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Item No: 7.1

Application: 190288

Applicant: Mr Shah

Agent: Peter Le Grys

Proposal: Outline application for the erection of four flats.

Location: Land Adjacent To, 56 Berechurch Hall Road, Colchester,
CO2 8RF

Ward: Berechurch

Officer: Benjy Firth

Recommendation: Approval

1.0 Reason for Referral to the Planning Committee

- 1.1 This application has been called into Planning Committee by Councillor Harris on the following basis:

The call in is in relation to the access on a dangerous curve in Berechurch Hall road. The highways have considered the proposal with regard to a 30 Mph road. There is no regard taking to the higher speed that a lot of drivers travel on this section. The splay needs improvement such that sighting is easier for egress and access to site. A risk exists of a serious accident over next few years unless a better splay is put in place.

2.0 Synopsis

- 2.1 The key issues for consideration are the design of the proposal, its impact on public amenity and its impact on neighbouring amenity.
- 2.2 The application is subsequently recommended for Approval, subject to the signing of a legal agreement regarding the payment of an appropriate contribution to the Essex Coast Rams scheme.

3.0 Site Description and Context

- 3.1 The site comprises of a piece of scrub land adjacent to 56 Berechurch Hall Road. The majority of vegetation has recently been removed from the site. The wider area is generally residential in character with a number of turn of the century dwellings plus later infill and blocks of flats.

4.0 Description of the Proposal

- 4.1 The application seeks outline permission for the construction of four flats. The only reserved matters in this instance would be landscaping.

5.0 Land Use Allocation

- 5.1 The application site is unallocated.

6.0 Relevant Planning History

- 6.1 Planning application 080189 previously granted full planning permission for development identical to that which is the subject of this current application.

7.0 Principal Policies

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

7.2 The adopted Colchester Borough Core Strategy (adopted 2008, reviewed 2014) contains local strategic policies. Particular to this application, the following policies are most relevant:

SD1 - Sustainable Development Locations

H1 - Housing Delivery

UR2 - Built Design and Character

ENV1 - Environment

7.3 The adopted Colchester Borough Development Policies (adopted 2010, reviewed 2014) sets out policies that apply to new development. Specific to this application are policies:

DP1 Design and Amenity

DP12 Dwelling Standards

DP13 Dwelling Alterations, Extensions and Replacement Dwellings

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

DP17 Accessibility and Access

DP19 Parking Standards

7.4 Submission Colchester Borough Local Plan 2017-2033:

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

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

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

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

- 7.5 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
Backland and Infill
Managing Archaeology in Development.

8.0 Consultations

- 8.1 The stakeholders who have been consulted and who have given consultation responses are as set out below. More information may be set out on our website.
- 8.2 The Council's Archaeology Officer made the following comments:

The proposed development is located within an area of archaeological interest recorded in the Colchester Historic Environment Record. The site is on the edge of the medieval (or early post-medieval) heath (HER Monument no. MCC9159) and there is high potential for encountering medieval occupation deposits. Groundworks relating to the application would cause ground disturbance that has potential to damage any archaeological deposits that exist.

There are no grounds to consider refusal of permission in order to achieve preservation *in situ* of any important heritage assets. However, in accordance with the *National Planning Policy Framework* (Paragraph 199), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

- 8.3 The Council's Contaminated Land Officer made the following comments:

Environmental Protection's files indicate that this site is located on or in the vicinity of former Ministry of Defence land. Consequently, should this application be approved, we would recommend inclusion of the following condition:

Reporting of Unexpected Contamination

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

measures identified in the approved remediation scheme, and the submission to and approval in writing of a verification report. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers'.

Reason – The site lies on or in the vicinity of former Ministry of Defence land where there is the possibility of contamination. The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land is free from contamination. The applicant is responsible for the safe development and safe occupancy of the site.

8.4 The Council's Landscape Officer made the following comments:

Regarding the strategic landscape content/aspect of the outline application proposals lodged on 13/03/19; the following points should be considered:

To accord with the Council's [Landscape strategy for development sites](#) the landscape element of the proposal needs to be cross-checked against the Council's standard generic requirements under Landscape Guidance Note LIS/A (this is available on this CBC landscape [webpage](#) under Landscape Consultancy by clicking the 'read our guidance' link); and where applicable amended accordingly to fully accord with them. In particular it is recommended the clause(s) of LIS/A noted in the Appendix to this document be cross-checked against the current submission.

