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Item No: 7.1

Application: 241583

Applicant: Mr Robert Eburne

Agent:

Proposal: Application for approval of reserved matters following outline approval. (213530)

Location: Land west of, Peldon Road, Abberton, Colchester

Ward: Mersea & Pyefleet

Officer: Nadine Calder

Recommendation: **Approval**

1.0 Reason for Referral to the Planning Committee

1.1 This application for approval of reserved matters is referred to the Planning Committee at the request of Members of the Planning Committee of the 22 September 2022 when it was resolved that outline planning permission for the development be granted.

2.0 Synopsis

2.1 The key issues for consideration are the details of the proposed development to provide 50 dwellings and associated infrastructure consisting of appearance, landscaping, layout and scale (“the reserved matters”), and how these relate to wider material planning considerations, including design, the character and appearance of the surrounding area and residential amenity.

2.2 The scheme achieves an acceptable quality of design and is, for the reasons outlined in the main body of the report, otherwise acceptable with regards to wider material planning considerations. On that basis, the application is recommended for approval.

3.0 Site Description and Context

3.1 The site extends to 2.6ha and is located to the west of Peldon Road, Abberton. It comprises two fields/meadows separated by a hedgerow (tree and shrub belt). To the north, the site is bound by the properties that form the existing edge of the village of Abberton. The eastern and western boundaries are characterised by mature hedgerows and trees that visually enclose the site from the surrounding area. The south western boundary runs through the middle of a meadow-field while the south eastern corner of the site adjoins a residential property. The wider field itself is enclosed by mature landscaping in the form of hedgerows that minimises views of the site from the wider area.

4.0 Description of the Proposal

4.1 This application for reserved matters approval submits the details (appearance, landscaping, layout and scale) for the development of this site, which was granted outline planning permission under the outline application 213530 for the provision of up to 50 dwellings, a new vehicle drop-off/pick up point for the local school together with a vehicular access point and a separate pedestrian and cycle access point from Peldon Road.

5.0 Land Use Allocation

5.1 The site forms part of a housing site allocation (Policy SS1 Abberton and Langenhoe, referred to as ‘Land to the west of Peldon Road’) which is identified to accommodate 50 dwellings, provision of a new drop-off/pick-up point at Langenhoe Primary School and the provision of new public footpaths to the north of the site, connecting to the school and village.

6.0 Relevant Planning History

6.1 Outline planning permission for the provision of up to 50 dwellings (including 30% affordable housing), a new vehicle drop-off/pick up point for Langenhoe Primary School and access from Peldon Road was granted in July 2023 under application reference 213530. All other matters (appearance, landscaping, layout and scale) were reserved for consideration at reserved matters stage.

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
- 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:

- SG2 Housing Delivery
- ENV1 Environment
- DM8 Affordable Housing
- 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
- 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:

SS1 Abberton and Langenhoe

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
Affordable Housing

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 Active Environment Officer raised no objection subject to further suggestions (for example safe crossing on Peldon Road, upgrade of public right of way (PROW) which have either been covered by the outline permission or can be achieved through conditions (for example seating areas along the green space for rest points).
- 8.3 The Arboriculture Officer did not offer any comments on the scheme.
- 8.4 The Contaminated Land Officer had no new comments to make.
- 8.5 Environmental Protection have not objected to the proposal subject to conditions which are already covered by the outline permission.
- 8.6 Private Sector Housing have no objection to the proposed development and have provided comments to the applicant directly, outlining potential hazards which may need to be addressed directly with them.
- 8.7 The Urban Design Officer, following negotiations, does not object to the proposal subject to conditions.
- 8.8 Anglian Water have no further comments to make on this application.
- 8.9 Essex County Fire & Rescue Service advise that additional water supplies for fire hydrants may be required. More detailed observations on access and facilities for the Fire Service will be considered at Building Regulation consultation stage.
- 8.10 Essex County Council Highways have confirmed that as none of the internal roads will be offered for adoption to the Highway Authority, they will not provide any comments on the proposed layout.
- 8.11 Essex County Council as the Lead Local Flood Authority had no new comments to make.
- 8.12 Essex Police raise no objection but would welcome the opportunity to discuss the security design aspects of the application directly with the applicant.
- 8.13 Natural England offered no objection subject to appropriate mitigation being secured (which it was under the outline permission).

9.0 Parish Council Response

- 9.1 The Parish Council raise no objection but wish to make the following observations:
 - Speed restriction signs should be relocated.
 - Hedgerow near sightline of entrance should be maintained.

