. The existing dwelling is a two storey, semi-detached dwelling of the late Victorian/early Edwardian period. It is constructed in red brick with a slate roof.
- 3.2 The property is surrounded by other residential properties, including a former Methodist Chapel to the immediate west, which has been converted into a single dwelling known as the Old Chapel.
- 3.3 There are trees along the northern site boundary.

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

- 4.1 It is proposed to erect a detached, two storey dwelling on this plot having a stated area of 210 square metres. The dwelling is to be finished in red facing brick, stone cills and lintels and a slate roof. The ground floor accommodation includes a kitchen/diner, lounge and conservatory; the first floor provides three bedrooms and a bathroom.
- 4.2 One parking space is to be provided on the site.

### **5.0 Land Use Allocation**

- 5.1 Residential/Conservation Area

### **6.0 Relevant Planning History**

- 6.1 O/COL/04/0810 – Severance of garden to form a building plot for one two bedroomed dwelling. Approved 22/06/2004

### **7.0 Principal Policies**

- 7.1 The following national policies are relevant to this application:
  - Planning Policy Statement 1: Delivering Sustainable Development
  - Planning Policy Statement 3: Housing
  - Planning Policy Statement 5: Planning for the Historic Environment
  - Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation
- 7.2 In addition to the above national policies, the following policies from the adopted Colchester Borough Core Strategy (December 2008) are relevant:
  - SD1 - Sustainable Development Locations
  - SD2 - Delivering Facilities and Infrastructure
  - SD3 - Community Facilities
  - H1 - Housing Delivery
  - H2 - Housing Density
  - H3 - Housing Diversity
  - UR2 - Built Design and Character
  - PR1 - Open Space
  - PR2 - People-friendly Streets
  - TA1 - Accessibility and Changing Travel Behaviour

TA2 - Walking and Cycling  
TA3 - Public Transport  
TA4 - Roads and Traffic  
TA5 - Parking

- 7.3 In addition, the following are relevant adopted Colchester Borough Development Policies (October 2010):  
DP1 Design and Amenity  
DP3 Planning Obligations and the Community Infrastructure Levy  
DP4 Community Facilities  
DP12 Dwelling Standards  
DP13 Dwelling Alterations, Extensions and Replacement Dwellings  
DP14 Historic Environment Assets  
DP16 Private Amenity Space and Open Space Provision for New Residential Development  
DP17 Accessibility and Access  
DP18 Transport Infrastructure Proposals  
DP19 Parking Standards
- 7.4 Regard should also be given to the following Supplementary Planning Guidance/Documents:  
Backland and Infill  
Community Facilities  
Vehicle Parking Standards  
Sustainable Construction Open Space, Sport and Recreation  
Extending your House  
The Essex Design Guide  
External Materials in New Developments

## **8.0 Consultations**

- 8.1 The Design and Heritage Unit comment:-

“The principle of infilling this plot on the rising hill of Regent Street is acceptable in principle. The small plot has been given an appropriately scaled and proportioned dwelling that appears appropriate in the rhythm of the other dwellings in the street. I would suggest that the front room window becomes a bay window, which will ground the building visually. I would also suggest that the form will need a chimney to disguise the junction of the two roofs. The application should be considered and justified against our current car parking standards.”

In addition to the details reported above, the full text of all consultation responses is available to view on the Council’s website.

## **9.0 Parish Council Response**

- 9.1 There is no record of the receipt of comments by Rowhedge Parish Council

## **10.0 Representations**

### **10.1 The Rowhedge Society comment that:-**

“The design of the dwelling proposed is out of keeping with the surrounding area which is mainly of traditional Victorian design and layout.

Impact on a conservation area - Any development on this site should be sympathetic to and contribute positively to the conservation area in which the site sits. The design of the proposed dwelling would have a detrimental impact upon this conservation area. It is important that open space is retained in the area; this very small site should not be built upon.

The lack of parking space in Rowhedge, particularly in the vicinity of this site, is a significant issue for all residents. The parking planned in this application is totally inadequate for the dwelling proposed. The streets in the immediate area are of mainly Victorian layout and design and any planning application which suggests that this area will have to accommodate an increase in the parking of vehicles must be rejected on the basis of the impact this will have on this conservation area and existing residents. Health and safety - For the reasons stated above it is our belief that development of this site as submitted will generate increased traffic and parking and as such an increased risk to health and safety especially as it is so close to the village shop which obviously attracts a great many pedestrians.”