In support and addition to this/these LIS/A clause(s) and accordance with policy/policies detailed in 3.1 below, the following point(s) should be taken into consideration as part of any revised proposals:

- The proposed frontage enclosure should be revised from walling to hedging set directly behind the sight lines. This in order to better complement the sites existing native hedgerow enclosure, the existing frontage enclosure locally and the sites setting adjacent to the POS, and help soften the street scene.
- The SW & NW boundaries of the site bounds onto the POS woodland, in order to complement this setting these boundaries need to be proposed to be planted up with native hedge set along the boundary line with a 1.8m high dark stain hit & miss fence set 1m back (into the site) from the centre line of the hedge.
- In order to clearly assess 1.3.2 above the NW boundary of the site needs to be clearly plotted on dwg 01.

In conclusion, taking into account all relevant considerations and for the reasons set out above, this application cannot currently be supported on landscape grounds. In order to fully consider the proposals the above point(s) will need to be satisfactorily addressed.

8.5 The Council's Environmental Protection Team made the following comments:

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

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.

ZGB - *Restricted Hours of Delivery*

No deliveries shall be received at, or despatched from, the site outside of the following times:

Weekdays: 08:00-18:00

Saturdays: 08:00-18:00

Sundays and Public Holidays: No deliveries

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 delivery vehicles 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.

Noise

All residential units shall be designed so as not to exceed the noise criteria based on figures by the World Health Authority Community Noise Guideline Values given below:

*Dwellings indoors in daytime: 35dB LAeq 16 hours

*Outdoor living area in day time: 55dB LAeq 16 hours

*Inside bedrooms at night time 30dB LAeq 8 hours (45 dB LA max)

*Outside bedrooms at night 45dB LAeq 8 hours (60 dB LAmax)

Such detail as shall have been agreed in writing by the local planning authority based on the submitted and approved survey and appropriate consequential noise mitigation measures shall be implemented prior to occupation of the development of the site and thereafter maintained.

Reason: To ensure that there are acceptable levels of noise to residents.

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)

8.6 The Highway Authority made the following comments:

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

Prior to the first occupation of the proposed dwelling, the proposed vehicular shall be constructed to a width of 5.5m and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.

Reason: To ensure that all vehicles using the private drive access do so in a controlled manner and to ensure that opposing vehicles may pass clear of the limits of the highway, in the interests of highway safety and in accordance with Policy DM of the Highway Authority's Development Management Policies February 2011.

No unbound materials shall be used in the surface treatment of the proposed vehicular access throughout.

Reason: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

Prior to the proposed access being brought into use, vehicular visibility splays of 43m by 2.4m by 43m as measured along, from and along the nearside edge of the carriageway, shall be provided on both sides of the centre line of the access and shall be retained and maintained free from obstruction clear to ground thereafter.

Reason: To ensure adequate intervisibility between drivers of vehicles using the proposed access and those in the adjoining highway, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

The development shall not be occupied until such time as a car parking and turning area has been provided in accord with current Parking Standards. These facilities shall be retained in this form at all times and shall not be used for any purpose other than the parking and turning of vehicles related to the use of the development thereafter.

Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety and in accordance with Policy DM 1 and 8 of the Highway Authority's Development Management Policies February 2011.

Any garage provided with its vehicular door facing the highway or proposed highway, shall be sited a minimum of 6m from the highway boundary.

Reason: To ensure that the vehicle to be garaged may be left standing clear of the highway whilst the garage door is opened and closed, in the interests of highway safety and in accordance with Policy DM 1 and 8 of the Highway Authority's Development Management Policies February 2011.

Prior to the occupation of the proposed development, details of the provision for the storage of bicycles sufficient for all occupants of that development, of a design this shall be approved in writing with the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to the first occupation of the proposed development hereby permitted within the site which shall be maintained free from obstruction and retained thereafter.

Reason: To promote the use of sustainable means of transport in accordance with Policy DM 1 and 9 of the Highway Authority's Development Management Policies February 2011.

No development shall take place, including any ground works or works of demolition, until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- wheel and under body washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur, in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

Informative: 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.

9.0 Parish Council Response

9.1 No comments received.

10.0 Representations from Notified Parties

10.1 The application resulted in 3 letters of objection. The full text of all the representations received is available to view on the Council's website. However, a summary of the material considerations is given below:

- Highway safety issues
- Increased traffic
- Loss of green space/habitat

11.0 Parking Provision

11.1 The proposal includes the provision of policy compliant parking in accordance with adopted standards.

12.0 Accessibility

- 12.1 The proposal includes two ground floor flats that are relatively accessible and could accommodate adaptation to increase their accessibility were this to be required by future occupants.

13.0 Open Space Provisions

- 13.1 The proposal does not include, nor is it required by policy to make any open space provisions.