- Cutting back the hedge will expose the poorly maintained ditch, which should be piped or levelled.
- There should be a formal pedestrian crossing from the western footpath to link with the footpath to the school for safety.
- Site may be greatly opened up to the front and other areas. More detail and larger planting together with a maintenance plan is needed.
- Developer's duty to provide a school drop off facility needs to be resolved.

10.0 Representations from Notified Parties

10.1 The application resulted in a number of notifications to interested third parties including neighbouring properties. The full text of all of the representations received is available to view on the Council's website. However, a summary of the material considerations is given below.

10.2 The consultation exercise resulted in four objections from three members of the public. The reasons for objecting can be summarised as follows:

- Predicted wireframes are misleading, especially the view from the south. This shows the ground level below the existing property; however, new development will be on higher ground (site slopes up).
- Informal play area adjacent to a neighbouring property may lead to anti-social behaviour.
- Central hedge dividing the two fields is largely removed.
- Attenuation tank overflow shown to be draining to the ditch on Peldon Road. This ditch is hardly adequate for the current demand.
- Loss of privacy for the two properties bordering the north due to deciduous boundary hedge and change in levels, resulting in a complete loss of privacy and reduced security. A 1.8m close boarded fence along the north boundary is requested to preserve privacy and security.
- Gas Governor should be adequately fenced in.
- Orientation of plots 40, 41 and 42 will cause overlooking of the adjacent property (this relates to plots 38, 39 and 40 following amendments).
- 30mph speed limit to be moved south along Peldon Road. Other traffic calming measures required, such as gateways or speed humps.

11.0 Parking Provision

11.1 18 out of the proposed 50 dwellings benefit from at least three parking spaces (two/three spaces plus a visitor space). The remaining 32 dwellings would require a minimum of two parking spaces each plus eight visitor spaces and these provisions are made within the site.

12.0 Accessibility

12.1 In considering the application due regard has been given to the Local Planning Authority's duties under the Equality Act 2010. Representations received have not identified any specific equality implications potentially arising from the proposed development and requiring additional consideration. The proposal does not give rise to any other concerns from an accessibility or equality perspective more widely.

13.0 Open Space Provisions

13.1 The supporting information states that the application includes 8,408m² of public open space (POS), which equates to 33% of the site area. Whilst some of this area annotated as POS is not particularly usable as open space, the provision still far exceeds the minimum 10% requirement.

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 Whilst this is a “Major” application, contributions for this development have been secured under the Section 106 agreement completed pursuant to the outline permission.

16.0 Report

16.1 Principle of Development

The principle of this development has been established through the outline planning approval (213530) which was granted in July 2023 for the provision of up to 50 dwellings, a new vehicle drop-off/pick up point and access from Peldon Road.

16.2 This application for reserved matters approval is submitted pursuant to this outline planning permission and submits the details of the approved scheme, and seeks to demonstrate that the design, layout, appearance and landscaping element of the proposed development are acceptable.

Design, Scale, Layout and Landscaping

16.3 The Framework states that the creation of high quality, well designed and sustainable buildings and places is fundamental to what the planning and development process should achieve. The Framework is supported by a collection of planning practice guidance which includes a National Design Guide. This document seeks to deliver places that are beautiful, enduring and successful by setting out the characteristics of well-designed places and outlining what good design means in practice.

16.4 At a local level these policies are carried through and adopted as part of the Colchester Borough Local Plan 2017 – 2033. Section 1 Plan Policy SP7 requires all new development to meet high standards of urban and architectural design with Section 2 Plan Policy DM15 requiring all development, including new build, extensions and alterations, to be designed to a high standard, positively respond to its context, achieve good standards of amenity, and demonstrate social, economic and environmental sustainability.

16.5 The application site has sensitive countryside edges to the west and south, a highway along the eastern boundary and retained green features within the centre of the site, all of which should be afforded active frontage to achieve good place making. In addition to the proposed streets, this results in a requirement for a large proportion of active frontage within the proposal that is hard to achieve on a development of this scale. This is exacerbated by an

easement to the north of the site. As a result, compromises are required within the proposed layout. These include some units backing onto the northern part of the western countryside edge and units siding onto some edges that should feature active frontage. Impact on views from the west seeks to be minimised by removing domestic boundary treatments on units backing directly onto this edge and setting back units that side onto this edge to give space to the boundary. Some edges which feature side elevations lack significant visual interest and fail to provide appropriate levels of natural surveillance, although this has been significantly enhanced through revisions. Other sensitive edges within the proposal are dealt with in a generally appropriate manner and the majority of streets achieve a reasonable degree of active frontage.

