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Item No: 7.1

Application: 231640

Applicant: Dandara Homes

Agent: Michael Smith

Proposal: Creation of 50 no. two, three, four and five bedroom houses and associated infrastructure, plus public open space in the centre of the site and access works on Hall Road.

Location: Land off, Hall Road, Copford, Colchester

Ward: Marks Tey & Layer

Officer: James Ryan

Recommendation: Approval subject to s.106 agreement

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee because it was called in by Councillor Ellis due to concerns about highway safety and the acceptability of the access point.

2.0 Synopsis

- 2.1 The key issues for consideration are the planning history, the policy principle since the previous application, the design and layout of the scheme and the suitability of the access.
- 2.2 The application is subsequently recommended for approval.

3.0 Site Description and Context

- 3.1 Copford stands on Stane Street, a Roman road that followed the route of an iron age track, where a ford crossed the Roman River. Just to the west of Colchester on the main road to London, the character of Copford is distinctly different to the character of the rest of the parish, with Copford Green and Easthorpe reflecting their growth as small centres within a wider rural hinterland. London Road is now designated as the B1408, with through traffic by-passing the village on the A12 (built in the 1960s) but the linear form of Copford remains clear to see – the road links the residents of the village with the railway station at Marks Tey to the west and the Tollgate centre at Stanway (Tollgate and Stane Park).
- 3.2 The application site is towards the eastern side of the village, around six kilometres (four miles) from the centre of Colchester and 1.5 kilometres (one mile) from the station at Marks Tey. It is set behind houses which create frontage to the south side of London Road, meaning that it will read as part of the later additions to the village: Queensbury Avenue and Allendale Drive are post-war cul-de-sac streets hidden from the historic through route. Access to the site is from Hall Road, which is enclosed by houses at its northern end but soon becomes a single track lane through the countryside to the south of the village, heading through fields and woodland on its way to the parish church and manor house before turning west to arrive at Copford Green. It has been closed to through traffic, protecting its rural character.
- 3.3 The site is behind the street frontage on the southern side of London Road, towards the eastern end of the village where the main road meets Hall Road. London Road is an important east-west route and although it was by-passed by the A12 in the 1960s, it retains bus services which link the village to Colchester's city centre. There are bus stops on London Road that are within a 400 metre walk of the centre of the site.
- 3.4 The relatively dense form of development which follows the street means that the site is mainly hidden from view when passing by on the main road, although it can be seen through the gaps for gates in the field boundary which runs along Hall Road and a public footpath runs along the western boundary. The public footpath provides a useful connection to London Road and it is noted that the allocation of the site for residential development in the *Colchester Borough Local Plan 2017 – 2033* secures improvements to Hall Road that will make it safer for pedestrians walking to the main road. Footpath connections from the site also

link into the countryside, either heading east towards Roman River or south to Hall Road and on through Pitts Wood to the village hall.

- 3.5 The land is currently in agricultural use as arable land forming part of the larger field that wraps around the south side of the village from Hall Road to School Road; it is almost flat and contains no features apart from the trees and hedges that create the field boundaries, although there is no demarcation of the southern boundary that will be the new edge of the built-up area of the village.

4.0 Description of the Proposal

- 4.1 Creation of 50 no. two, three, four and five bedroom houses and associated infrastructure, plus public open space in the centre of the site and access works on Hall Road.

5.0 Land Use Allocation

- 5.1 Currently agricultural but allocated for residential development in the adopted Local Plan.

6.0 Relevant Planning History

- 6.1 The most relevant application was application 201236, an outline application for up to 49 dwellings.
- 6.2 At the Planning Committee on 10 December 2021, the report for 201236 was deferred for further consideration with the proviso that it would come back to Committee for determination on the basis of the scheme being premature and due to highways concerns. The scheme was then withdrawn by the applicants prior to the Examination in Public of the Local Plan section 2.

7.0 Principal Policies

- 7.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) must be taken into account in planning decisions and is a material consideration, setting out national planning policy. Colchester's Development Plan is in accordance with these national policies and is made up of several documents as follows below.

7.2 Local Plan 2017-2033 Section 1

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

- SP1 Presumption in Favour of Sustainable Development
- SP2 Recreational disturbance Avoidance and Mitigation Strategy (RAMS)
- SP3 Spatial Strategy for North Essex

- SP4 Meeting Housing Needs
- SP6 Infrastructure & Connectivity
- SP7 Place Shaping Principles

7.3 Local Plan 2017-2033 Section 2

Section 2 of the Colchester Local Plan was adopted in July 2022. The following policies are of relevance to the determination of the current application:

SG1 Colchester's Spatial Strategy
 SG2 Housing Delivery
 SG3 Economic Growth Provision
 SG7 Infrastructure Delivery and Impact Mitigation
 SG8 Neighbourhood Plan
 ENV1 Environment
 ENV3 Green Infrastructure
 ENV5 Pollution and Contaminated Land
 CC1 Climate Change
 OV1 Development in Other Villages
 DM1 Health and Wellbeing
 DM2 Community Facilities
 DM3 Education Provision
 DM8 Affordable Housing
 DM9 Development Density
 DM10 Housing Diversity
 DM12 Housing Standards
 DM15 Design and Amenity
 DM16 Historic Environment
 DM18 Provision of Open Space and Recreation Facilities
 DM19 Private Amenity Space
 DM20 Promoting Sustainable Transport and Changing Travel Behaviour
 DM21 Sustainable Access to development
 DM22 Parking
 DM23 Flood Risk and Water Management
 DM24 Sustainable Urban Drainage Systems
 DM25 Renewable Energy, Water Waste and Recycling

- 7.4 Some “allocated sites” also have specific policies applicable to them. The adopted local plan policies set out below are of direct relevance to the decision-making process:

SS4 Copford

- 7.5 The Neighbourhood Plan for Copford is also relevant. This is now to be afforded almost full weight as will be set out below.

- 7.6 Regard should also be given to the following adopted Supplementary Planning Documents (SPD):
 The Essex Design Guide
 External Materials in New Developments

EPOA Vehicle Parking Standards
Affordable Housing
Community Facilities
Open Space, Sport and Recreation
Sustainable Construction
Cycling Delivery Strategy
Urban Place Supplement
Sustainable Drainage Systems Design Guide
Street Services Delivery Strategy
Planning for Broadband 2016
Managing Archaeology in Development.
Developing a Landscape for the Future
ECC's Development & Public Rights of Way
Planning Out Crime

8.0 Consultations

8.1 The stakeholders who have been consulted and who have given consultation responses are as set out below. More information may be set out on our website.

Air Quality Officer

Notes EV charging points are proposed. These and a travel information pack should be conditioned. It would be useful if any public / sustainable transport improvements could be negotiated i.e. tactile paved area for boarding buses or installation of bus shelters. In terms of air quality, no further observations or comments.

Anglian Water

No objection – the Copford WSTP has the capacity for this development.

Arboriculture Planner

I am in agreement with the AIA. Condition tree protection.

Archaeological Consultant

There is already a need for an archaeological mitigation excavation, which is programmed into the same phase of work, and this may need to be extended depending on what comes up across the rest of the site. I am visiting the site once the trenches are open and will decide on this then.

It may well be that everything is wrapped up pre-determination and that there is no need for an archaeological condition, but I will update you again once I have seen the site.

Cadent Gas

No objection - please impose an informative

Colchester Cycling Campaign

We request a s106/CIL contribution to improving cycling and walking.

In addition, all cycle parking should be in line with LTN 1/20 and the Essex Parking Guide.

If a charge is levied for the use of cycle hangars, each car parking space should also have a fee of four times that for cycling.

Contaminated Land

No objection subject to conditions.

Environment Agency

Confirmed they do not want to comment.

It is noted that this scheme falls outside of the EA's consultation guidance but they were consulted as Anglian Water asked them to be. They did not comment on the withdrawn scheme either.

Environmental Protection

No objection – conditions requested.

Essex Country Fire and Rescue

Access for Fire Service is considered satisfactory subject to fire brigade access and water supplies for firefighting purposes to the proposed development being fully compliant with Building Regulations Approved Document B, B5.

Essex Green Infrastructure

No objection – conditions suggested.

Essex Police

General advice for developers was provided.

Forestry Commission

No comment received.

Highway Authority

No objection – conditions requested.

Highways England

No objection. A transport statement setting out the anticipated traffic generations of the proposed uses has been submitted, this indicates there will not be severe. There is a proposal to upgrade the A12 between j19 and J25 which is close to this site although there is no direct interaction.

Historic Buildings and Areas Officer

No objection – see full response in main body of the report.

Historic England

Historic England provides advice when our engagement can add most value. In this case we are not offering advice.

Landscape Advisor

No objection to the scheme subject to conditions.

LLFA (EC SuDS)

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission based subject to conditions.

Natural England

The LPA needs to carry out a Habitats Regulations Assessment/Appropriate Assessment.

Officer note, this is on the file and a contribution to the Essex Coast RAMS has been agreed.

North Essex Parking Partnership

Whilst the development is not in the vicinity of any significant parking pressures, we would suggest the installation of double yellow lines as you enter/exit into Hall Lane, double yellow lines on the internal junction, double yellow lines on both turning hammerheads, as these service garage areas and other properties, and on the bend opposite the open space, as this also services individual properties.

Consideration and supply of these measures will ensure that access is provided to larger vehicles at all times, particularly those associated with the emergency services.

NEPP is available at a later date to assist with the suggested measures.

Private Sector Housing

Private Sector Housing have no objection to the above amended submission, and again, we have no comments to make.

Urban Designer

No objection – see comments in main body of report.

9.0 Parish Council Response

9.1 The Parish Council have objected to the scheme and stated (in full) that:

Copford with Easthorpe Parish Council strongly object to this Planning Application for 50 homes.

Whilst the application does have some improvements over the previous 'dropped' one there are too many issues associated with the site and in particular the access from the site onto Hall Road and beyond.

The width of Hall Road now does not support two cars passing side by side and this is with only 9 or so residents living off the road, with a potential 50 additional homes-2 cars per home perhaps-this would contribute a significant amount of additional traffic to this narrow former rural lane. The width two cars is 4.3m and of a van e.g. transit is 2.474 m with wing mirrors, of tractors which regularly use this road for access to agricultural land is 2.4m, for refuse lorries 3.4m sewerage tankers 3m+ (Anglian water have confirmed to the Parish Council that between 3 and 5 sewage tankers regularly use Hall Road to remove waste from Copford Water recycling works.

The width of the road as stated by developers is 4.3m width which is less than the 4.8 m minor road access usually required. as can be seen this may allow two cars to pass-just- but no other combination of vehicles e.g. car and van would be able to pass along the road.

The suggestion by developers of a 1.2 'run over' footpath within the proposed 4.3m roadway poses a significant risk to public safety for a number of reasons. In theory any vehicles moving along this road must give way to pedestrians on the raised 25mm run over footpath. This in itself poses an issue let alone if there are any vehicles e.g. car/van which will take up more than the available space and will not be able to pass.