### **10.2 The occupier of 36 Regent Street considers that a new building will create the need for extra parking space. The majority of parking here is on-street and this is limited, making existing parking a problem. It follows that any additional vehicles will only increase the problem. As Regent Street is part of the old village, any new development will not be in keeping with the existing houses.**

The occupiers of the Old Chapel raise concerns relating to the overshadowing impact of the development upon habitable rooms within the east facing elevation of this converted Chapel. A request is made for a sun path analysis. This request is on the basis that the light rises precisely where the house will be built and the only time we get direct sunlight to our kitchen window is from the east and this is greatly reduced in the winter already. The main area of concern is the Kitchen window which will be half covered by a two storey wall and have the roof of a conservatory covering a large section of the rest of the window. The 45 degree angle given for the light to come into this window will be very weak light as it is in the shadow of the rear of the two storey building. A light tunnel to this window would overcome this concern.

## **11.0 Parking Provision**

### **11.1 The application proposes the provision of one parking space to be located adjacent to the front projecting wing of the new building. This space is shown as being 2.8m wide and 5.4m long.**

### **11.2 The existing dwelling at No.21 Regent Street had on-site parking in the form of a single, detached garage located adjacent to the Old Chapel, accessed via an existing drop-kerb. This garage is no longer on the site.**

11.2 The current adopted standard for a new three bedroom dwelling is normally two spaces plus one visitor space. The visitor space can be provided within the adjacent highway where there are no parking restrictions. The recommended size of a parking space should normally be 5.5 metres x 2.9 metres.

11.3 In considering the proposed one parking space due account has been taken of the following circumstances:

- (1) The previously approved scheme made provision for one parking space within a car port attached to the side of the dwelling.
- (2) A large number of the existing older properties along Regent Street do not have any on-site parking. Other properties mostly have only one but where space permits some have two spaces although these are in the minority.
- (3) The parking standard does allow for spaces that are below the recommended size ( i.e. the old standard of 2.5 metres x 5.0 metres) as an exception. In this case the size is only marginally below the recommended 5.5 metres x 2.9 metres.

## **12.0 Open Space Provisions**

12.1 The application includes the required Unilateral Undertaking for a contribution towards the provision of Open Space and Community Facilities in accordance with the Council's adopted SPD.

## **13.0 Report**

13.1 The layout plan shows that the new building is to occupy much the same position as that shown on the layout plan submitted with the approved application O/COL/04/0810. In terms of site area the Design and Access Statement states that the ground floor plan will occupy 55 sq. metres of the total site area of 210 sq. metres. The submitted ground floor plan 1497- 02C shows that the building is to be located one metre from the boundary with No.19 Regent Street and one metre from the boundary with the Methodist Chapel. In terms of space between the buildings the development complies with the Council's normal standard.

13.2 Given the particular characteristics of the existing development within this older, established residential street, it is considered that the development would not appear cramped in its setting.

13.3 The design of the new dwellings has evolved through discussions between the applicant and the urban design officer. The design has been modified to incorporate the minor modifications recommended by the Design and Heritage Unit. It has now reached a standard of design that is compatible with the majority of the Late Victorian/early Edwardian properties that give this street its particular character. The external materials are also in keeping.

13.4 It is noted that the Decision Notice for the permission O/COL/04/0810 advised that the submitted design was not acceptable given the detail of the garage and the linking of the new building to the existing dwelling at No.21 Regent Street. This Notice further advised that a new dwelling with a gable facing the road may provide an acceptable form of development. The current application has addressed these matters.