- 16.6 The proposal appears to comply with policy requirements relating to back to back distances and private amenity space generally. This should allow for appropriate levels of residential amenity within the site. There is a marginal over provision of on plot parking, which is reliant on garages being utilised for vehicular parking. Conversely there is an under provision of visitor parking provision. It is considered acceptable that the two counter balance one another, on the basis that garages are retained for parking purposes. The proposal also provides for appropriate levels of POS and the retention of the green swathe makes a positive contribution the amenity of future residents.
- 16.7 The proposal includes one vehicular access to the site, with routes dissipating appropriately within the site and establishing a discernible road hierarchy. Consequently, in terms of carriageway widths and materiality, although the hierarchy established, it is not evident beyond the carriageways and thus contributes little to place making. Similarly, no pedestrian connections are made through the site. However, the buffering of the southern part of the western edge with open space and the retention of the green features contribute towards high levels of pedestrian permeability within the site and facilitate circular routes. Additionally, a pedestrian connection is made to the village, where the scheme provides for enhancements to existing pedestrian routes.
- 16.8 With regard to the positioning of built form, the almost exclusive use of detached and semi-detached units, alongside on plot parking and relatively consistent frontage depths results in a predominantly homogenous interrelationship between units and with the adjacent carriageways. The proposed built form lacks continuous frontage, resulting in a lack of substantive enclosure of space, a relatively suburban character and a diminished standard of placemaking. This is exacerbated by the uniform approach to frontage treatment in terms of soft landscaping.
- 16.9 The proposed built environment consists of relatively traditional vernacular forms with a primarily rectangular footprint, cloaked in materials and detailing traditionally associated with Essex vernacular architecture. The proposed scale is considered appropriate. A variety of compositions from the palette of house types, materials and detailing are 'pepper-potted' across the site and result in a degree of visual interest. However, this is undermined by the fact that detailing and materials are not applied consistently to the entirety of each of the units, with individual elevations of single units varying in their treatment.

A more consistent approach in the appliance of detailing is suggested to be secured via condition.

- 16.10 In summary, the application proposes a development that establishes a generally appropriate block formation, providing acceptable levels of connectivity and permeability, though this is tempered by a lack of active frontage in places and appropriate degree of natural surveillance to some areas of public realm. The proposed development provides for acceptable levels of parking, residential amenity and POS. However, whilst appropriately detailed and broadly vernacular forms are proposed, their sporadic use combined with materiality and the homogeneity of their positioning fail to establish a legible character within the site. Overall, it is not considered that the proposed layout or the built environment provide for anything substantively distinct, bespoke or site specific within the design that defines a distinctive identity for the site. Notwithstanding this, through the use of conditions, including improvements to the architectural details of the house types and a more consistent approach in the use of detailed design features, increased visual interest can be secured within the scheme. It is concluded that the proposed development in this edge of the village location can be made acceptable in design terms by the use of conditions to address areas of weakness.

Impacts on Neighbouring Properties

- 16.11 Section 2 Plan Policy DM15 seeks to promote high quality design and requires development to demonstrate, amongst other matters, that they will protect and promote public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance, pollution (including light and odour pollution), daylight and sunlight.
- 16.12 The development acts as an extension to the south of the existing village of Abberton, providing residential development on a currently open field between 'Willo the Wisp' and 'Abbey Wood' to the north and 'Captains Field' to the south. To the east, on the other side of Peldon Road, lies 'Pete Tye House', a Grade II listed building, 'Borleys' and five new dwellings which have recently been granted permission and are under construction. With regard to the amenity of existing and future residents to the east of the site, the development is sufficiently far removed so as to not have an impact on the private amenity of these residents, either through overlooking, overshadowing or appearing overbearing.
- 16.13 The proposed two dwellings closest to the northern boundary of the site are Willo The Wisp and Abbey Wood. Abbey Wood is a bungalow that faces east towards Peldon Road while Willo The Wisp is a 1 ½ storey dwelling that backs on to the application site. Both dwellings have gardens that extend to the south (adjoining the site) and west. The existing boundary is demarcated by a hedge.