14.0 Air Quality

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

15.0 Planning Obligations

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

16.0 Report

Principle

- 16.1 The application site is located within the settlement limits in a predominantly residential area. On this basis the proposed development is acceptable in principle. Notwithstanding the residents’ concerns, the site does not enjoy any protection as public or private open space so although residents would like it to stay as such there is no policy reason to refuse this scheme on that basis.

Design

- 16.2 The design of the proposal is identical to that previously approved and as a result the design has already been broadly established as acceptable.
- 16.3 The proposed building adopts a traditional architectural approach and reflects the existing local building line. The footprint and height of the proposed building are not dissimilar to existing buildings surrounding the application site. As a result, its scale and form would be generally consistent with the adjoining two storey semi-detached pairs and short terraces. The size and scale of the proposed structure is therefore considered reflective of existing buildings in the vicinity of the application site.

- 16.4 The visual mass of the proposed building is reduced by virtue of the articulation provided by the use of various building elements and the positioning of fenestration. Additionally, it is held that the general architectural approach adopted reflects the character of the area and is acceptable. As such the proposal is not considered out of keeping with the existing character of the area.
- 16.5 The layout of the proposed development respects the character of the area, whilst providing sufficient space for landscaping, amenity space and parking, without allowing the later to overly dominate the street scene.
- 16.6 In light of the above, the design and layout of the proposed development are considered acceptable. Additionally, by virtue of its design and layout the proposal would not cause significant harm to the amenity of the surrounding area. The specific details of materials will be agreed by condition to ensure that an optimal design quality is achieved.

Residential Amenity

- 16.7 By virtue of its scale and position, the proposed structure would have a traditional relationship with the neighbouring residential property. As a result, the scheme would not cause significant detriment to residential amenity in terms of loss of outlook, light or privacy.

Private Amenity Space

- 16.8 The proposal makes provision for adequate and policy compliant private amenity space in line with policy DP16.

Landscaping & Trees

- 16.9 The Council's Tree Officer is satisfied with the Tree Report, in that the trees proposed to be removed are not of significance and that those to be retained will not be affected by the proposed development and can be protected during its construction.
- 16.10 The comments made by Council's Landscape Officer are noted, however these details would be determined at a reserved matters stage.

Highway Safety and Parking Provisions

- 16.11 The proposal contains adequate and policy compliant parking provision.
- 16.12 The Highways Authority are satisfied with the proposed access arrangements and adequate site splays are provided.

- 16.13 Concerns have been raised regarding the safety of adding a new access to this stretch of highway due to the speed of existing highway users. These concerns have been considered as part of consultation with the Highway Authority and paragraph 109 of the NPPF which states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'
- 16.14 This stretch of Highway is already limited to 30mph and the dimensions of the access and site splays meet the adopted standards. As such, it is not considered that the on-going mis-use of the highway should prejudice the determination of this application, nor would it be sufficient to justify its refusal.

Other Matters

- 16.15 The applicant has agreed to sign a legal agreement requiring the payment of an appropriate contribution to the Essex Coast RAMS scheme, subject to the application gaining a positive outcome at Planning Committee. It is considered that said legal agreement could secure appropriate mitigation for the impact of recreational disturbance caused on European Sites by the proposed development.
- 16.16 In light of the recent clearance of vegetation at the site it is considered unlikely that the site provides any habitat or ecology of any significance.

17.0 Conclusion

- 17.1 To summarise, the proposed development is acceptable in principle, achieves an appropriate standard of design and would not significant harm to public or residential amenity has been identified. As a result, the proposal complies with adopted policy and is considered acceptable.

18.0 Recommendation to the Committee

- 18.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to the agreed Essex Coast RAMS contribution and following conditions:

1. Time Limit for Outline Permissions Part 1 of 3

No development shall be commenced until plans and particulars of "the reserved matters" referred to in the below conditions relating to the LANDSCAPING have been submitted to and agreed, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: The application as submitted does not provide sufficient particulars for consideration of these details.

2. Time Limit for Outline Permissions Part 2 of 3

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

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

3. Time Limit for Outline Permissions Part 3 of 3

The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

4. Development to Accord With Approved Plans

Notwithstanding the landscape details approved under reserved matters, the development hereby permitted shall be carried out in all other respects in accordance with the details shown on the submitted Drawing Numbers BHR – 01, 01, Site Location Plan and Arboricultural Impact Assessment Ref:HWA10286-AP111.

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

5. Materials To Be Agreed

No works shall take place until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction 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 as there are insufficient details within the submitted planning application.

6. Archaeology

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.