- 13.5 In general terms the scale, height and massing of the proposed building are sympathetic to its setting.
- 13.6 There are no privacy issues as there is only a bathroom window in the east facing flank wall, and this should be obscure glazed.
- 13.7 Given the layout of the existing dwelling at No.21, it is considered that the proposed dwelling does not raise any issues in terms of overbearing impact, loss of outlook or overshadowing upon this neighbouring dwelling. In this respect the development complies with the Council's adopted policies and SPD.
- 13.8 The converted Chapel to the immediate west of the site has a range of windows within the east facing elevation, which look out onto the site. These windows serve a bedroom, a utility room and a kitchen. The bedroom is located towards the front of the dwelling, whilst the kitchen is located towards the rear. These two rooms, but not the utility room, are classed as habitable accommodation and as such are afforded protection under the adopted DPD policies and the associated SPD 'Extending your house'.
- 13.9 The SPD states that proposals for extensions or a new building should not result in the centre of the main window of a habitable room being within a combined plan and section 45 degree overshadowing zone. Where these windows are within the side elevation, as in this situation, each case will be considered on its merits bearing in mind the 45 degree rule and the existing relationship between buildings.
- 13.10 The applicant was required to submit additional drawings that clarified the potential overshadowing impact. This has been done and the drawings submitted.
- 13.11 In considering the potential overshadowing impact it is noted that the Old Chapel is set at a significantly elevated position relative to the proposed new dwelling. The other factor to be taken into consideration is that the windows on the inside are a different size to those on the outside. The occupiers of the Old Chapel have explained this anomaly on the basis that, when the property was converted, the builders blocked the top section of window from the inside as this was necessary for the floor level. As such any measurements could not be taken from the apparent centre of the windows as viewed from the exterior. The additional drawings that have been submitted have taken this into account.
- 13.12 The additional drawings demonstrate that neither the front bedroom window, or the rear kitchen window, is affected by the combined plan and section 45 degree overshadowing zone. In this respect the development satisfies the requirements of the SPD 'Extending your house' and the Essex Design Guide (EDG) for Residential and Mixed Use Areas. The EDG cites the Building Research Establishment's report "Site Layout Planning for Daylight and Sunlight", which suggests that obstruction of light and outlook from an existing window is avoided if the extension, (or in this case the building), does not result in the centre of the existing window being within a combined plan and section 45 degree overshadowing zone.

## 14.0 Conclusion

- 14.1 The principle of this infill development has been agreed by the 2004 permission. The layout, scale, design and external appearance are considered to be acceptable in this particular setting. Whilst the provision of on-site car parking does not comply with the recommended standard, it is considered that the proposed provision is acceptable having regard to the site's history and particular context.
- 14.2 The applicant has incorporated the provision of a front bay window and the chimney as required by the Design and Heritage Unit. On this basis the design is considered to be acceptable.
- 14.3 The development is acceptable in terms of visual and residential amenity.

## 15.0 Recommendation

1. APPROVE subject to the prior completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990. The Head of Environmental and Protective Services to be authorised to complete the agreement to provide the following:
  - A contribution towards the provision of Open Space and Community Facilities in accordance with the Council's adopted SPD
2. On completion of the legal agreement, the Head of Environmental and Protective Services be authorised to grant planning permission subject to the following conditions:

### Conditions

#### 1 – A1.5 Full Perms (time limit for commencement of Development)

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

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

#### 2 – C3.4 Samples of Traditional Materials

Samples of all materials to be used in the external construction and finishes of all parts of the proposed development, shall be selected from the local range of traditional vernacular building and finishing materials and shall be submitted to and agreed in writing by the Local Planning Authority before the development commences. The development shall be implemented in accordance with agreed details.

Reason: To ensure that the development preserves and enhances the character and or appearance/visual amenity of the Conservation Area.

### 3 – C12.2 Details of Walls or Fences

Prior to the commencement of the development details of screen walls/fences/railings /means of enclosure etc shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the position/height/design and materials to be used. The fences/walls shall be provided as approved prior to the occupation of any building and shall be retained thereafter.

Reason: To ensure a satisfactory form of development and in the interests of visual amenity.

### 4 – D1.9 Visibility Splays

A 1.5 metre x 1.5 metre pedestrian visibility sight splay, free of obstruction above a height of 600mm, and relative to the back of the footway / overhang margin, shall be provided on both sides of all vehicular accesses prior to their operational use and thereafter retained.

Reason: To avoid overdevelopment of this site.

### 5 - Non-Standard Condition

The car parking space hereby approved shall be provided prior to the occupation of the new dwelling and thereafter shall be retained for parking of vehicles ancillary to the development.

Reason: In the interest of highway safety and the amenity of the existing residential properties

### 6 – Non Standard Condition

The development shall be carried out in accordance with the approved drawings Nos. 1497-0F; 02E, 3REV.E and 4REV.E.