The developers in their public consultation documents talked of cycle access but this is not mentioned beyond that, with no provision for sustainable cycling along Hall Road.

There is a lesser standard of road width and shared surface for Hall Road than there is for other developments within the City area including one nearby which has a 2m footway to protect pedestrians. This is not consistent and places a significant risk to public safety along the very popular Hall Road used by a significant number of walkers and dog walkers daily.

The proposed 1.2m footpath requires any user to cross over from the exit of the development onto the other side.

There is concern by the Parish Council that notwithstanding the risk to mobile residents, that both the 25mm upstand and the footpath provision which is 1.2m for the majority of its length is inadequate to meet DDA, and may be considered discriminatory. For wheelchair access a minimum of 1.5m is required along the whole length of the footpath this is clearly not achieved in the developers plans and maps showing 'highway improvements'

The fact that there is a change of level will also impact wheelchair and visually impaired users. The footpath access does not allow a resident with a double or even single buggy to pass safely.

The closeness of the 1.2m shared footpath to the new bell mouth opening of Hall Road is also of concern especially when deliveries are made by drivers who are not aware of the shared footpath.

The inadequate provision of the footpath and the width of the road overall makes for a significant public safety risk which is unnecessary. More detailed proposals are needed to ensure that vehicle movements and public safety are not compromised. If the development is approved then Hall Road and the whole of the proposed development should be subject to a mandatory 20mph speed limit or lower.

Given the potential number of cars on development (up to 100?) most of whom will use cars for school transport and work, Hall Road will become more problematic for all users.

The location of the homes on site does pay some attention to the emerging Copford with Easthorpe Neighbourhood Plan in terms of palette, style and layout, however the commissioned RCCE Housing Needs survey has been ignored, there is no provision for bungalows which are in high demand and the affordable homes are not linked to anyone who lives in the Parish area or has connections with the Parish which is disappointing as the average house price locally makes it very difficult for relatives of local residents to remain here.

The access/egress point from the development is of concern as during night time lights from vehicles will shine directly into the homes of several residents.

The development has a direct and potentially damaging effect on the significant, nearby Grade 2 listed Brewers Cottage and Keepers Cottage. In the case of the former the 2.5 storey homes shown on the plans will have a significant effect on the curtilage, place and setting of the listed building and for these reasons alone the siting of homes here should be reconsidered.

There has been a holding action regarding the flood risk on site which is well known and documented locally, it is not a 'once in a 100 years' event, but far more regular with significant flooding towards the rear of the site by the

PROW to London Road, the suggestions to mitigate this require much closer attention as seems probable that the flood will not be removed and it may be displaced onto the lower gardens of the homes backing on to the site from London Road.

The increased biodiversity is mandatory and will not sufficiently screen the site.

There is also an issue as to the impact on two Local Wildlife sites, Keepers Wood and Pits Wood which together with the nearby Roman River Conservation zone provide much needed green corridors which will be impacted by this development.

The archaeological survey states very clearly that a more detailed examination of the site will be needed in advance of building out.

The developers talk of 1 million pounds being contributed to local infrastructure but do not outline where this money will go. NPPF 85 talks of 'development sensitive to its surroundings which does not make an unacceptable impact on local roads'

The Parish Council strongly believe that this development is neither sensitive to its surroundings and will have an unacceptable impact and for this reason believes the development as it is should be withdrawn and reconsidered.

10.0 Representations from Notified Parties

10.1 The application resulted in a number of notifications to interested third parties including neighbouring properties. The full text of all of the representations received is available to view on the Council's website. However, a summary of the material considerations is given below. At the time of writing 57 objections and 13 general comments were received, some from the same addresses. A number of the representations were very detailed and it is beyond the scope of this report to reproduce them all in full, but the full text of all of the representations received is available to view on the Council's website. A letter of objection from an external planning consultant and external heritage consultant was also received. A summary of the objections raised is given below.

- It will be visually intrusive.
- Copford is at capacity.
- The Highway network can't cope.
- The Transport Statement is inaccurate.
- Hall Road is a narrow rural lane, not a road, and its intensification is not appropriate and accidents have happened recently.
- Detailed comments with regards to the workability of the access point.
- Hall Road is used by walkers, runners and cyclists.
- London Road is extremely busy and the junction is blind.
- There are lots of other developments in the area so we don't need this
- this one too – for example in Stanway.
- The other facilities in the area can't cope, for example

schools/doctors/dentists.

- The sewage treatment works can't cope and won't cope with this.
- Harm to setting of listed buildings is more significant than the applicant's consultants suggest.
- Harm to nearby ecology.
- Drainage issues.
- Scheme will be materially harmful to my amenity.
- Light from headlight will be materially harmful.
- Loss of good agricultural land which is actively farmed for food.
- The Doctor's surgery can't cope and is highly oversubscribed.
- This will destroy wildlife/ecological impact/trees.
- Increase in pollution.
- Flooding and drainage issues.
- How would this scheme be built out without compromising the access to the existing dwellings on Hall Road.
- Harm to archaeology.
- What will the Section 106 money be spent on?
- Light pollution from the development.
- Will refuse lorries be able to access the development.
- This is a visually important site on the rural edge.
- Fails DM15 or SP6, is not sustainable or safe.
- Dandara do not own all the land required for the highway changes.
- The scheme is too dense.
- After rain Hall Road becomes a fast flowing stream and in winter it freezes.
- The design is poor so the scheme fails SS4, SP7, DM1 and DM9.
- This application contains a lack of detail.
- Poor public transport in the area.
- Are there sufficient utilities to serve this development?
- The proposed development is firmly considered to have an unacceptable detrimental impact on the following heritage assets, the setting of the grade II listed Brewers Cottage located on London Road, the setting of the non-designated heritage asset known as Keepers Cottage located on Hall Road and historic lane of Hall Road by virtue of widening and formalising its informal character.
- The amendments have not changed my opinion on the scheme.
- A serious traffic incident recently occurred in Hall Road regarding a reversing refuse truck.
- The works appear to have started already (the archaeological investigation/site and utilities surveys).
- A telegraph pole will need to be moved.
- The Council must make the applicant comply with health and safety regulations.

11.0 Parking Provision

11.1 The scheme accords with the adopted parking standards.

12.0 Accessibility

12.1 For all CBLP allocations the accessibility standard for 10% of market housing and 95% of affordable housing will meet Building Regulations Part M4 Cat 2. 95% (excluding upper floor dwellings). 5% of affordable housing should meet Part M4 Cat 3 (2) (b) as set out in Policy DM12 vi. In this instance one fully wheelchair compliant home is proposed and is a dwelling that contains a lift.

13.0 Open Space Provisions

13.1 The scheme provides 10% on site public open space. This is set out at the frontage of the site where the new access road meets hall road to help with the visual softening of the entrance of site. The main area of open space and is located centrally in the site in an area framed by dwellings. A Local Area of Play is proposed on the central open space.

The main part of the site (excluding Hall Road, which is inside the red line of the application boundary) measures 1.72 hectares and the open space at the entrance and in the centre of the site measures 0.18 hectares. As such, the scheme is slightly over the 10% sought by policy.

14.0 Air Quality

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

15.0 Planning Obligations

15.1

As a "Major" application, there was a requirement for this proposal to be considered by the Development Team. It was considered that Planning Obligations should be sought. The Obligations that would be agreed as part of any planning permission would be:

ECC Libraries: £3890

Communities: £165,339.11

Parks and Recreation : £203,081.64

NHS: £30,551.00

Affordable Housing: 15 units including one wheelchair unit.

A contribution to the Essex Coast RAMS will also be secured via the legal agreement.

16.0 Report

- The main issues in this case are:
- Policy Principle

16.1 The application site is allocated for residential development through *Policy SS4: Copford* in the *Colchester Borough Local Plan 2017 – 2033 Section 2*. The policy considers two sites in the village and the part which relates to the site reads:

West of Hall Road

In addition to the infrastructure and mitigation requirements identified in policy PP1, development will be supported on land within the area identified on the policies map which provides:

- (i) Up to 50 new dwellings of a mix and type of housing to be compatible with surrounding development;**
- (ii) A single site access via Hall Road;**
- (iii) Detailed flood modelling to assess flood risk at Hall Road from Roman River; and**
- (iv) A safe pedestrian footway agreed with the Highways Authority from the site to London Road to enhance connectivity with Copford.**

Development must conserve, and where appropriate, enhance the significance of heritage assets (including any contribution made by their settings). Designated heritage assets close to the two allocated sites include the Grade II Copford Place and stable, Brewers Cottage, Stanway Bridge and Brook Cottage.

In addition, the Copford with Easthorpe Neighbourhood Plan 2019-2033 has passed through the examination stage and referendum. It is expected that it will become part of the statutory development plan in the near future and it is therefore reviewed in detail.

The Proposals Map shows that the application site is a “new residential allocation” (coloured red) and within the settlement boundary of Copford (shown with a thick black line) but is otherwise not subject to any other allocation or designation. It is outside the flood zone that runs along the Roman River, set away from the Local Wildlife Sites in the countryside to the south of the village and beyond the setting of the conservation area that covers most of Copford Green. Although the application site and allocation are on former farmland, it is not subject to any designation that relates to nature conservation, green infrastructure or landscape value.

Policy SP 1 Presumption in Favour of Sustainable Development states that the council will take a positive approach that reflects the NPPF, working pro-actively with applicants to find solutions that allow proposals to be approved wherever possible, and that development which complies with the plan will be approved without delay, unless material considerations indicate otherwise.

A minimum housing requirement for the plan period (2013 – 2033) is set by *Policy SP 4 Meeting Housing Needs*, providing for the delivery of at least 18,400 new homes (920 new homes per annum), with *Policy SP 3 Spatial Strategy for North Essex* emphasising that existing settlements will be the principal focus for additional growth. *Policy SG1: Colchester's Spatial Strategy* confirms that growth will be located at the most accessible and sustainable locations in accordance with the spatial strategy and the spatial hierarchy at Table SG1 – the site is on the second tier of the hierarchy, part of the “Sustainable Settlement” at Copford and Copford Green. The policy also highlights that development will be focussed on accessible locations to reduce the need to travel and that development will be supported where real travel choice is provided and sustainable travel for different purposes is promoted throughout the day, which was an important factor in the decision to allocate the site for the creation of up to 50 new homes.

The same principles are applied in more detail by *Policy DM20: Promoting Sustainable Transport and Changing Travel Behaviour* and *Policy DM21: Sustainable Access to Development*. Furthermore, the strategy of focussing development in sustainable locations is backed up by *Policy SG7: Infrastructure Delivery and Impact Mitigation*, confirming that all new development should be supported by, and have good access to, all necessary infrastructure and that contributions towards infrastructure provision will be sought on small sites to address the potential for a cumulative impact and repeated by *Policy PP1: Generic Infrastructure and Mitigation Requirements* and the requirement for contributions to the cost of infrastructure improvements and/or community facilities in addition to addressing site-specific issues.

