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Item No: 7.3

Application: 231889

Applicant: Mr J Faulkner

Agent: Mrs Melanie Bingham-Wallis

Proposal: Demolition of agricultural building and erection of replacement building for Class E(f) - Day nursery.

Location: Little Doves Day Nursery, Lower Road, Peldon, Colchester, CO5 7PR

Ward: Mersea & Pyefleet

Officer: Phil Moreton

Recommendation: Approval subject to recommended conditions

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee because the applicant is an elected Member.

2.0 Synopsis

- 2.1 The key issues for consideration are: the principle of development, the impact on the character and appearance of the area (including the setting of a listed building and the wider countryside), ecology and highway safety. Other material planning matters are also considered. The comments submitted by statutory consultees, as well as other consultees and local representations are considered.
- 2.2 The application is subsequently recommended for approval subject to the recommended conditions.

3.0 Site Description and Context

- 3.1 The site is located on the south side of Lower Road, Peldon. The site formerly contained a former agricultural building, which was in a poor condition (This building has now been removed as a part of previous approval 211105). The site is adjacent to the existing Little Doves Day Nursery which was erected in 2018. To the north, south and west of the site is agricultural land. The site has an existing access/egress onto the highway (Lower Road) and the site lies adjacent to the settlement boundary for Peldon, which is directly to the east.
- 3.2 Directly to the east (approximately 30m away) is Games Farmhouse, a grade II* listed building. The listing details is below:

PELDON LOWER ROAD 1. 5214 Games Farmhouse TL 91 NE 17/32 II 2. Early C15 small hall house. Timber framed, with red plain tile half hipped roof. Two storeys. Two window range modern casements. Modern single storey extension at east end, weatherboarded with red plain tile roof. Early C17, timber framed extension to south with red plain tile roof. Originally 2 bay open hall, with floored end bay. Most of original frame remains and is of high-quality workmanship. Internal features include screens doorways, C16 inserted first floor, arch braced, cambered tie beam with cross quadrate crown post, stop chamfered beams, and raised tie beam west end frame. C17 wing also has exposed frame with heavy jowled storey posts.*

- 3.3 There are further listed buildings sited around Peldon however Games Farmhouse is the closest listed building to the application site.

4.0 Description of the Proposal

- 4.1 The application seeks planning permission for a new building to be used as a day nursery as an extension to the existing Little Dove Day Nursery. The proposed building measures 198.25 sq. metres. There are 21 additional car parking spaces proposed. This would result in 33 overall spaces for the nursery, which would include 21 parent drop of spaces, 10 staff spaces and 2

manager and deputy spaces. There is also allocated mobility space and provision for onsite bicycle parking.

5.0 Land Use Allocation

5.1 Countryside – unallocated.

6.0 Relevant Planning History

6.1 171533 - Demolition of Former Agricultural Buildings and Erection of Day Nursery for Children of 0 - 5 years and Car Parking (Re-submission of 170502)

6.2 211105 – Full

Demolition of Former Agricultural Buildings and Erection of a new office building. Approved at Committee 27/05/2022.

A replacement building for the existing agriculture building was approved to have a Class E office use. This approval (211105) matches the nursery building proposed here in footprint, form and massing with minor material and design differences, including less additional parking places.

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
- SP5 Employment
- 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:

SG4 Local Economic Areas

ENV1 Environment

ENV2 Coastal Areas

OV1 Development in Other Villages

OV2 Countryside

DM6 Economic Development in Rural Areas and the Countryside

DM15 Design and Amenity

DM16 Historic Environment
DM21 Sustainable Access to Development
DM22 Parking
DM23 Flood Risk and Water Management

- 7.4 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

8.0 Consultations

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

8.2 Contaminated Land Officer –

The contaminated land officer has requested further information to check there has been no contaminated land uses since the previous approval. The amendment sheet will be updated when this information has been received and reviewed.

8.3 Environmental Protection –

No objection to the scheme submitted subject to conditions.

- 8.4 **Landscape Advisor** - No landscape objections provided the character, design and material use of the final development replicates the rural style/form of existing Nursery building.

- 8.5 **Highway Authority** - The Highway Authority does not object to the proposals as submitted subject to conditions.

- 8.6 **Historic Buildings & Areas** – No material impact upon the significance of Games Farmhouse would result as the proposal echoes the form of the former agricultural outbuilding and thus maintains the character of the wider setting. The use of natural clay pantiles and feather edged timber weatherboarding is essential and the windows on the eastern boundary must be timber and flush fitting.