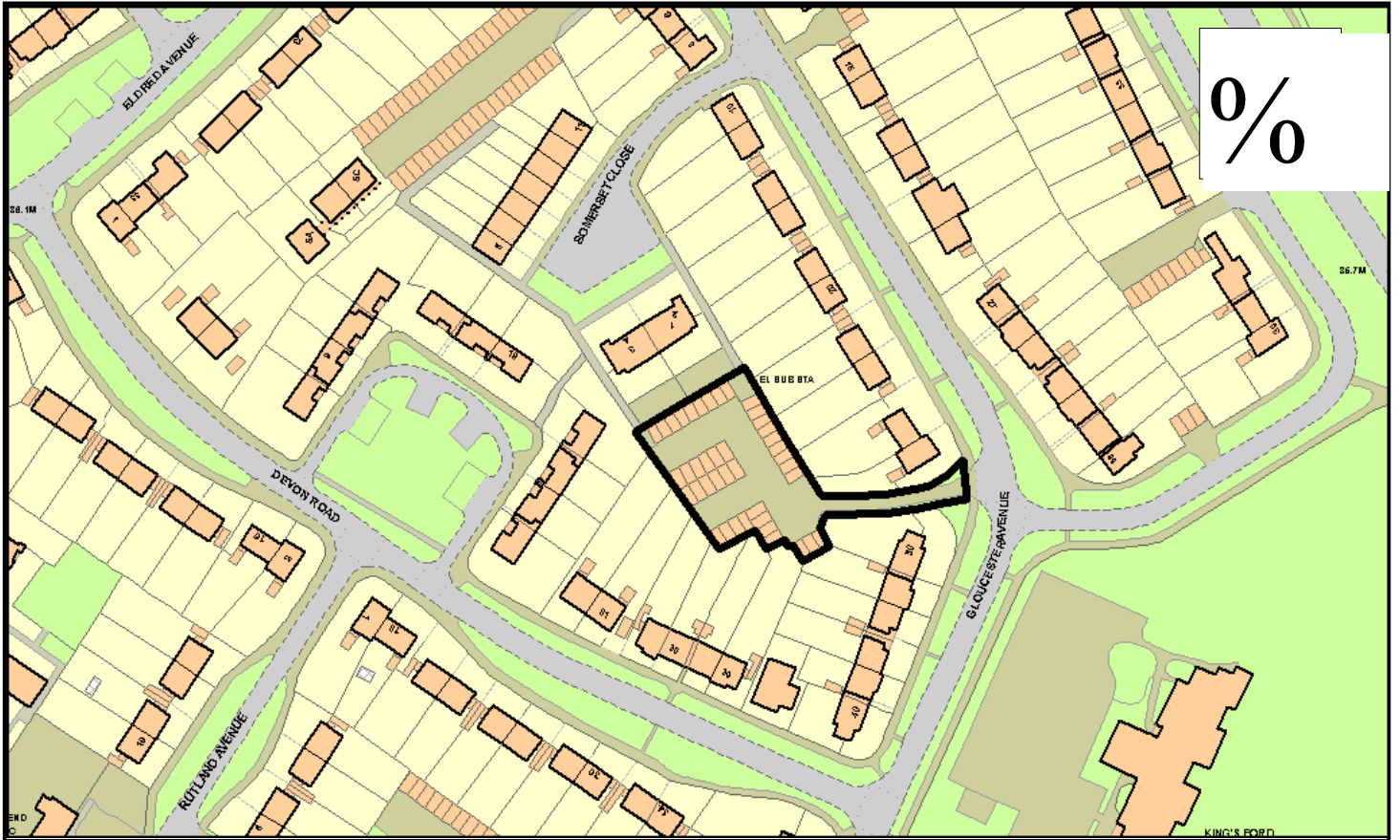
Reason: For the avoidance of doubt and in the interests of proper planning.

## **Informatives**

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

(2) All works affecting the highway should be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be made by initially telephoning 01206 838600.





**Application No:** 102685

**Location:** Garage Court, Gloucester Avenue, Colchester, CO2 9AX

**Scale (approx):** 1:1250

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## 7.5 Case Officer: Andrew Huntley

## MINOR

**Site:** Garage Court, Gloucester Avenue, Colchester, CO2 9AX

**Application No:** 102685

**Date Received:** 30 March 2011

**Agent:** Mrs Rowan Easter

**Applicant:** Chp

**Development:** Provision of 4 affordable dwellings, with associated parking and landscaping

**Ward:** Shrub End

**Summary of Recommendation:** Conditional Approval

### 1.0 Introduction

1.1 This application is referred to the Planning Committee because the land which forms the application site is owned by Colchester Borough Council.