16.2 Neighbourhood Planning Policy

The Copford with Easthorpe Neighbourhood Plan 2019-2033 has passed through all the steps in its preparation and has been through the process of referendum where it received more than 50% of the vote. It will now pass to full Council for agreement to be formally made and this may potentially occur on the 18th of October. An update will be provided at the planning committee meeting but in any event at this stage the NP can be given virtually full weight.

The local plan places the application site within the settlement boundaries of the village through the allocation of the land for residential development in Policy SS4, therefore it meets requirement in *Policy CE1 Settlement Boundaries and Development* that supports the principle for new development if it is within the settlement boundaries.

It is important to noted that there is nothing in the Emerging Copford NP that would suggest this site is not acceptable for residential development.

16.3 Copford Design Guidance and Codes

Prepared as part of the neighbourhood plan and now given formal status via policies CE3 and CE5, the Design Guidance and Codes covers a wide area to the west of Roman River which includes Copford, Copford Green and Easthorpe, as well as the rural area between them. A character analysis is carried out for each village, although

only the analysis for Copford is relevant to the proposed scheme. This analysis includes a review of the “sub-character areas” of London Road and Hall Road, but the site itself is not considered.

Chapter 4 sets out the design guidance and codes, with the latter split into six sections that are grouped around the themes of settlement layout, rural character, local character, built heritage, safe movement and sustainability. Not all the codes are directly applicable to the application site, although many include principles that can be applied so that the character and appearance of the villages is not harmed by development at the scale anticipated by the local plan. For example, *SL 02.1. Gateway* and *SL 02.2. Edge sites* set themes that address the relationship between the built-up area of the villages and the surrounding countryside, and there is no reason why they should not be applied to the greater scale of development which is proposed.

However, there are some which are directly applicable; *SL 03. Layout of buildings* states that “new developments should respect the particular building patterns of each settlement in order to contribute positively to their character”. Although the linear pattern of development along London Road cannot realistically be replicated on a broadly square site such as this, the seven bullet points and accompanying diagram provide guidance that should be used: “any new development in the countryside should be carefully sited to minimise negative impacts on the landscape”, “new development must demonstrate an understanding of the scale, building orientation, enclosure and façade rhythm of the surrounding built environment” and “new development should comprise a variety of dwelling types”.

Other codes of note include *RC 01. Views and landmarks*, *RC 02. Trees and Landscaping*, *BH 02. Respect the character*, *SM 01. Interconnected street network*, *SM 03.1. On-plot side or front parking*, *SM 03.2. On-plot garage* and *SM 04. Legibility and signage*.

Most important are the codes set out under the heading of “promote local character”, which have an important role to play in guiding the form of development proposed in this application. They are:

- *LC 01. Proportion and scale*
- *LC 02. Enclosure*
- *LC 03. Boundary treatment*
- *LC 04. Building line and setback*
- *LC 05. Roofline*
- *LC 07. Architectural details*
- *LC 08. Materials and colour palette*
- *LC 09. Street lighting / dark skies*

There are also codes that summarise standards set outside the planning system, providing encouragement to step beyond the Building Regulations, requirements for adoption of sustainable drainage systems and the forthcoming central government policy on biodiversity net gain (*SU 01. Energy efficient housing and energy production*, *SU 02. Biodiversity*, *SU 03. Sustainable drainage* and *SU 04. Permeable pavements*).

16.4 Policy Conclusion

Unlike the previous withdrawn application, this application is to be determined against a far clearer policy backdrop. The adopted Local Plan Section 2, is recent, up to date and holds full weight.

It is important to noted that in order to get to this policy position, the whole plan, including this policy was tested in detail at the Examination in Public. The Examining Inspector found the plan sound and that includes policy SS4. This policy was discussed at the Examination in detail and notwithstanding the representations made to it both in writing and verbally at the hearings, the Inspector did not ask for the policy to be removed or substantially changed.

Following the Inspectors letter finding the plan sound it was adopted at full Council. Whilst officers argued that some weight could be afforded to the plan in the determination of the withdrawn scheme, there is no doubt that policy SS4 holds full weight now. The site is therefore wholly acceptable for residential development.

16.5 Access

In addition to the site allocation requirements discussed below, policy PP1 sets out standard mitigation requirements for all development proposals. In respect of highway matters, the policy requires safe pedestrian access from the site to existing footways to ensure connectivity, as well as proportionate mitigation for area wide transport issues as identified in relevant transport policies. Proposals that impact on the highway network will be required to provide contributions towards mitigation and improvements to identified highway projects. In addition to this, policies DM21 and DM15 require all new developments to enhance accessibility for sustainable modes of transport and to incorporate any necessary infrastructure and services including highways and parking.

As was the case with the withdrawn scheme, the majority of the representations consider the access arrangements to be inadequate.

Part (iv) of Policy SS4 requires the delivery of a “safe pedestrian footway... from the site to London Road to enhance connectivity with Copford” and that the design is agreed with Essex County Council in their role as the highway authority. A detailed engineering design is submitted as part of the application for planning permission (shown on drawing 49896/PP/004).

Visibility splays of 2.4 metres by 43 metres can be achieved onto Hall Road, with vegetation clearance where required as with the withdrawn scheme. The existing hedge, south of the proposed access will be replanted and set back behind the visibility splay on to Hall Road. A traffic survey undertaken on Hall Road during March 2023, identified the maximum 85th percentile road speed (in either direction) was 20.5mph and existing traffic volumes are very low (less than 100 vehicles per day during the survey). The traffic survey data is included in the Transport Statement. It is noted that some of the representations dispute these number, but as they form part of the Transport Statement that must be taken as accurate.

The improvements to Hall Road that the applicants propose comprise a consistent 4.3 metre carriageway width (widening near to the junction with London Road), which is in excess of the minimum required to allow two cars to pass each other, or a larger vehicle to pass a cyclist, together with a footway of minimum 1.2 metre width, primarily along the eastern side of Hall Road, which can allow a vision impaired person to be guided or a wheelchair user to turn 90 degrees. The Manual for Streets also indicates 1.2 metres is the width that is required for an adult accompanying a child. Where achievable, the footway width would be increased to 1.5 metres, allowing for an adult to walk alongside another with a pushchair or a pedestrian to pass a wheelchair user. This footway area would be 25mm higher than the carriageway and defined by a kerb line. This would allow the combined footway/carriageway area to be a shared surface arrangement given Hall Road would only serve the proposed dwellings along with the existing uses. The footway will require the provision of minor retaining features such as a paving slab revetment for low level retained heights and a concrete retaining wall of less than 1.5 metres retained height. This is acceptable and is not held to be discriminatory to wheeled users of the footway.

The overall width of 5.5m would allow, if required and without being specifically encouraged, for two large vehicles to pass (which is not presently possible) although it is intended that the passing manoeuvre would require overrunning of the footway after giving way to any pedestrians. This has been noted in a number of the representations but is not intended to be an event that occurs regularly.

It should be noted that there were a maximum of just two HGVs in a single direction per day recorded in the traffic survey and would likely be limited to a weekly refuse collection and occasional delivery vehicle. Improvements are also indicated at the junction between Hall Road and London Road junction to shrink the kerb radii so that vehicle speeds entering and exiting Hall Road are reduced and to reduce the crossing distance across the junction for pedestrians.

This approach has been confirmed to be acceptable to ECC Highways who were involved in pre-application discussions with the applicant.

It is very clear from the Call-in, the Parish representations and the neighbour representation that the applicant's argument as set out in the transport statement are not accepted. These have been very carefully considered by officer and by the Highway Authority.

As noted above the site has been allocated in the adopted Local Plan (Section 2) and has a policy requirement at SS4 criterion (ii) which explicitly requires a single site access on Hall Road. This scheme provides that. Any other solution would not comply with the policy.

At SS4 criterion (iv) a safe pedestrian footway agreed with the Highways Authority from the site to London Road to enhance connectivity with Copford is required. This scheme provides a footway and it has been agreed with the Highway Authority.

A refusal of this scheme is not held to be reasonable or sustainable at appeal as it is clear that the scheme complies with the requirements of the adopted policy.

It is noted that the Highway Authority have requested a number of conditions to be imposed and these are suggested at the end of this report.

16.6 Public Right of Way

A Public Right of Way runs north/south along the western end edge of the site, within the red line. From the north west corner of the site it connects to London Road between existing dwellings. This scheme will result in the improvement of the PRow. It will provide a very useful pedestrian link to London Road from the site. It will mean that pedestrians will be able to exit and enter the along London Road without using the Hall Road junction. This additional pedestrian permeability is a benefit of the scheme.

Also conditioned as requested by the highway authority is a condition that requires that prior to commencement of the development, details of improvements to Footpath 2 Copford between London Road and Hall Road also Footpath 4 Copford between Hall Road and School Road, shall be submitted to and approved in writing by the Local Planning Authority. This is a public benefit of the scheme.

16.7 Design

Policies SP7 and DM15 seek to secure high quality and inclusive design in all developments, respecting and enhancing the characteristics of the site, its context and surroundings. Policy SP7 states, in particular, that all new development must meet high standards of urban and architectural design. Policies DM8, DM8, DM10, and DM12 set out detailed requirements in respect of affordable housing, development density, housing diversity, and housing standards to ensure the efficient use of land and achieve high standards for design, construction, and layout in order to create inclusive and sustainable communities that suit a range of different households.

As set out above, the Copford NP also has a separate Design Guide/Codes and the developers have been mindful of these requirements.

The in-house **Urban Designer** has stated:

The application site consists of a relatively rectangular parcel of agricultural land, measuring circa 2.1ha and located to the rear of properties fronting the south side of London Road and to the west of Hall Road. The northern and southern boundaries of the site abut the rear gardens of existing properties fronting London Road, featuring a variety of boundary treatments and existing vegetation. A Public Right of Way (PRow) also runs along the western boundary of the site. The eastern boundary runs parallel to Hall Road and features native hedging, whilst the southern boundary has an open aspect to the remainder of the agricultural field parcel. The principle of the proposed development is established via the site's allocation within the Local Plan and the concurrent extension of the settlement boundary. The quantum of development proposed is guided by the Local Plan allocation and is considered appropriate given the size and context of the site.

Given the size of the site, its shape and the proposed quantum of development a degree of compromise has been accepted regarding how the development responds

to sensitive edges. Units are backed on to the northern boundary to create a back-to-back relationship between proposed and existing properties in a traditional manner. Priority has then been given to fronting units on to the public facing eastern and western boundaries, in order to promote good levels of activity and natural surveillance. The compromise has come on the southern boundary where guidance would seek to avoid dominance of countryside views by rear boundary treatments. In order to mitigate the fact that units are backing onto this boundary, a softer boundary treatment will be applied, and space has been made for the planting of a native hedge. This has allowed the development to front the other two boundaries and for the public open space to be located centrally within the scheme, which are both considered to be positive design features, in terms of access and place making.