9.0 Parish Council Response

- 9.1 Winstred Hundred Parish Council supports this application and therefore, has no objections.

10.0 Representations from Notified Parties

10.1 The application resulted in 19 letters of support and four letters of objection being received during the determination period. 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.

Objection comments summary:

- Concerns about increases in traffic volume to rural location.
- Concerns about the loss of rural amenity.
- Concerns about the whether the location is sustainable.
- Concerns over the building design.
- Concerns about site use outside of conditioned operational times and for other uses.

Support comments summary:

- Excellent rural location that supports local families' need for childcare.
- Reduces the need to travel all the way to Colchester.
- Extra spaces needed as the only nursery in the local area.
- Ample parking provision makes pickup/drop off easy and safe.

11.0 Parking Provision

11.1 The layout and parking provision show that in total, 33 car parking spaces are proposed, which is an additional 21 parking spaces from the existing on the site. It is worth noting are no minimum car parking spaces required in the adopted Vehicle Car Parking SPD for Creche, child day care uses. The SPD provides a maximum of 1 space per full time equivalent staff and drop off/pick up facilities. In this case, this would equate to 19 car parking spaces the proposal is therefore under the recommended maximum car parking space provision. As such, it is considered to proposed car parking is acceptable.

12.0 Environmental and Carbon Implications

12.1 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. The consideration of this application has taken into account the Climate Emergency and the sustainable development objectives set out in the NPPF. It is considered that on balance the application is considered to represent sustainable development (see paragraphs 13.1 – 13.5 of the main report).

13.0 Report

- 13.1 Local Plan Section 2 Policy SG5 sets out the Council's hierarchy of commercial centres and employment zones to direct new development to sustainable locations. The application site is not within one of the identified commercial centres and employment zones. However, Local Plan Section 2 policy OV2 in general, allows proposals for sustainable rural businesses to be supported if they are of an appropriate scale, meet a local employment need, minimise negative environmental impacts and harmonise with the local character and surrounding countryside where they are being proposed.
- 13.2 Local Plan Section 2 Policy DM6 sets out the criteria that will be applied to employment uses on rural sites that provide an economic function and allows the replacement of buildings where the existing development is visually intrusive or otherwise inappropriate in its context and a substantial improvement in the landscape and surroundings will be secured through replacement. New buildings should not significantly increase the scale, height and built form of the original building.
- 13.3 Employment in the countryside is supported in the NPPF (2023), in particular paragraphs 84 and 85. Para 85 states:
- 13.4 *Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.*
- 13.5 In this instance, the proposal seeks a new office building adjacent the existing settlement boundary of Peldon. The site is also adjacent to the existing Nursey building and a detached residential property. On this basis, the site is not considered to be physically isolated and is related to the existing settlement. It is acknowledged that this is a new building and DM6 and OV2 provides support for new buildings in the exceptional circumstances. In this instance re-use of the existing building on site would not be possible due to the poor condition of the building. Overall, the proposal is considered to be in compliance with the requirements of the NPPF (2023).

Character and appearance

- 13.6 Local Plan section 2 policies DM15, DM16, and ENV1, which together seek to promote high quality and inclusive design that is sympathetic to the character of the area and enhances historic buildings and require development proposals to respect and enhance the character of the site, its context and its surroundings in terms of its architectural approach, form, proportions, materials, townscape

and detailed design features. This is also reflected in Policy SP7 of Section 1 of the Local Plan. The site is also within the Coastal Protection Belt and as such ENV2 is of relevance. ENV2 seeks to protect Colchester's coastline from inappropriate development. The Planning (Listed Building and Conservation Areas) Act 1990 requires that special regard is paid to the desirability of preserving listed buildings and their setting. The aspiration for high quality design and well-designed places is also reflected in the Framework and the National Design Guide (NDG), including the expectation that all new development is skilfully woven into its context and respects the rhythm, scale and proportions of the existing townscape.