### 2.0 Synopsis

2.1 This report sets out the main considerations within the application, which include design, amenity and car parking. A summary of consultation responses is also included and a discussion of the proposal. The report concludes that the development should be supported and a number of conditions are suggested to be included as part of an approval.

### 3.0 Site Description and Context

3.1 The application site is located within an existing built up residential area. The area is characterised by two-storey semi-detached and terraced properties and forms a planned estate development. The application site is located behind existing properties on Gloucester Avenue, Somerset Close and Devon Road with a narrow vehicular access which opens considerably at the junction with Gloucester Avenue. This backland site was previously used as a garage court but is now derelict and becoming overgrown. The site has no garages but is covered in concrete hardstanding with some lighting poles. There is a pedestrian access on to the site at its north western boundary, which runs to Somerset Close. The site has shared boundaries with several rear gardens from the surrounding properties, with high close-boarded fencing being predominant treatments of those boundaries.

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

4.1 The proposal seeks planning permission for a terrace of four, two-bedroom chalet bungalows with associated car parking (8 Spaces), turning area and private amenity space.

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

5.1 Residential.

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

6.1 No relevant planning history.

#### **7.0 Principal Policies**

7.1 The following national policies are relevant to this application:  
Planning Policy Statement 1: Delivering Sustainable Development  
Planning Policy Statement 3: Housing

7.2 In addition to the above national policies, the following policies from the adopted Colchester Borough Core Strategy (December 2008) are relevant:  
SD1 - Sustainable Development Locations  
H4 - Affordable Housing  
UR2 - Built Design and Character  
TA1 - Accessibility and Changing Travel Behaviour  
TA2 - Walking and Cycling  
TA5 - Parking

7.3 In addition, the following are relevant adopted Colchester Borough Development Policies (October 2010):  
DP1 Design and Amenity  
DP3 Planning Obligations and the Community Infrastructure Levy  
DP12 Dwelling Standards  
DP13 Dwelling Alterations, Extensions and Replacement Dwellings  
DP16 Private Amenity Space and Open Space Provision for New Residential Development  
DP17 Accessibility and Access  
DP19 Parking Standards

7.4 Regard should also be given to the following Supplementary Planning Guidance/Documents:  
Backland and Infill  
Community Facilities  
Vehicle Parking Standards  
The Essex Design Guide  
External Materials in New Developments  
Affordable Housing

## **8.0 Consultations**

- 8.1 ECC Highways: No response as of time of writing.
- 8.2 Fire Officer: Some of the dwellings would require sprinkler systems to conform with Fire Regulations.
- 8.3 Environmental Control: No objections.
- 8.4 In addition to the details reported above, the full text of all consultation responses is available to view on the Council's website.

## **9.0 Representations**

- 9.1 One representation has been received highlighting that the existing boundary fences are to be replaced with a new fence, but that the replacement should be a brick wall as there has already been many repairs to the existing fencing due to damage.

## **10.0 Parking Provision**

- 10.1 The adopted vehicle parking standards states that each dwelling should provide two parking spaces and 0.25 spaces for visitor parking. Therefore, this proposal should be providing 9 car parking spaces in total. The plans show that there would be 8 car parking spaces provided. While this is below the adopted standards by a single visitor space, it is considered that the proposal is not so deficient in parking provision to warrant a refusal of planning permission. The reasons for this are that there is adequate capacity within the nearby public highway to ensure that available on-street parking can be provided without detriment to existing residents. This would not be true of an area with restrictions or a lack of general parking provision, but within this area there is sufficient unrestricted public parking.

## **11.0 Open Space Provisions**

- 11.1 The application is accompanied by a Unilateral Undertaking which makes provision for the appropriate open space contribution in accordance with the Council's adopted SPD.

## **12.0 Report**

### Introduction

- 12.1 The main considerations within this application are:

- *Design and Layout*
- *Scale, Height and Massing*
- *Impact on the Surrounding Area*
- *Impacts on Neighbouring Properties*
- *Amenity Provisions*
- *Highway Issues*
- *Other Matters*

### Design and Layout

- 12.2 The design of the terrace is relatively traditional with red bricks, tiles and front dormer windows. While fairly simple in design terms, they are considered acceptable in this location. The layout of the scheme has been largely dictated to by parking, highway and amenity space requirements. That said, the layout is still considered to be acceptable in design terms.