Further to the treatment of the sites edges, the rectangular shape of the site and its general lack of constraints, combined with adopted guidance, technical requirements and the use of traditional housing and parking typologies, the proposed layout appears relatively suburban in character. The central location of the public open space is welcomed, though it is disappointing that it is dominated by parking and carriageway on three out of four sides. The layout also offers public benefit in making provision for a connection between the PROW along the site's western boundary and the PROW to the east of Hall Road. The layout also accommodates policy compliant levels of public open space, parking provision and gardens, as well as appropriate back-to-back distances.

The proposed built environment adopts generally vernacular forms, materials and detailing. Though plan form and associated composition are relatively simple and generic, application of materiality and detailing provides variety in the appearance of units across the site, resulting in a degree of visual interest. Enhanced detailing is applied to units fronting the central public open space, providing a degree of character for the site and somewhat grounding the built environment in its context.

In light of the above assessment , it is considered that the proposed development achieves an acceptable and policy compliant standard of design, subject to appropriate conditions.

Given the sites size, shape, adjacencies and the surrounding context, it is considered that the proposal achieves an acceptable standard of design and placemaking. On this basis, notwithstanding a couple of minor issues that can be resolved via condition, there is no objection to the proposed development on design grounds, subject to conditions.

The majority of the new homes proposed will be two storeys tall, although care has been taken to ensure that there is variation in the roofscape through the use of a range of roof designs, including ridges running parallel to the streets broken up by strategically placed gables, corner turning house types that present different roofs forms to their two frontages, and varying roof pitches so that there is no consistent ridge height across the site. This approach is in keeping with design code LC 05. Roofline, with extra scale added by the four semi-detached pairs of houses on the

north side of the central open space that include accommodation within the attic space to create a 2½ storey form.

The applicants argue that clustering the semi-detached properties around the central open space uses the density of development to establish a difference in character between the houses in the middle of the scheme and the houses that face outwards or are backing on to the outer edges. The proposed density is relatively low, ensuring that the appearance of the proposed scheme is generally in keeping with the wider village as required by Policy DM19, avoiding an urban or suburban street scene. The outer edges of the perimeter block form present the houses in a landscaped setting, making space for the proposed soft landscaping scheme against the public footpath to the west and on the frontage to Hall Road to the east, as well as highlighting the gaps between the buildings because they can be viewed from a distance across the fields to the south as part of the new edge to the village: the space between the new homes is an important element of the character, establishing a transition from the countryside to the south so that a hard edge to the built-up area is avoided, as sought by design code SL 02.2. Edge sites.

Throughout the site, the relationship between public and private space is reasonably well defined: the public open space and play area in the centre, the estate roads and the connections through the site to public footpaths are the public realm; any land that is hidden from the public realm by being behind buildings or garden walls, or that is accessed by turning off the estate roads, is private. The change from public to private areas is marked by the form of the buildings that enclose the space and no private areas are able to be accessed directly from the public realm, with the private amenity space to the rear of each new home protected by a lockable gate.

The landscaped front gardens of the detached houses on the outer edges of the site respond to the “green” feel of the relatively low density development in the older parts of the village, bringing an element of the semi-rural character of the wider area into the proposed scheme. Low level walls and hedging which were negotiated at pre-app stage and will be used to mark the boundary between the public street and the private space to the front of all dwellings, with the front gardens intended to be semi-private, indicating where the entrance to each property is positioned but providing a buffer between the house and the road. All houses have a private garden to the rear, separating the properties from one another where back-to-back or back-to-side relationships are proposed, avoiding the creation of un-neighbourly relationships and preventing any overlooking of habitable rooms.

The application state that classic cul-de-sac form favoured by the Secured by Design process is used so that the boundaries between public and private areas are made clear, minimising opportunities for anti-social behaviour and making it easy to spot anyone that strays from the public realm. Views along the short and straight estate roads emphasise surveillance of the public realm, the semi-private cul-de-sac streets and through to the surrounding landscaping.

16.8 House Types

The proposed scheme will expand the built-up area of Copford to the south east, although the new homes will be set behind the linear form of London Road and will not read in the context of the main street through the village. In parallel to local plan

Policy DM15 Design and Amenity, neighbourhood plan Policy CE3 Design & Character and the Copford Design Guidelines and Codes, the appearance of the scheme has been designed to be harmonious with the surrounding land uses, including the delivery of a transition from the countryside to the extended built-up area of the village. The analysis of the village in this statement builds upon the assessment of the character, scale and appearance of Copford, Copford Green and Easthorpe that forms the basis of the neighbourhood plan and the accompanying design code.

The applicants state that this application for planning permission places a focus on the design codes that can be applied to the proposed scheme and the appearance pays close regard to codes that seek to promote the local character – the code states that “these design principles describe the elements that contribute to Copford’s character and new development should pay particular attention to the layout, form, scale, materials and detailing”. As such, the proposed scheme will create a newly defined edge to Copford, establishing a coherent relationship with the open countryside to the south, most of which is either in agricultural use or woodland. This is important to the design of the development, ensuring that the relatively low density of development, predominantly two storey scale and the character of the scheme is harmonious with the existing properties that line London Road and Hall Road, with the latter setting character by being the street which runs up to the site.

Traditional building forms and materials can be found throughout Copford, including pitched roofs, door canopies, porch canopies and combinations of brickwork and render. A number of these elements have been incorporated into the proposed dwellings, creating modern buildings that reflect the traditional Essex vernacular where possible in a scheme that comprises a mixture of detached and semi-detached houses. A simple palette of materials that includes variation in facing bricks, roof tiles and weatherboarding is proposed, enlivened by varied fenestration, a detailed roofscape and door canopy detailing. In addition, selected variations in house design respond to the proposed layout of the site, ensuring that a neighbourly relationship is created with the existing properties to the north and that a strong frontage is created along the western and eastern boundaries, with the latter establishing continuity with the appearance of the existing properties on Hall Road. Details, such as doors, canopies and boundary treatments are borrowed from the surrounding area and are employed to create subtle variations across the site.

As such, the scheme seeks to define a distinct character, but responds sensitively to its location at the edge of the settlement, particularly because it will be the backdrop to long views from Hall Road to the north of Pitts Wood and will create the new edge of the village; houses on the south side of the scheme will be the first part of the village that can be seen from the public footpaths through the countryside between Copford and Copford Green. The landscaping design has driven the form of the development with a distinct edge to the perimeter block form, using landscaping to create the transition from rural edge to built-up area. The hard and soft landscaping creates the setting for the buildings and highlights the public realm on the street frontage and footpath frontage, delivers tree-lined streets and defines the appearance of the new open space as an integral part of the character of the proposed development.

Some representations note the layout to be poor and state that the layout chosen is only one way of developing the site and others may be better. These have been given careful consideration but on balance it is held that this scheme comprises a high-

quality layout that will achieve a real sense of place on this site where a sensitive transition from the urban to rural is important.

16.9 Housing Mix

The housing mix is as follows:

Private

Two bedroom – 2
Three bedroom – 12
Four bedroom – 17
Five bedroom – 4
Total – 35

Affordable Rent

Two bedroom – 3
Three bedroom – 7 (including wheelchair house)
Four bedroom – 2
Total – 12

Shared ownership

Two bedroom – 1
Three bedroom – 2
Total – 3

Overall scheme

Two bedroom – 6
Three bedroom – 21
Four bedroom – 19
Five bedroom – 4
Total – 50

This is considered appropriate in line with policy DM 10 Housing diversity which seeks a range of housing types and tenures on developments to encourage diverse communities. It is noted that a number of the representation do not consider the mix and/or the house types proposed to be appropriate. These have been carefully considered but in this instance the mix is held to be acceptable.

16.10 Affordable Housing

In accordance with Policy DM8 Affordable Housing, 15 of the 50 new homes will be designated as affordable housing, equating to 30% of the total. These homes will be delivered for affordable rent and shared ownership, with details of the provision to be agreed with Colchester City Council's housing team via the Section 106 legal agreement. They are shown on the affordable housing plan as being located in two separate parcels one in the north of the site and one in the east. One dwelling will be

fully wheelchair accessible and has a lift to enable that. The provision of affordable housing is a significant public benefit of the scheme.

It is noted that the allocations for the affordable homes will be dealt with via the normal process and that is held to be acceptable.

16.11 Impact on Amenity

Section 2 Policy DM15 requires all development to be designed to a high standard that protects and promotes both public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance, and daylight and sunlight.

The position of the access point is considered to be sensible as forcing it further down Hall Road would result in further erosion of the rural character of the lane. It is accepted that the existing residents will notice the increased in traffic movements including headlights from cars pulling out of the access onto Hall Road. This has been carefully considered but the impact on amenity is not to a point that is held to be unacceptable. It is noted that the bell mouth of the proposed access it is in a position that is close to other residential dwellings – opposite Trewe House, the access to Kyle and 1 and 2 Hall Road, but on balance that is not held to cause demonstrable harm in term of its impact on amenity.

The layout supplied broadly complies with the back-to-back guidance as set out in the Essex Design Guide. The houses that back on to the northern edge of the site are set 15 metres from the shared boundary, in line with the dimension set by the Essex Design Guide. The majority of the existing properties are on the frontage to London Road and face towards it, but there is some backland development where houses have been inserted into rear gardens, with numbers 15 and 33 hidden behind the building line. As such, care has been taken to ensure that an appropriate relationship is created so that these properties do not become hemmed in by built development, with a building-to-building offset from plot 11 to number 33 at 24.5 metres measured to the main rear elevation (so just slightly below the 25m) and from plot 4 to number 15 at 26 metres.

Representations have noted the 2.5 storey dwellings that back on to the houses that front London Road. The distance between these 2.5 storey houses and the boundary to confirm that the minimum distance set by the Essex Design Guide (15 metres). Perhaps the most important thing to note is that the Parham house type has accommodation in the roof space but isn't a true 2½ storey house (the eaves are raised a little, but not half a storey) and doesn't include top floor windows that face towards the existing properties to the north apart from rooflights to the en-suite and staircase, but no dormers where you could stand and look out. This means that the relationship looks a lot more like what you would expect for a 2-storey house.

Due to the long gardens of the dwellings to the to the west of the PRoW, that extend the depth of the application site, for example number 45 London Road, there will inevitably be new overlooking from the proposed dwellings to some sections of neighbouring gardens. It is not possible to protect the privacy of the whole length of a very long garden and it would be an unreasonable expectation for this to happen. The

layout is therefore acceptable in that regard. In addition plot 50 has an oblique relationship with the neighbour at Keepers Cottage and its side garden across Hall Road. This relationship has also been carefully considered but is held to be acceptable.

The scheme raises no concerns with regards to loss of light nor will the new dwellings be materially oppressive to the existing neighbours.

The representations that cite harm to neighbouring amenity have been carefully considered. A development site such as this will inevitably change the manner in which neighbours enjoy their dwellings to a certain extent as development causes a degree of impact. This proposal has been sensitively designed with the Essex Design Guide guidance in mind. Officers consider the layout does not materially compromise neighbouring residential amenity.