- 13.7 The NPPF (2023) sets out the desirability of sustaining and enhancing the significance of heritage assets (paragraph 197). It establishes that *great weight* should be given to an asset's conservation and the more important that asset, the greater that weight should be (paragraph 199). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification, (paragraph 200). Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (paragraph 202). The NPPF (2023) also promotes good design advising that permission should be refused for development of poor design.
- 13.8 It is considered that the proposed new development will affect (change) the setting of the nearby listed building to a small extent and will increase activity. The proposal is considered to be sufficiently distanced from the nearby listed building to ensure any impact is neutral on the significance of the asset. This significance is principally derived from the internal interest of the medieval timber frame. Further to this, the proposal replaces what was an existing barn which was in a state of disrepair that detracted from the setting. There will thus be a negligible or a minor positive impact upon the intrinsic significance of the listed building. The proposal also represents an enhancement to the area, by replacing the dilapidated barn which did not enhance the area or setting. These public benefits are considered to weigh positively in favour of approval.
- 13.9 In this instance, the public benefits weigh heavily in favour of the scheme. These public benefits constitute the social, economic and environmental benefits that stem from creating 9 new jobs in the area. Given this, the proposed development is considered to be consistent with the aforementioned relevant adopted local plan policies and national planning policy guidance in relation to the historic environment.
13. The proposal reflects the scale and mass of the formerly existing agricultural building. The design is fairly simple and reflects the characteristics of a modest rural outbuilding. The overall vernacular aesthetic can be read, and the development would reflect the character of the formerly existing barn which is to be replaced and reflects the existing Nursery on site, so ensuring that the

proposal would not appear out of keeping with existing built character. There is no objection in principle to this approach, but it is considered important to ensure the use of high-quality materials and architectural detailing; conditions are therefore recommended to ensure the quality of the building reflects the rural nature of the site and setting of the listed building.

Impact upon Amenity

- 13.12 Development Policy DM15 states that all development must be designed to a high standard and avoid unacceptable impacts on amenity. This includes protecting existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance, pollution (including light and odour pollution), daylight and sunlight. The adopted Supplementary Planning Document (SPD) the Essex Design Guide also provides guidance on the safeguarding of residential private amenity.
- 13.13 The scheme is considered to comply with the Essex Design Guide in this regard. It is held that that the proposals would have minimal to no impact to the lighting levels to existing properties.
- 13.14 The proposal is considered to be sufficiently distanced from neighbouring properties to avoid any material impacts. Furthermore, conditions are recommended in terms of hours of use to ensure the proposal is not open during anti-social hours.
- 13.15 For the reasons given above, it is considered that the proposed development would not have a significant adverse effect on the amenity of neighbouring properties. In view of this, the proposed development is not considered to conflict with adopted DPD Policies DM15 or the NPPF insofar as they seek to secure a good standard of amenity for all occupants of land and buildings.

Landscape and Trees

- 13.16 Local Plan Section 2 policy ENV1 states that the Borough Council will conserve and enhance Colchester's natural and historic environment, countryside and coastline. Central Government guidance on conserving the natural environment is set out in relevant sections of the NPPF.
- 13.17 There are limited trees and vegetation within the site, as such the proposal is not considered to impact upon vegetation of any significance. There is vegetation towards the site boundaries which is recommended to be retained and this can be secured via a planning condition. It is further recommended a landscaping condition is proposed in order to enhance the site further.

Ecology and Biodiversity

- 13.18 Local Plan Section 2 policy ENV1 seeks to conserve or enhance biodiversity of the Borough and places stringent requirements on supporting ecological information being provided to demonstrate the degree of impact or harm (especially in relation to designated sites or species), the associated mitigation measures and measures to enhance biodiversity.

- 13.19 The submitted bat report from the previous approval 211105 confirmed that no vegetation affected by the project has crevices, loose bark or woodpecker holes that might be colonised by bats. The report confirms that no evidence of their presence was found at this site. The lack of potential roosting places and absence of any evidence of the presence of bats means that no further surveys are required. The building was considered to have negligible potential as a roosting place for bats and has since been removed as a part of the previous permission. The recommended ecology enhancements within the report for the previous approval 211105 are recommended to be conditioned.
- 13.20 For the reasons given above, it is considered that the proposed redevelopment of this site will not have a significantly adverse effect protected species provided the surveys and ecological enhancement measures outlined in the submitted report are conditioned in order to ensure these are undertaken prior to commencement of works. The application is therefore considered to accord with the aforementioned local plan policies and national policy guidance.