### Scale, Height and Massing

- 12.3 The proposals scale, height and massing are all modest and are in keeping with each other. Therefore, the proposal is considered acceptable in this regard.

### Impact on the Surrounding Area

- 12.4 The proposed housing scheme would have little impact beyond the confines of the application site due to its limited height and the long gardens of the neighbouring dwellings. The proposal would not be easy visible from the adjacent roads, if at all, and as such the proposals impact on the character of the area is considered to be insignificant.

### Impacts on Neighbouring Properties

- 12.5 The proposal would have very little impact on the properties surrounding the garage court due to its relationship to these properties and the fact that chalet bungalows are proposed. The biggest impact will be from the front dormer windows which serve the first floor bedrooms. However, the front to back distance to the properties in Gloucester Avenue exceed the 25m as required by the Essex Design Guide to ensure privacy by distance. There are no windows proposed at first floor level on the rear or side elevations. Due to the height and sighting of the dwellings, they would have no impact on sunlight or daylight to neighbouring properties.
- 12.6 Therefore, the proposal is acceptable in terms of its impact on neighbouring properties.

### Amenity Provisions

- 12.7 Proposed plots one and four both have rear gardens in excess of the required 50m<sup>2</sup>. Plot two has a rear garden size of 48.9m<sup>2</sup> and plot 3 has the smallest garden with 42.7m<sup>2</sup>. While two of the plots are deficient in private amenity space, it is considered that this should be held as a small deficiency when considered in the light that allowing slightly smaller gardens could deliver four much needed affordable housing units and this gain outweighs this compromise. In addition, Shrub End Sports Ground is only a few minutes walk away from the application site and is readily accessible to future occupiers. Therefore, it is considered that the slight deficiency in private amenity space for two of the dwellings would not warrant the refusal of planning permission in this instance.

## Highway Issues

- 12.8 The Highway Authority has not yet responded to the application but are expected to have responded in time for the committee meeting. Any response received will be added to the amendment sheet along with any conditions they may recommend.

## Other Matters

- 12.9 One representation has been received highlighting that the existing boundary fences are to be replaced with a new fence, but that the replacement should be a brick wall as there has already been many repairs to the existing fencing due to damage. While a wall may be hardier in terms of its durability, it would likely have a very stark appearance and turn the site into a compound. This would not be satisfactory in visual terms and therefore is not a boundary treatment that could be recommended. However, under the landscaping condition it may be possible to have slim line bollards located where the car parking spaces are, to protect the fencing if space allows. Overall, it is considered that the damage to fencing is already occurring, and there is no evidence to suggest this scheme would add to this. Therefore, while there are planning merits to this concern, in this instance it is not a reason to insist on having brick walls or refuse planning permission.
- 12.10 The Essex County Fire Officer has stated that some of the properties would need to install sprinkler systems to comply with Approved Document B of Building Regulations. It is not considered that a condition ensuring such a system is put in place as this will be dealt with under Building Regulations.

## **13.0 Conclusion**

- 13.1 The proposed dwellings would make good use of a poorly maintained and derelict site, providing four units of affordable housing within Colchester Borough and without having a detrimental impact on the character of the area or neighbouring residential amenity.

## **14.0 Recommendation**

1. APPROVE subject to the prior completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990. The Head of Environmental and Protective Services to be authorised to complete the agreement to provide the following:
  - *Open Space Contribution*
  - *Community Facilities*
2. On completion of the legal agreement, the Head of Environmental and Protective Services be authorised to grant planning permission subject to the following conditions:

## **Conditions**

### **1 - A1.5 Full Perms (time limit for commencement of Development)**

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

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

### **2 - Development in Accord with Approved Plans (Non-Std. Wording)**

The development shall be implemented in all respects strictly in accordance with the submitted plans and hereby approved, unless otherwise subsequently agreed, in writing, by the Local Planning Authority. These plans include drawing numbers 006 Rev D, 007 Rev A and 008 Rev A.

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

### **3 - Non-Standard Householder Condition (Materials to be Agreed)**

Prior to the commencement of development, details regarding the external materials and finishes to be used for the approved development shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To ensure that satisfactory materials are used in the development where there has been insufficient detail submitted as part of the planning application hereby approved.