16.12 Impact on Heritage Assets

Local Plan Policy ENV1 and DM16 reflect the statutory obligations as set out in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving a listed building or its setting. In a similar vein, the National Planning Policy Framework (2021) gives great weight to the conservation of designated heritage assets, noting that the more important the asset, the greater the weight should be. This is irrespective of the level of harm (Par.199) . Any harm to the significance of designated heritage assets from development within their setting should also require clear and convincing justification (Par.200) . Where this harm is identified as less than substantial , the Framework instructs that this harm should be weighed against the public benefits of the proposal (Par.202). This planning balance is also prescribed in Policy DM16. The Framework also requires a balanced judgement having regard for any indirect impact applications on the significance of a non-designated heritage assets (Par.203).

The in-house **Historic Buildings and Areas Officer** has stated:

Brewers Cottage, which is located to the north of the application site, is listed at Grade II for its special architectural or historic interest (NHLE List Entry Number 1239137). The timber-framed cottage dates from the 17th century and is rendered with red plain tile gambrel half hipped roof , two 'catslide' dormers with horizontal sliding sashes and a 19th century lean-to at the rear. The significance of Brewers Cottage is considered to derive primarily from its historical, evidential and aesthetic value as an attractive post- medieval cottage.

To the east of Hall Road, Keepers Cottage is present in the 1841 Copford Tithe Map and the subsequent Ordnance Survey maps. Although it has not been properly investigated, the building appears to have sufficient heritage interest to be regarded as a non-designated heritage asset for planning purposes.

In terms of setting, Brewers Cottage is set in a private garden which provides screening and enclosure. Historically, the cottage had a direct relationship with the surrounding agricultural land (which includes the application site) and forms part of its wider setting . The cartographic evidence shows Brewers Cottage relatively isolated

until the end of the 18th century , with the exception of another cottage in its vicinity and a corn mill to the north-west. Two pockets of development, near Brewers Cottage and to the east of the corn-mill , emerged in the 19th century . No remarkable changes occurred until the 1920s when linear development appeared along London Road to the west of the corn-mill (demolished by that time). The greatest change in the area happened in the second half-of the 29th century further development along London road and additional expansion to the north and south, as well as ribbon development along School Road that links Copford to Copford Green.

Brewers Cottage is located on the section of London Road where development did not extend beyond the street front (with the exception of 15 and 33 London Road) and the site boundaries reflect the historic field pattern as shown on historic maps . Despite the presence of no 33 to the south-east of Brewers Cottage, the relationship of the listed cottage to the south is preserved . This land contributes to the significance of the listed building by preserving the open landscape aspect that formed its context historically. The development of the application site which will urbanise this agricultural land would cause harm to the significance of the listed cottage through loss of this landscape character. This harm would be in the spectrum of less than substantial, as per the classification of the NPPF.

Keepers Cottage would also be affected by the development of the application site , although the landscape strategy seeks to preserve the soft frontage along Hall Road. Moreover, the link of the historic cottage to the open land that extends to its south and south-east would remain unaltered and the dwelling would still be appreciated as a building on the fringe of the Copford Village.

In accordance with the statutory obligations imposed, the NPPF and Local plan Policies ENV1 and DM16, great weight should be given to the anticipated harm to significance of Brewers Cottage. In accordance with the provisions of the Framework and DM16, the harm caused by this proposal needs to be weighed against the public benefits that the development would secure.

Representations have also noted that the scheme will have a negative impact on the historic lane of Hall Road. Whilst this scheme will inevitably change the character of this section of Hall Road to a certain degree, it is not held that the change that will occur from formalising the northern end, the removal of planting where needed and the invisibility of the new dwellings from Hall Road will cause a change that outweighs the public benefit of the scheme.

It is noted that a number of representations cite the harm to heritage assets and this includes an objection letter from Sam Falco, Heritage Consultant, who stated in conclusion:

In conclusion, the proposed development is firmly considered to have an unacceptable detrimental impact on the following heritage assets: - The setting of the grade II listed Brewers Cottage located on London Road. - The setting of the non-designated heritage asset known as Keepers Cottage located on Hall Road. - The historic lane of Hall Road by virtue of widening and formalising its informal character. It is considered that the Heritage Statement accompanying the application is inadequate for the scope and reach of the works and fails to adequately assess or justify the heritage impacts of this development.

Whilst this has been carefully considered, in this instance it is not held that the less than substantial harm to the heritage assets identified outweighs the benefits of the scheme, namely the provision of market and affordable housing which carry significant weight in the planning balance.

16.13 Landscape and Landscaping

Policy ENV1 seeks to conserve and enhance Colchester's natural and historic environment, countryside and coastline, with Development Plan Policy DP1 requiring development proposals to demonstrate that they, and any ancillary activities associated with them, will respect and enhance the character of the site, context and surroundings in terms of (inter alia) its landscape setting. Policy PP1 requires suitable design and screening/landscaping to minimise any negative impact on the surrounding landscape and/or heritage assets.

The landscape strategy considers the strategic spatial arrangement envisaged for the Site in order to provide a high-quality landscape setting and strong green infrastructure framework within which the proposed dwellings will sit. The landscape objectives of the proposed development include:

- Strategic green infrastructure to create a framework for development.
- Additional planting to screen and soften potential views from existing residential settlement to the north and west of the site.
- To protect views to the south across the site, from the Listed Building located immediately north of the site boundary.
- To ensure, wherever possible, retention and enhancement of existing vegetation within the site and along boundaries, ensuring nature conservation habitats for a range of locally occurring species.
- To create tree lined streets.
- To ensure pedestrian links to existing rights of way along the western site boundary and to Hall Road to the eastern site boundary.
- Ensure new vegetated edge to settlement along the southern site boundary with native hedge and hedgerow trees to screen and soften views.

The applicants state that the development has been designed to incorporate areas of subtly different character to define and create a sense of place. Development frontages should face outwards towards open space and street scenes to ensure that rear garden boundaries are hidden and not a feature of the street scene. As a result planting will be designed to respond to the individual character areas. Semi native and ornamental hedges and ornamental shrub beds should be used in more formal areas to define the street and soften the built form. In other areas planting has the potential to be more rural in character with strategic planting used to soften the development edge and open spaces. Native species will be used adjacent to open

spaces and along the Site boundaries to create an appropriate transition to the surrounding area and wider countryside. Appropriate street trees will be used within the residential areas to soften built form and frame local views.

The scheme has been assessed at both pre-app stage and application stage by the in-house Landscape Advisor. He is broadly satisfied with the scheme subject to a number of minor tweaks that can be made via the standard landscape condition. The scheme is therefore held to be acceptable in terms of the impact on landscape character and the landscaping proposed on site, subject to conditions.

16.14 Trees

Core Strategy Policy ENV1 seeks to conserve and enhance Colchester's natural and historic environment, countryside and coastline, with Development Plan Policy DP1 requiring development proposals to demonstrate that they, and any ancillary activities associated with them, will respect and enhance the character of the site, context and surroundings in terms of (inter alia) its landscape setting.

In terms of trees, the scheme has been accompanied by a Tree Survey and Arboricultural Impact Assessment (AIA) by Enviroarb Solutions.

The trees and hedgerows surveyed in relation to the site are principally located along or near to the site boundaries and are mainly situated off-site. There are hedges located on the western, northern and eastern site boundaries, and there are intermittent trees within these, as well as in residential gardens near to the site and along the nearby public highways. The most significant trees surveyed were located within residential gardens to the north west of the site and along London Road to the north east of the site. A majority of the trees surveyed were of low quality and landscape value, although some trees of moderate or good amenity value were surveyed on the site boundaries and within nearby residential gardens.

The main tree related issues to be considered in respect of the development proposal are as the requirement to provide detailed arboricultural protection methods to ensure the protection of retained trees situated off-site within private residential gardens and hedgerows during the proposed development works.

Some trees will need to be removed. It is proposed to fell and replace the 11 'U' category trees required to be removed due to the dead / dying condition. It is also proposed to fell T16 and a short section of H3 for the proposed new site junction and visibility splay.

Whilst this scheme will result in the loss of some vegetation that has a beneficial softening in the streetscene, in particular from London Road, no trees with a realistic possibility of long-term longevity are to be removed. The in-house Arboriculture Officer concurs with the findings of the Tree Report/AIA. It is noted that as part of the landscaping scheme it will be ensured that good quality tree planting will be secured. This is held to be acceptable.

16.15 Canopy Cover

The individual trees (excluding hedges and hedge groups) located within or extending into the site that are proposed to be removed have a total canopy coverage of approximately 112m², which represents a reduction of 9.89%. In order for the site to achieve a 10% increase in canopy cover (including replacing the cover lost by felling, as described above), the proposals will need to include new planting sufficient to provide 236m² of additional canopy cover. The soft landscaping proposals will be designed with this in mind and will ensure the site achieves at least a 10% increase in canopy cover, as per the requirements of the adopted Local Plan (2022).

16.16 Ecology

Section 40 of the Natural Environment and rural Communities (NERC) Act 2006 places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity and a core principle of the NPPF is that planning should contribute to conserving and enhancing the natural environment. Policy ENV1 of the Local Plan states that the Local Planning Authority will conserve and enhance Colchester's natural and historic environment, countryside and coastline. Furthermore, proposals for development that would cause direct or indirect adverse harm to nationally designated sites or other designated areas, protected species or result in the loss of irreplaceable habitats such as ancient woodland, important hedgerows and veteran trees will not be permitted.

Ecological Assessment (Ecology Solutions, July 2023), Measured Works Schedule Hard And Softworks (James Blake Associates, July 2023), Biodiversity Net Gain Report (Ecology Solutions, July 2023) and Biodiversity Metric relating to the likely impacts of development on designated sites, protected species and Priority species and habitats and identification of appropriate mitigation measures have all been provided. This sets out how on the basis of the current evidence there is no overriding ecological constraint to the development of the allocated site. The survey work that was undertaken identified the site as being of limited ecological value. The proposed loss of part of a hedgerow to facilitate the new access element proposals will be offset through the provision of new replacement habitats and bolstering of retained features which aim to significantly improve the site's ecological interest. The development has scope to offer biodiversity net gains and meet with all relevant planning policy. The reports consider that there is therefore no ecological justification to refuse planning permission.

ECC Place Services ecology have noted that there is sufficient ecological information available for determination of this application. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable. The mitigation measures identified in the Ecological Assessment (Ecology Solutions, July 2023) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species.

16.17 Biodiversity Net Gain

All strategic planting will incorporate species that are native and locally appropriate to the area; plant stock will be of local provenance where possible. Existing boundaries

will be enhanced to reinforce and expand ecological corridors throughout the Site and to the wider Site setting where possible. These corridors will create habitat and foraging opportunities for local fauna and connect Site features.

Green links throughout the development have the potential to connect areas of public space and link the development to the wider landscape.

The use of further tree planting and buffering along the western and southern development edge can increase the biodiversity around the site whilst also strengthening the natural defensible boundary to the development area.