Highway Implications

- 13.21 Local Plan Section 2 Policy DM20 seek to promote sustainable transport, improve accessibility and change travel behaviour and manage demand for road traffic. Local Plan Section 2 Policy DM15 requires inclusive design with people friendly layouts, including for people with restricted mobility.
- 13.22 The Highway Authority has assessed the scheme and are satisfied that the scheme is acceptable in highway safety terms and have proposed two informatives.
- 13.23 There is no minimum parking standard for creche, day care use, the proposed 33 car parking spaces for the entire Nursery that include an additional 21 car parking spaces on top of the existing parking for the Nursery are considered to be reasonable. While the site is in a countryside location, it is considered there is sufficient parking provision available on site. Further to this, cycle parking and powered two-wheel parking is to be provided onsite and electric vehicle charging points are recommended as conditions to encourage more sustainable modes of transport.
- 13.24 In conclusion on the above, there are no concerns from a highway safety or capacity perspective and the proposal is considered to make suitable provision for car parking, while appropriate cycle parking can be secured by condition.

Drainage and Flood Risk

- 13.25 Core Strategy policy ENV1 seeks to direct development away from areas of flood risk (both fluvial and coastal), towards sites with the lowest risk from flooding. Development Policy DM24 seeks to promote flood mitigation and defense measures as well as the use of appropriate sustainable drainage. The NPPF requires a detailed flood risk assessment (FRA) to be produced for all

development located within a flood zone and/or sites that are greater than 1 hectare. The application site is outside an identified flood zone and measures less than 1 hectare and as such a FRA is not required to support the application. Given that the proposal is outside of any flood zone, the proposal is not considered to have a harmful impact upon surface water drainage within the locality.

Contamination

13.25 Local Plan Section 2 Policy ENV5 requires all development to avoid unacceptable environmental impacts; part (vi) requires the appropriate remediation of contaminated land.

13.26 It is noted that further information is required in this regard and an update will be provided on the update sheet setting out the need for conditions if necessary.

Accessibility

13.27 The proposed development has been designed to ensure that pedestrians of all mobility types can move around the development in a safe and convenient manner. Within the building there will be level or access throughout the ground floor, which is considered to comply with the Equality Act.

14.0 Air Quality

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

15.0 Planning Obligations

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

16.0 Conclusion and Planning Balance

16.1 To summarise, the proposal is considered to comply with the NPPF in terms of principle of the scheme. There would be economic benefits as a result of construction activity and the creation of additional jobs in the area. There is sufficient evidence to be confident that overall, the development would result in no material impact on the significance of the neighbouring listed building. It would replace what was a dilapidated building (now demolished) which was visually detrimental to the visual amenities of the area and to the setting of the adjacent listed building. The proposal would not cause harm to the amenity of local residents, ecology, flood risk, contamination and would not have a severe impact upon the highway network in terms of capacity. In conclusion, it is considered that the benefits of the scheme significantly outweigh any adverse impacts and, as such, the planning balance tips in favour of an approval subject to the recommended planning conditions identified below.

17.0 Recommendation to the Committee

17.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to the following conditions:

1. ZAA - Time Limit for Full Permissions

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

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

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

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers 230602 - 627, 230721 - 627 BP01, 230721 - 627 Fe01 and 230721 - 627 SP01.

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

3. Z00 – Materials

Notwithstanding the details of the submitted drawings and application form, the materials shall be black feather edge timber weatherboarding, red brick plinth, natural clay pantile roof and timber windows on the eastern elevation. Samples of the proposed clay pantile shall be submitted to and approved in writing by the LPA prior to installation.

Reason: In the interests of visual amenity in this rural location and to protect the setting of the adjacent grade II* medieval farmhouse.

4. ZPD - Limits to Hours of Work

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

Weekdays: 08:00-18:00

Saturdays: 08:00-13:00

Sundays and Bank Holidays: No working

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

5. ZGA - *Restriction of Hours of Operation*

The use hereby permitted shall not OPERATE/BE OPEN TO CUSTOMERS outside of the following times:

Weekdays: 07:30 – 20:00

Saturdays: Closed

Sundays and Public Holidays: Closed

Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise including from people entering or leaving the site, as there is insufficient information within the submitted application, and for the avoidance of doubt as to the scope of this permission.