7. Construction Method Statement

No development shall take place, including any ground works or works of demolition, until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- wheel and under body washing facilities

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

8. Tree Protection

No burning or storage of materials shall take place where damage could be caused to any tree, shrub or other natural feature to be retained on the site or on adjoining land (see BS 5837).

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

9. Reporting Unexpected Contamination

In the event that land contamination is found at any time when carrying out works in relation to the development, it must be reported in writing immediately to the Local Planning Authority and all development shall cease immediately. Development shall not re-commence until such times as an investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority, and where remediation is necessary, a remediation scheme has been submitted to and approved in writing by the Local Planning Authority. Development shall only re-commence thereafter following completion of measures identified in the approved remediation scheme, and the submission to and approval in writing of a verification report. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers'.

Reason: The site lies on or in the vicinity of former Ministry of Defence land where there is the possibility of contamination. The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land is free from contamination. The applicant is responsible for the safe development and safe occupancy of the site.

10. 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.

11. Restricted Hours of Delivery

No deliveries shall be received at, or despatched from, the site outside of the following times:

Weekdays: 08:00-18:00

Saturdays: 08:00-18:00

Sundays and Public Holidays: No deliveries

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 delivery vehicles 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.

12. Noise

All residential units shall be designed so as not to exceed the noise criteria based on figures by the World Health Authority Community Noise Guideline Values given below:

*Dwellings indoors in daytime: 35dB LAeq 16 hours

*Outdoor living area in day time: 55dB LAeq 16 hours

*Inside bedrooms at night time 30dB LAeq 8 hours (45 dB LA max)

*Outside bedrooms at night 45dB LAeq 8 hours (60 dB LAmax)

Such detail as shall have been agreed in writing by the local planning authority based on the submitted and approved survey and appropriate consequential noise mitigation measures shall be implemented prior to occupation of the development of the site and thereafter maintained.

Reason: To ensure that there are acceptable levels of noise to residents.

13. Access

Prior to the first occupation of the proposed dwelling, the proposed vehicular access shall be constructed to a width of 5.5m and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.

Reason: To ensure that all vehicles using the private drive access do so in a controlled manner and to ensure that opposing vehicles may pass clear of the limits of the highway, in the interests of highway safety.

14. No unbound materials

No unbound materials shall be used in the surface treatment of the proposed vehicular access throughout.

Reason: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety.

15. Visibility Splays

Prior to the proposed access being brought into use, vehicular visibility splays of 43m by 2.4m by 43m as measured along, from and along the nearside edge of the carriageway, shall be provided on both sides of the centre line of the access and shall be retained and maintained free from obstruction clear to ground thereafter.

Reason: To ensure adequate intervisibility between drivers of vehicles using the proposed access and those in the adjoining highway, in the interests of highway safety.

16. Car parking & Turning Facilities

The development shall not be occupied until such time as a car parking and turning area has been provided in accord with current Parking Standards. These facilities shall be retained in this form at all times and shall not be used for any purpose other than the parking and turning of vehicles related to the use of the development thereafter.

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

17. Refuse Facilities

Prior to the development hereby approved being brought into use, refuse storage facilities shall be provided in a visually satisfactory manner and in accordance with a scheme which shall have previously been submitted to and approved in writing by the Local Planning Authority. Such facilities shall thereafter be retained to serve the development.

Reason: To ensure that adequate facilities are provided for refuse storage and collection.

18. Bicycle Storage

Prior to the occupation of the proposed development, details of the provision for the storage of bicycles sufficient for all occupants of that development, of a design this shall be approved in writing with the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to the first occupation of the proposed development hereby permitted within the site which shall be maintained free from obstruction and retained thereafter.

Reason: To promote the use of sustainable means of transport in accordance with Policy DM 1 and 9 of the Highway Authority's Development Management Policies February 2011.

19. Lighting

Any lighting of the development shall fully comply with the figures specified in the current 'Institution of Lighting Engineers Guidance Notes for the Reduction of Obstrusive Light'. This shall include sky glow, light trespass into windows of any property, source intensity and building luminance. Upon completion of the development and prior to the use hereby permitted commencing, a validation report undertaken by competent persons that demonstrates compliance with the above shall be submitted to the Local Planning Authority for approval. Having been approved, any installation shall thereafter be retained and maintained to the standard agreed.

Reason: In order to reduce sky glow and safeguard the amenity of neighbouring residential properties by controlling the undesirable, disruptive and disturbing effects of light pollution.

19.0 Informatives

19.1 The following informatives are also recommended:

1. 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. 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. Highways Informative

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.