Wildflower meadow planting has been introduced throughout the site to increase plant diversity, and provide habitat and food for a range of species.

The Biodiversity Metric 4.0 was used to calculate the pre-development baseline units. A total of 4.56 habitat units and 1.06 hedgerow units. The proposed development will deliver a net gain of 33.48% in habitat units and 260.75% in hedgerow units, although there is a failure to meet the trading standards for medium distinctiveness habitat due to a minor net loss of other neutral grassland.

These net gains are as a result of extensive hedgerow planting combined with the provision of green infrastructure in the form of urban trees, modified grassland and introduced shrub planting, in addition to biodiverse wildflower seeding towards the north-western corner of the site.

Overall, when based against the Biodiversity Metric version 4.0, the current iteration of the landscape plans succeeds in meeting the recommended 10% net gain in both habitat and hedgerow units as set out in the Environment Act 2021 and local policy, albeit with a failure to meet the trading standards for medium distinctiveness habitat.

Place Services Ecology have assessed the BNG calculation and are satisfied with the methodology. They have suggested conditions that will be imposed.

16.18 Green infrastructure

The applicants have considered green infrastructure in their design approach and state that multi-functionality is central to their green infrastructure concept. It refers to the potential for green infrastructure to have a range of functions, to deliver a broad range of ecosystem services. The provision of new green spaces as part of the Green Infrastructure as indicated on the proposals will be 'multifunctional', enabling the land to perform a range of functions, such as the provision for natural play with mounding, alongside healthy recreation whilst contributing to a wide range of species to increase and enhance biodiversity. These functions are not limited to recreation, but also include ecological enhancement, visual amenity improvement resulting in mental and physical health benefits for the users.

The Essex Green Infrastructure team have assessed the scheme and are satisfied with it, subject to conditions that are suggested at the end of this report. The scheme is therefore held to be acceptable in that regard.

16.19 Sustainable drainage/SUDS and Flood Risk

Flood Risk and Drainage Local Plan Policies CC1 and DM23 state that development will be directed to locations with the least impact on flooding or water resources. Major development proposals required to reduce post development runoff rate back to the greenfield 1 in 1 year rate, with an allowance for climate change. On brownfield sites where this is not achievable, then a minimum betterment of 50% should be demonstrated for all flood events. DM24 requires all new residential and commercial development, car parks and hard standings to incorporate Sustainable Drainage Systems (SuDS) appropriate to the nature of the site. Policy PP1 also seeks appropriate SuDS within the overall design and layout of development sites. In addition, the policy requires adequate wastewater treatment, water supply network enhancements, and sewage infrastructure enhancements for the relevant catchment area.

The adopted policy SS4 criterion (iii) requires Detailed flood modelling to assess flood risk at Hall Road from Roman River.

The site falls from south to north, dropping by around two metres, with low points in the north western and north eastern corners. Ground investigations have confirmed that the geology comprises clay overlaid on sand and gravel, which is reflected by existing issues caused by water running across the ground and pooling in the lower corners. However, the sand and gravel under the clay mean that the site benefits from infiltration rates that allow the whole site to be drained into the ground: permeable paving is proposed for all roads and drives, while the roofs of the houses and garages will drain to soakaway crates under the rear gardens.

An allowance for “urban creep” is designed into the drainage scheme to accommodate extensions to the houses and expanded driveways equivalent to a 10% increase in the impermeable surfacing, plus the permeable paving and soakaway crates include a substantial allowance for storage so that they can hold water during a storm event before it percolates back into the sand and gravel beneath the site with no need for attenuation basins or balancing ponds – the design standard is a 1 in 100 year storm event plus an additional 45% allowance for climate change. The permeable paving in the streets will be made from 60mm blocks on top of graded stone to a total depth of no more than 700mm deep and designed to carry a fire engine or refuse freighter, while the private drives will not be used by large vehicles on a regular basis and the storage can be up to 1000mm deep. The soakaways in the gardens will be set 500mm below ground level and vary between 400mm and 800mm deep, depending on how much water they need to hold, but they are always at least one metre above the water table and five metres from the nearest building. In addition, a management and maintenance plan for the sustainable drainage system is submitted as part of the application for planning permission.

The Flood Risk Assessment confirms that the site is in Flood Zone 1 and therefore is at the lowest probability of flooding from rivers and the sea. As part of the proposed scheme, the low points in the north western and north eastern corners will be raised so that surface water can no longer flow towards the existing properties to the north because the ground will slope gently away from the shared boundary. Furthermore, the comprehensive drainage scheme means that the surface water that currently collects in the corners will be captured by the new sustainable drainage system and returned to the groundwater, using the new infrastructure the address the existing

flooding issue that has been identified by the neighbours. Furthermore, the ability of the geology to accommodate the drainage means that there is no need for connections to existing surface water drains or to nearby watercourses to be used; the sustainable drainage system means that whole scheme is self-contained, does not rely on off-site infrastructure and has no impact on the existing drainage network.

During the course of the application the LLFA (ECC SuDS team) noted four points that they considered needed further information/justification. This additional information has since been provided. Following analysis, the LLFA have confirmed they are satisfied with the scheme subject to the conditions set out at the end of this report.

In addition, a number of the representations have noted the lack of capacity at Copford Water Recycling Centre. Anglian Water have confirmed it does have capacity however and that is held to be acceptable.

16.20 Habitats Regulations Assessment (HRA) /Appropriate Assessment (AA)

It is necessary to assess the application in accordance with the Habitats and Species Regulations 2017 (as amended). The whole of Colchester Borough is within the zone of influence of a European designated site and it is anticipated that the development is likely to have a significant effect upon the interest of key features of relevant habitat sites through increased recreational pressure, when considered either alone or in combination with other plans and projects. An appropriate assessment was therefore required to assess recreational disturbance impacts as part of the draft Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS).

The applicants have agreed to pay the RAMS contribution as required by the Council's AA. On that basis it is held that the scheme will mitigate the potential off site impact to off-site protected areas. This will also be secured by the Legal Agreement

16.21 Loss of Agricultural Land

Some representations have argued that the scheme will result in the loss of good quality agricultural land. The previous LVIA for the withdrawn scheme rated the land as Grade 2. This scheme will therefore result in the loss of good quality agricultural land however at roughly 2 ha in area this loss is not held to be significant and is outweighed by the public benefits associated with delivery of new homes in the planning balance. This issue would have been considered as part of the site allocation process and examination.

16.22 Contamination

Development Plan policy ENV5 requires new development to undertake appropriate remediation of contaminated land.

The applicants provided a Phase One Desk study report by Richard Jackson. This report is acceptable for the purposes of the Environmental Protection Team. The findings of the report were reasonable and as stated in the report, the ground gas monitoring is ongoing and will be required to be completed and submitted prior to any works being undertaken at the site.

It is noted in the findings that no soil contamination has been found as per the testing carried out to date on site as per the report previously submitted (Richard Jackson Engineering. Ground Investigation report for land off Hall Rd, Copford. September 2019 Final. Reference 49896).

Based upon the information provided to date, the Council's in-house experts have confirmed the site could be made suitable for the proposed use based upon the information provided. Conditions have been suggested by the Contaminated Land officer that will be imposed.

16.23 Health

Representations have addressed the oversubscription of GP surgeries and the local school. Adopted Policy DM1 (Health and Wellbeing) does not require a Health Impact Assessment for schemes under 100 units. The NHS have assessed the scheme requested a financial contribution to mitigate the increase in demand this scheme will generate. The scheme is therefore acceptable in that regard.

16.24 Education

The Education Authority (ECC) has not made a request for a financial contribution as set out in the Development Team section of this report. They did request a contribution when commenting on the withdrawn scheme but they have noted that at the time of writing they now do not require mitigation. The scheme is therefore acceptable in that regard.

16.25 Archaeology

The developers have been liaising with the Council's consultant Archaeologist who has confirmed that a partial archaeological evaluation was undertaken pre-submission and the rest of the evaluation is currently underway at the time of writing. He agreed the written scheme of investigation.

There is already a need for an archaeological mitigation excavation, which is programmed into the same phase of work, and this may need to be extended depending on what comes up across the rest of the site. The consultant Archaeologist is programmed to visit the site once the trenches are open and will decide on this then. He notes that it may well be that everything is wrapped up pre-determination and that there is no need for an archaeological condition. This will be confirmed via the update sheet.

16.26 Environmental and Carbon Implications

The Council has declared a Climate Emergency and has committed to being carbon neutral by 2030.

The purpose of the planning system is to contribute to the achievement of sustainable development as defined in the National Planning Policy Framework.

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic, social and environmental objectives.

This report has taken into account the Climate Emergency and the sustainable development objectives set out in the NPPF.

Local Planning Policy for the development requires that demand reduction measures are implemented to achieve an improvement of Building Regulation standards or better, over Part L1 2021 standards.

The new homes will be constructed with modern materials that use the minimum of energy and resources in their production. These accord with the current standards and regulations and, in some cases exceed them, to meet the required levels of quality, safety and energy efficiency. Modern methods of construction will be employed wherever possible, delivering an efficient construction process and ensuring that the new homes will be ready for occupation in a timely manner.

Provisional assessment of the house types proposed demonstrates that baseline Part L compliant emissions for the development will be 77,032 kgCO₂ per annum, with an energy demand of 372,574 kWh per annum.

From this baseline, further energy demand reduction has been prioritised as part of the widely supported 'fabric first' approach. The benefits to the resident of this approach have been discussed in detail, which include an improvement in thermal comfort, lower energy bills, reducing the risk of fuel poverty and minimal maintenance requirements. These benefits are realised alongside the crucial aspect of the long-term reduction in energy demand that is built into the lifetime of the dwellings.

Applying this approach through a combination of the fabric specification proposed, detailing to avoid thermal bridging, reducing air leakage and employing passive and active design measures, the dwellings will secure a saving in CO₂ emissions of 10,289 kgCO₂/year, equating to an energy demand reduction of 47,631 kWh/year.

The energy statement also sets out how Solar photovoltaic, ground/air source heat pumps and Waste Water Heat Recovery System will also be used on this site.

The proposed strategy will provide a 35.97% carbon reduction over a development built to comply with the CO₂ targets under the latest revision of the Building Regulations, Part L1 2021. This also represents a 44.83% energy demand reduction.

In addition to this Environmental Protection have suggested EV charging points to be conditioned and the applicants have agreed to a condition requiring approval of a scheme for EV charging. This will help facilitate the uptake of ultra-low emission vehicles.

It is therefore considered that on balance the application is considered to represent sustainable development.

17.0 Planning Balance and Conclusion

17.1 National policy requires planning to be genuinely plan-led. Unlike the policy context applicable at the time of the previous withdrawn scheme, the proposal is now considered to fully accord with the adopted Local Plan. S.38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the provisions of the development plan and any relevant material planning considerations, In this case the proposals are considered to accord with the adopted local plan and relevant Neighbourhood Plan policies.