6. ZGR - Light Pollution for Minor Development

Any lighting of the development (including resultant sky glow, light trespass, source intensity and building luminance) shall fully comply with the figures and advice specified in the current ILP Guidance Note For The Reduction of Obtrusive Light for zone E1 NATURAL (dark – relatively uninhabited rural areas); E2 RURAL (low district brightness – sparsely inhabited rural areas, village or relatively dark outer suburban locations), E3 SUBURBAN (medium district brightness – well inhabited rural areas, small town centres, suburban locations); E4 URBAN (high district brightness – town/city centres with high levels of night -time activity).

Reason: In order to safeguard the amenity of the surrounding area by preventing the undesirable, disruptive and disturbing effects of light pollution.

7. Z00 – EV charging

Prior to first occupation, one electric vehicle charging point shall be provided per 10 car parking spaces on site.

Reason: In the interests of low carbon emissions and to encourage the use of ultra-low emission vehicles.

8. ZEB - *Premises Only for a Specific Use*

The premises shall be used for Day nursery and ancillary officing only as defined in the Use Class Order and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning Order (Use Classes) 1987 (as amended), or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order, with or without modification.

Reason: For the avoidance of doubt as to the scope of the permission as this is the basis on which the application has been considered and any other use would need to be given further consideration at such a time as it were to be proposed.

9. ZFC - Simple Landscaping Scheme part 1

No works shall take place above slab level until a scheme of hard and soft landscaping works for the publicly visible parts of the site has been submitted to and agreed, in writing, by the Local Planning Authority. This scheme shall include any proposed changes in boundary treatments, ground levels and also accurately identify positions, spread and species of all existing and proposed trees, shrubs and hedgerows on the site, as well as details of any hard surface finishes and external works, which shall comply with the recommendations set out in the relevant British Standards current at the time of submission.

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

10.ZFD – Simple Landscaping Scheme part 2

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

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

11.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.

12.ZGT - No External Light Fixtures

No external lighting fixtures shall be constructed, installed or illuminated at any time unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure that there are no undesirable effects of light pollution

13.Z00 – Ecology

All ecological recommendations, enhancement measures and/or works, shall be carried out in full accordance with the details contained in the submitted 'Bat Survey of Games Farm Barn' throughout the lifetime of the development works. The wildlife enhancement recommendations and opportunities contained within the Bat Survey shall be provided prior to first use and thereafter retained as such.

Reason: In order to conserve and enhance biodiversity in accordance with the National Planning Policy Framework and Wildlife and Countryside Act.

14.Z00 – Detailing

Notwithstanding the details submitted, no works above slab level shall start until additional drawings that show details of any proposed new windows (including the depth of reveals), doors, eaves, verges, plinth, corner treatment of weatherboarding, extract/boiler flues and vent terminals and rainwater goods to be used, by section and elevation, at scales between 1:20 and 1:1, as appropriate, are submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved additional drawings.

Reason: In order to ensure that the architectural detailing of the development is appropriate and to safeguard the character and appearance of the area and the setting of the listed building.

15.Z00 – Unexpected contamination

In the event that historic land contamination is found at any time when carrying out works in relation to the development, it must be reported in writing immediately to the Local Planning Authority and all development shall cease immediately. Development shall not re-commence until such times as an investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority, and where remediation is necessary, a remediation scheme has been submitted to and approved in writing by the Local Planning Authority. Development shall only re-commence

thereafter following completion of measures identified in the approved remediation scheme, and the submission to and approval in writing of a verification report. This must be conducted in accordance with all relevant, current, best practice guidance, including the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers'.

Reason: The site lies on or in the vicinity of uses where there is the possibility of contamination.

16.ZJE – Cycle parking as shown on plan

Cycle parking for 8 bicycles shall have been laid out within the site in accordance with the approved plan. The approved cycle parking shall thereafter be maintained and made available for this use at all times.

Reason: To ensure that there is satisfactory cycle parking available at the site at the time that it becomes occupied, as shown on the approved plans.

16.0 Informatives

16.1 The following informatives are also recommended:

1. ZT0 – Advisory Note on Construction & Demolition

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

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

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

3. ZTB - Informative on Any Application With a Site Notice

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

4. INS – Highways

- a) The 2x car parking spaces coloured yellow on the layout plan drawing numbered 627/SP01 are unworkable by reason of the constrained space

around them. It may operate better if the mobility impaired space is where these two parking spaces are, and these are relocated to the mobility space location.

b) The Highway Authority suggests that 5 mph and or children ahead signs are erected in clear view to all vehicles entering the site at the connection to the highway land.

5. INS – Highways

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org.