### **4 - A7.4 Removal of ALL Perm Devel Rights (residential)**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking and re-enacting that Order with or without modification), no development within Classes A to E of Part 1 of the Schedule of the Order (any extension, outbuilding, garage or enclosure) shall take place without the prior written permission of the Local Planning Authority.

Reason: To safeguard the visual amenity of the area, to protect the amenity of adjoining residents and to prevent the overdevelopment of the site by controlling future extensions, alterations and associated development.



#### 5 - C11.11 Landscape Design Proposals

No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority (see BS 1192: part 4). These details shall include, as appropriate:

Means of enclosure.

Other vehicle and pedestrian access and circulation areas.

Hard surfacing materials.

Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signage, lighting).

Soft landscape details shall include:

Planting plans.

Written specifications (including cultivation and other operations associated with plant and grass establishment).

Schedules of plants, noting species, plant size and proposed numbers/densities.

Planting area protection or decompaction proposals.

Implementation timetables.

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

#### 6 - C11.12 Landscape Works Implementation

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

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

#### **Informatives**

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

(2) All works affecting the highway should be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be made by initially telephoning 01206 838600.



## **Colchester Borough Council Development Control**

### **Advisory Note on Parking Standards**

*The following information is intended as guidance for applicants/developers.*

A parking space should measure 2.9 metres by 5.5 metres. A smaller size of 2.5 metres by 5 metres is acceptable in special circumstances.

A garage should have an internal space of 7 metres by 3 metres. Smaller garages do not count towards the parking allocation.

The residential parking standard for two bedroom flats and houses is two spaces per unit. The residential parking standard for one bedroom units is one space per unit. One visitor space must be provided for every four units.

Residential parking standards can be relaxed in areas suitable for higher density development.



## Colchester Borough Council Environmental Control

### **Advisory Notes for the Control of Pollution during Construction & Demolition Works**

*The following information is intended as guidance for applicants/developers and construction firms. In order to minimise potential nuisance to nearby existing residents caused by construction and demolition works, Environmental Control recommends that the following guidelines are followed. Adherence to this advisory note will significantly reduce the likelihood of public complaint and potential enforcement action by Environmental Control.*

#### **Best Practice for Construction Sites**

Although the following notes are set out in the style of planning conditions, they are designed to represent the best practice techniques for the site. Therefore, failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974)

#### **Noise Control**

1. No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Monday to Saturday (finishing at 13:00 on Saturday) with no working of any kind permitted on Sundays or any Public/Bank Holiday days.
2. The selection and use of machinery to operate on site, and working practices to be adopted will, as a minimum requirement, be compliant with the standards laid out in British Standard 5228:1984.
3. Mobile plant to be resident on site during extended works shall be fitted with non-audible reversing alarms (subject to HSE agreement).
4. Prior to the commencement of any piling works which may be necessary, a full method statement shall be agreed in writing with the Planning Authority (in consultation with Environmental Control). This will contain a rationale for the piling method chosen and details of the techniques to be employed which minimise noise and vibration to nearby residents.

#### **Emission Control**

1. All waste arising from the ground clearance and construction processes to be recycled or removed from the site subject to agreement with the Local Planning Authority and other relevant agencies.
2. No fires to be lit on site at any time.
3. On large scale construction sites, a wheel-wash facility shall be provided for the duration of the works to ensure levels of soil on roadways near the site are minimised.
4. All bulk carrying vehicles accessing the site shall be suitably sheeted to prevent nuisance from dust in transit.

## **Best Practice for Demolition Sites**

Prior to the commencement of any demolition works, the applicant (or their contractors) shall submit a full method statement to, and receive written approval from, the Planning & Protection Department. In addition to the guidance on working hours, plant specification, and emission controls given above, the following additional notes should be considered when drafting this document: -

### **Noise Control**

If there is a requirement to work outside of the recommended hours the applicant or contractor must submit a request in writing for approval by Planning & Protection prior to the commencement of works.

The use of barriers to mitigate the impact of noisy operations will be used where possible. This may include the retention of part(s) of the original buildings during the demolition process to act in this capacity.

### **Emission Control**

All waste arising from the demolition process to be recycled or removed from the site subject to agreement with the Local Planning Authority and other relevant agencies.