17.2 The National Planning Policy Framework (the Framework) makes it plain that the purpose of the planning system is to contribute to the achievement of sustainable development and identifies three dimensions to sustainable development: economic, social and environmental. In respect of the first of these, the current proposal would provide economic benefits, for example in respect of employment during the construction phase, as well as support for existing and future businesses, services, and facilities by introducing additional residents that would make use of them and provide future spend in the local economy. The social role of sustainable development is described as supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations and by creating a high-quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being.

17.3 The proposal is considered to meet these objectives as it would contribute towards the number of dwellings required to support growth in Copford and is located within walking distance of a number of key local services and facilities required for day-to-day living. In respect of the third dimension (environmental), the proposal will provide housing in a sustainable location so that future residents would not be reliant on private car, being able to walk or use public transport to access necessary services and facilities, thereby minimising environmental impacts; ecological enhancements can also be secured as part of the development.

17.4 There is also sufficient evidence to be confident that overall the development would not cause significant harm to the amenity of nearby residents or have a severe impact upon the highway network. The design is held to be acceptable and will create a high quality and beautiful development. Whilst the proposed development would have an impact on the existing character of the site (i.e. by introducing built development where there is none currently) through a general suburbanising effect on the wider setting and on the setting of heritage assets as set out in detail above, the positive economic and social effects, as well as the sustainability of the proposal would weigh in favour of this scheme on what is an allocated site for housing in the adopted Local Plan. Significant weight is

afforded to the supply of new homes and new affordable homes in the Framework.

17.5 In conclusion, it is considered that the benefits of the scheme convincingly outweigh any adverse impacts identified and the proposal is considered to be acceptable on this basis. The Planning Balance therefore tips strongly in favour of an approval.

18.0 Recommendation to the Committee

18.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to the signing of a legal agreement under Section 106 of the Town and Country Planning Act 1990, within 6 months from the date of the Committee meeting. In the event that the legal agreement is not signed within 6 months, to delegate authority to the Head of Service to refuse the application, or otherwise to be authorised to complete the agreement. Delegated authority to make non-material amendments to planning conditions as necessary. The Permission will also be subject to the following conditions:

1. ZAA - Time Limit for Full Permissions

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

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

2. Z1A – Street Name Signs

Prior to the first occupation of any of the dwellings hereby approved street name signs shall have been installed at the junction of the new highway with the existing road network.

Reason: To ensure that visitors to the development can orientate themselves in the interests of highway safety.

3. ZAM - *Development to Accord With Approved Plans*

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers:

Location Plan	DN005-PL-01
Development Layout	DN005-PL-02 rev. A
Detailed Layout	DN005-PL-03 rev. A
Parking Layout	DN005-PL-04 rev. A
Storey Heights Layout	DN005-PL-05 rev. A
Refuse Layout	DN005-PL-06 rev. A
Materials Layout	DN005-PL-07 rev. A
Affordable Housing Location Plan	DN005-PL-08 rev. A
Garden Areas Layout	DN005-PL-09 rev. A
Landscape Masterplan	JBA 23/007 SK02 rev. B

Landscape Strategy Plan	JBA 23/007 SK03
Detailed Soft Landscape Proposals (Sheet 1 of 2)	JBA 23/007-01 rev. B
Detailed Soft Landscape Proposals (Sheet 2 of 2)	JBA 23/007-02 rev. B
Detailed Hard Landscape Proposal (Sheet 1 of 2)	JBA 23-007-03 rev. C
Detailed Hard Landscape Proposal (Sheet 2 of 2)	JBA 23-007-04 rev. C
Indicative Highway Access Strategy	49896/PP/004 rev. A
House Type Blenheim BLa, Plans and Elevations A	DN005-HT-BLa-01 rev.
House Type Blenheim BLb, Plans and Elevations A	DN005-HT-BLb-02 rev.
House Type Charleston CAa, Plans and Elevations A	DN005-HT-CAa-01 rev.
House Type Chartwell CHa, Plans and Elevations A	DN005-HT-CHa-01 rev.
House Type Chartwell CHb, Plans and Elevations A	DN005-HT-CHb-02 rev.
House Type Frogmore FRa, Plans and Elevations A	DN005-HT-FRa-01 rev.
House Type Frogmore FRb, Plans and Elevations A	DN005-HT-FRb-02 rev.
House Type Goodwood GWa, Plans and Elevations A	DN005-HT-GWa-01 rev.
House Type Goodwood GWb, Plans and Elevations A	DN005-HT-GWb-02 rev.
House Type Gosford GOa, Plans and Elevations A	DN005-HT-GOa-01 rev.
House Type Gosford GOB, Plans and Elevations A	DN005-HT-GOb-02 rev.
House Type Gosford GOCa, Plans and Elevations rev. A	DN005-HT-GOCa-01
House Type Gosford GOcb, Plans and Elevations rev. A	DN005-HT-GOCb-02
House Type Hertford HEa, Plans and Elevations A	DN005-HA-HEa-01 rev.
House Type Huntingdon HDa, Plans and Elevations A	DN005-HA-HDa-01 rev.
House Type Kingstone KIa, Plans and Elevations A	DN005-HT-KIa-01 rev.
House Type Kingstone KIb, Plans and Elevations A	DN005-HT-KIb-02 rev.
House Type Oakham OHa, Plans and Elevations A	DN005-HA-OHa-01 rev.
House Type Oakham OHb, Plans and Elevations	DN005-HA-OHb-02
House Type Parham PAa, Plans and Elevations A	DN005-HA-PAa-01 rev.
House Type Penhurst PEa, Plans and Elevations A	DN005-HT-PEa-01 rev.
House Type Penhurst PECa, Plans and Elevations rev. A	DN005-HT-PECa-01
House Type Penhurst PECb, Plans and Elevations rev. A	DN005-HT-PECb-02

House Type Vyne VYa, Plans and Elevations A	DN005-HT-VYa-01 rev.
House Type Woburn WOa, Plans and Elevations A	DN005-HT-WOa-01 rev.
House Type Woburn WOb, Plans and Elevations A	DN005-HT-WOb-02 rev.
House Type Woburn WOc, Plans and Elevations	DN005-HT-WOc-03
Garages SG1 and SG2, Plans and Elevations	DN005-GR-01
Garage DG1, Plans and Elevations	DN005-GR-02
Garage SG3, Plans and Elevations	DN005-GR-03 rev. A
Street Elevations A & B	DN005-ST-01 rev. A
Street Elevations C & D	DN005-ST-02 rev. A
Street Elevations E, F, G & H	DN005-ST-03 rev. A
Tree Pit Detail in Soft Landscape	JBA 23-007-DT1 rev. A
Tree Pit Detail in Soft Landscape Verge, Root Barrier	JBA 23/007-DT2 rev. A
Multi-Stem Tree Pit Detail, Soft Adjacent to Hard	JBA 23/007-DT5 rev. A

Arboricultural Impact Assessment Report (reference EAS-034.2023)
 Archaeological Evaluations (October 2016)
 Biodiversity Net Gain Report (July 2023)
 Ecological Assessment (July 2023)
 Energy Strategy Statement (July 2023)
 Heritage Statement (June 2023, Revision A)
 Landscape Management Plan for Areas at Land at Hall Road, Copford
 Landscape and Visual Impact Assessment (September 2023)
 Landscape Management and Maintenance Plan: Guide to the Management of
 Landscape Areas (Revision A, September 2023)
 Updated Phase One Desk Study Report & Data Review (reference 62381, September
 2023)
 Site Specific Flood Risk Assessment (June 2023)
 Site Specific Flood Risk Assessment: Letter from Richard Jackson Engineering
 Consultants, 23 August 2023
 Site Specific Flood Risk Assessment: Letter from Richard Jackson Engineering
 Consultants, 25 September 2023
 Transport Statement (Revision A, September 2023)

Reason: For the avoidance of doubt and to ensure that the proposed development is carried out as approved.

4. ZAN - Site Levels Plan

No works shall take place until detailed scale drawings by cross section and elevation that show the development in relation to adjacent property and illustrating the existing and proposed levels of the site, finished floor levels and identifying all areas of cut or fill, have been submitted to and agreed, in writing, by the Local Planning Authority. The development shall thereafter be completed in accordance with the agreed scheme before the development is first occupied.

Reason: In order to allow more detailed consideration of any changes in site levels where it is possible that these may be uncertain and open to interpretation at

present and where there is scope that any difference in such interpretation could have an adverse impact of the surrounding area.

5. Construction Method Statement

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

- the parking of vehicles of site operatives and visitors;
- hours of deliveries and hours of work;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- wheel washing facilities;
- measures to control noise and vibration;
- measures to control the emission of dust and dirt (for developments above 50 units a specific Dust Management Plan is required);
- a scheme for recycling/disposing of waste resulting from demolition and construction works (no waste materials should be burnt on the site);
- the appointment of a public liaison person to update residents on the development and deal with complaints, including dust and noise, contact details to be displayed at the site entrance (for developments above 50 units).

Reason: In order to ensure that the construction takes place in a suitable manner and to ensure that amenities of existing residents are protected as far as reasonable.

6. Limits to Hours of Work

No demolition or construction work shall take outside of the following times;

Weekdays: 08:00-18:00

Saturdays: 08:00-13:00

Sundays and Bank Holidays: No working.

Reason: To ensure that the construction phase of the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise at unreasonable hours.

7. EV Charging points

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

Reason: To encourage the uptake of low emissions vehicles.

8. GI - Construction

Environmental Management Plan (CEMP) is submitted to and approved, in writing, by the Local Planning Authority. Ideally, strategic elements of the GI framework are

brought forward in phase one of the development, to create a landscape structure or evidence is shown that substantive GI is secured as early as possible in initial phases of delivery to allow early establishment. Therefore, a Construction Environmental Management Plan (CEMP) will be required to set out how retained GI, such as trees, hedges, and vegetation, will be protected during construction. This also includes setting out how GI assets adjacent to the development proposal will be protected.

Reason:

The phased implementation of new GI of the development construction will allow for the GI to mature and it will provide further benefit of reducing/buffering the aesthetic impact from the construction work.

9. GI Condition 2

The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason: To ensure the GI are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure the high-quality and multi-functional benefits of GI assets.

10. Ecology ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL ASSESSMENT, MEASURED WORKS SCHEDULE HARD AND SOFTWORKS AND BIODIVERSITY NET GAIN REPORT RECOMMENDATIONS “All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Assessment (Ecology Solutions, July 2023), Measured Works Schedule Hard And Softworks (James Blake Associates, July 2023) and Biodiversity Net Gain Report (Ecology Solutions, July 2023) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

11. Ecology PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY “A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following: a) Purpose and conservation objectives for the proposed enhancement measures; b) detailed designs to achieve stated objectives; c) locations of proposed enhancement measures by appropriate maps and plans; d) timetable for implementation demonstrating that works are aligned with the proposed phasing of development; e) persons responsible for implementing the enhancement measures; f) details of initial aftercare and long-term maintenance (where relevant). The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.”

12. SuDS/LLFA Condition 1 No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and

an assessment of the hydrological and hydro geological context of the development, has been submitted to and certified as technically acceptable in writing by the SUDs approval body or other suitably qualified person(s). The certificate shall thereafter be submitted by the developer to the Local Planning Authority as part of the developer's application to discharge the condition. No development shall commence until the detailed scheme has been approved in writing by the Local Planning Authority. The approved scheme shall subsequently be implemented prior to occupation and should include but not be limited to:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753. Groundwater level should be monitored to confirm that the base of the soakaways will be at least 1m from the highest average groundwater level.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 45% climate change event.
- Demonstrate that features are able to accommodate a 1 in 10 year storm events within 24 hours of a 1 in 30 year event plus climate change.
- Provision of 10% urban creep allowance.
- Final modelling and calculations for all areas of the drainage system. Storm ranges should be run for both summer and winter rainfall profiles.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy. The scheme shall subsequently be implemented prior to occupation.

Reason: • To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. • To ensure the effective operation of SuDS features over the lifetime of the development. • To provide mitigation of any environmental harm which may be caused to the local water environment • Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

13. SuDS/LLFA Condition 2 No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

Reason: The National Planning Policy Framework paragraph 167 and paragraph 174 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore, the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs

to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development. Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

14. SuDS LLFA Condition 3 Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

15. SuDS LLFA Condition 4 The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

16. Landscaping No works shall take place above ground floor slab level until full details of all landscape works have been submitted to and agreed, in writing, by the Local Planning Authority and the works shall be carried out prior to the occupation of any part of the development unless an alternative implementation programme is subsequently agreed, in writing, by the Local Planning Authority. The submitted landscape details shall be in full compliance with the Councils Landscape Guidance Note LIS/C and include:

- Finished levels or contours, where notable changes are proposed.
- Means of enclosure.
- Car parking layouts and 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, signs, lighting etc.). Including a litter bin within the POS (outside the LAP area), and a dog/litter bin alongside the PRow link.
- Proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. Indicating lines, manholes, supports etc.).
- Earthworks (including the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform)
- Planting plans (drainage and building foundation detailing shall take account of the position of the trees as so indicated). Including ensuring the trees within

the southern boundary hedge complement existing field hedges, by comprising a mix of *Crataegus monogyna* and *Acer campestre*, and the existing hedge onto Hall Road includes, where space allows, *Quercus robur* tree planting alongside it.

- Written specifications.
- Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.
- Implementation timetables and monitoring programs.
- Confirmation that the southern elevations to units 16 & 26 are blind at the ground floor.
- Demonstration that the 10% canopy cover as set out in the supporting justification is achieved via the planting scheme.
- The areas proposed to be managed by a management company are clearly identified on plan, these including the southern and eastern site boundary hedges and their margins and the western PRow link, as well as the central LAP POS and open space at the access point onto the site.

Reason: To ensure that there is a suitable landscape proposal to be implemented at the site for the enjoyment of future users and also to satisfactorily integrate the development within its surrounding context in the interest of visual amenity.

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

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

18. Highways CMP Prior to commencement of the development a construction traffic management plan, to include but shall not be limited to details of vehicle/wheel cleaning facilities within the site and adjacent to the egress onto the highway, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the agreed plan

Reason: To protect highway efficiency of movement and safety in accordance with policy DM1 of the Highway Authority's Development Management Policies as adopted as County Council Supplementary Guidance in February 2011

19. Highway Geometry amendments Prior to commencement of the development the planning application drawings shall be revised and submitted to and approved in writing by the Local Planning Authority to show the following:

- a) All junction and forward visibility splays (which should be clear of any obstruction over 600mm in height, including parked vehicles)
- b) The first 15 metres of the site access straight and at 90 degrees to Hall Road
- c) All on-plot parking spaces marked (should be immediately at the back of highway or no more than 1 metre from it)

- d) The footpath link opposite Footpath 3 Copford
- e) All visitor parking spaces having a straight alignment
- f) A standard transition at plot 12 and 21
- g) A size 3 turning head adjacent plot 16 (private drive exceeds 45 metres in length)
- h) A straightened turning head adjacent plot 37
- i) A size 5 turning head in front of plot 35 (private drive exceeds 18 metres in length)

The development shall be carried out in accordance with the approved drawings

Reason: To protect highway efficiency of movement and safety and to ensure the proposal site is accessible by more sustainable modes of transport such as public transport, cycling and walking, in accordance with policy DM1 and DM9 of the Highway Authority's Development Management Policies as adopted as County Council Supplementary Guidance in February 2011

20. Highways Footpath Improvements Prior to commencement of the development details of improvements to Footpath 2 Copford between London Road and Hall Road also Footpath 4 Copford between Hall Road and School Road shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the proposal site is accessible by more sustainable modes of transport such as public transport, cycling and walking, in accordance with policy DM9 of the Highway Authority's Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

21. Highways Off Site Works No occupation of the development shall take place until the following have been provided or completed:

- a) A priority junction off Hall Road to provide access to the proposal site
- b) Improvements to Hall Road between the proposal site access and London Road as shown in principle on the planning application drawings
- c) Upgrade to current Essex County Council specification of the two bus stops which would best serve the proposal site (details shall be agreed with the Local Planning Authority prior to commencement of the development)
- d) The agreed details of improvements to Footpath 2 Copford between London Road and Hall Road also Footpath 4 Copford between Hall Road and School Road
- e) Residential Travel Information Packs in accordance with Essex County Council guidance

Reason: To protect highway efficiency of movement and safety and to ensure the proposal site is accessible by more sustainable modes of transport such as public transport, cycling and walking, in accordance with policy DM1, DM9 and DM10 of the Highway Authority's Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

22. ZDC - Removal of PD for All Residential Extensions & Outbuildings

Notwithstanding the provisions of Classes A, B, C, D and E of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or the equivalent provisions of any order revoking and re-enacting that Order), no

extensions, ancillary buildings or structures shall be erected unless otherwise subsequently approved, in writing, by the Local Planning Authority.
Reason: In the interest of visual amenity and to ensure the development avoids an overdeveloped or cluttered appearance.

23. ZDE - Removal of PD for Open Plan Fences/Walls

Notwithstanding the provisions of Class A of Part 2 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or the equivalent provisions of any order revoking and re-enacting that Order), no fences, walls, gates or other means of enclosure, other than any shown on the approved drawings, shall be erected in advance of any wall of the dwelling to which it relates (including a side or rear wall) which faces a highway (including a footpath or bridleway) unless otherwise subsequently approved, in writing, by the Local Planning Authority.
Reason: In the interests of visual amenity with regard to the context of the surrounding area.

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

Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the rooflight windows in the rear elevation of the dwellings on plots 3 to 12 shall be glazed in obscure glass to a minimum of level 4 obscurity before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

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

25. ZFS - Tree and Hedgerow Protection: General

All existing trees and hedgerows shall be retained throughout the development construction phases, unless shown to be removed on the approved drawing and all trees and hedgerows on and immediately adjoining the site shall be protected from damage as a result of works on site in accordance with the Local Planning Authorities guidance notes and the relevant British Standard. All existing trees and hedgerows shall then be monitored and recorded for at least five years following contractual practical completion of the 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. Any tree works agreed to shall be carried out in accordance with BS 3998.

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

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

No works shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval, in writing, of the Local Planning Authority. The investigation

and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination, including contamination by soil gas and asbestos;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with all relevant, current, best practice guidance, including the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

27. ZGY - Contaminated Land Part 2 of 4 (Submission of Remediation Scheme)

No works shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared and then submitted to and agreed, in writing, by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

28. ZGZ - Contaminated Land Part 3 of 4 (Implementation of Approved Remediation Scheme)

No works shall take place other than that required to carry out remediation, the approved remediation scheme must be carried out in accordance with the details approved. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification/validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with

those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

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

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 26, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 27, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 28.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

30. ZG3 - *Validation Certificate*

Prior to the first OCCUPATION/USE of the development, the developer shall submit to the Local Planning Authority a signed certificate to confirm that the remediation works have been completed in accordance with the documents and plans detailed in Condition 28.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

31. Boundary Walls Notwithstanding the details shown on the approved drawings, the eastern boundary treatment to the rear gardens of plots 37 and 50 (as long as it sits outside of the gas easement) will comprise of a brick wall.

Reason: In the interests of visual amenity with regard to ensuring a consistent approach to legibility of the space is achieved across the site.

32. Windows Notwithstanding the details shown on the approved drawings, no works shall commence (above ground floor cill level) until revised details of the windows (size and disposition of glazing panels) have been submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: To ensure a consistent approach is applied to the proposed dwellings in their entirety, in the interests of visual amenity and establishing an appropriate standard of design.

33. Materials No external facing or roofing materials (including those of the on-site sub-stations), or brick boundary walls, shall be used in the construction of the development hereby permitted until precise details of the manufacturer, types and colours of these have been submitted to and approved, in writing, by the Local Planning Authority. Such materials as may be approved shall be those used in the development.

Reason: In order to ensure that suitable materials are used on the development in the interests of good design and visual amenity as there are insufficient details within the submitted planning application.

34. Architectural Detailing Notwithstanding the details submitted, no works shall commence (above ground floor slab level) until additional drawings that show details of the architectural detailing of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Details shall include window detailing (including details of the depth of reveal and any dormer features); rooflights to be used; doors, cills, lintels, arches, eaves, verges, ridge, brickwork /stone work detailing, chimneys; recessed/projecting/decorative brickwork; bays, porches, plinths; blank and faux windows; and any rainwater goods to be used, by section and elevation, at scales between 1:20 and 1:1, as appropriate. The development shall thereafter be implemented in accordance with the approved additional drawings.

Reason: Insufficient detail has been submitted to ensure that the proposed works are of high quality design and that the character and appearance of the area is not compromised by poor quality architectural detailing.

35. Utilities No works shall commence (above ground floor slab level) until details (including position) of all external plant (including solar PV), extract ducts, vents, grilles and meter housings have been submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of good design and visual amenity, as there are insufficient details within the submitted planning application.

36. Parking Spaces Notwithstanding the details shown on the approved drawings, the parking spaces to plots 16-20 shall be demarcated from the adjacent private drives in a manner that matches the demarcation of the parking to plots 13-15.

Reason: To ensure a consistent approach to legibility of the space is achieved across the site.

37. Full Archaeological Condition

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

Planning Authority. The Scheme shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works

The site investigation shall thereafter be completed prior to development, or in such other phased arrangement, as agreed, in writing, by the Local Planning Authority. The development shall not be occupied or brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development.

19.1 Informatives

19.1 The following informatives are also recommended:

ZT0 – Advisory Note on Construction & Demolition

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

ZTA - Informative on Conditions Stating Prior to Commencement/Occupation

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

ZTB - Informative on Any Application With a Site Notice

PLEASE NOTE that a site notice was erected in a publicly visible location at the site. Colchester City Council would appreciate your co-operation in taking the site notice down and disposing of it properly, in the interests of the environment.