Extract from Proposed Site Plan showing proposed development along northern boundary

- 16.14 Residential development closest to the northern boundary of the site is set back some 15m from the boundary with either hard or soft landscaping (in the form of an access road, vehicular parking or public open space) being provided between the proposed dwellings and the boundary. New planting in the form of trees and hedgerows are proposed along the boundary together with a new 1.8m high close boarded fence along the entire northern boundary. Owing to the distance between existing and proposed built development, the topography of the site and existing and proposed soft landscape mitigation, the proposed development is not considered to cause harm to the amenities of neighbouring occupiers with regards to appearing overbearing on their outlook or causing loss of light.
- 16.15 The development includes five dwellings (Plots 1, 15, 16, 17 and 18) which would face the neighbouring occupiers, all of which are two storey dwellings. Plots 1 and 18 are oriented east to west and would thus have a flank elevation facing the neighbouring dwellings. Both side elevations would benefit from one first floor window serving a landing. This is not a habitable room and is therefore not causing any concerns in relation to the privacy of neighbouring occupiers.
- 16.16 The dwellings on Plots 15, 16 and 17 would face the neighbouring dwellings to the north and all have first floor windows serving a secondary bedroom and a bathroom each. Given the location and orientation of these properties in relation to Abbey Wood and bearing in mind the topography of the site which slopes towards the site, thus resulting in the proposed development being provided on slightly lower ground, it is not considered that the proposed development would cause harm to the privacy of the occupiers of Abbey Wood.
- 16.17 Willow The Wisp includes an outshot to the rear which extends very closely to the northern boundary of the site. At first floor level, there is a bedroom window facing the application site and a balcony. In the main bulk of the house, there are rear facing windows serving bedrooms and the lounge. As previously mentioned, there are intervening features between existing and proposed built form which are considered to reduce the potential impact on the amenities of

the neighbouring occupier in terms of loss of privacy, in particular existing and proposed new landscaping features consisting of new boundary trees, hedges (which should be required to be evergreen to provide screening all year round) and a close boarded fence. Whilst bedrooms are classed as habitable rooms, it is not considered that future occupiers of the site would be spending a great deal of time in their (secondary) bedrooms actively looking out of their windows, thus further reducing the potential for a material impact on neighbouring amenity. The rear wall of 'Willo' The Wisp' is some 4m and 9.5m set back from the boundary. This, coupled with the 15m set back of the proposed built form and the mitigation as set out above, is considered to materially reduce the potential for a significantly harmful impact on the neighbour's amenity.

16.18 Additionally, as already mentioned above, the proposed development would be provided on lower ground and detailed section drawings for the proposed development in relation to existing built form, taking into account the hard and soft landscape features proposed as part of this application will need to be submitted to, and approved by, the Local Planning Authority before building works can commence. This provides an extra layer of protection as appropriate levels for the new development, and thus the privacy of neighbouring occupiers, will need to be secured. Having regard to all of the above, it is not expected that the proposed development would significantly affect the privacy of the occupiers of 'Willo The Wisp'.

16.19 Captains Field to the south east is a two storey dwelling, oriented east to west (with the front elevation facing east, i.e. Peldon Road, and the rear elevation, including the private amenity space, facing west). Based on the latest available planning history for this dwelling, dating back to 2020, the northern side elevation of this dwelling includes one ground floor window and door to a utility room and two first floor windows serving bedrooms. The dwelling sits in the southern half of the residential plot, with the area to the north of the dwelling (south of the boundary with the application site) being used for parking. The planning application referred to above granted permission for a two storey side extension, demolition of the existing double garage and construction of a 1½ storey tall and four bay wide cartlodge with ancillary accommodation in the roof (an extract from approved drawings for the cartlodge is shown below); this permission has been implemented with the two storey side extension built and the garage demolished. It is unclear whether the cartlodge has been built yet, however, the demolition of the existing garage would indicate that there is an intention to build the cartlodge for which there is an extant planning permission.



Approved cartlodge elevations (application reference [202310](#))

16.20 The approved cartlodge would be located along the northern boundary of Captains Field, thus directly along the southern boundary of the application site, facing south (as shown on the approved Site Plan associated with reference 202310 below).



Extract from approved proposed site plan (application reference [202310](#))

16.21 Existing mature trees are located along the boundary between the site and the neighbouring property, with the nearest residential dwelling within the site (plot 40) being set back some 16m from the southern boundary with the space in between serving as open space and providing a circular walking route around the development. The dwelling is further oriented at an angle with any potential views towards the neighbour to the south being potentially obscured by the approved cartlodge, if built. Otherwise, views, if available at all, despite the intervening existing and mature soft landscaping features, would be directed towards the parking area, which is not held to result in any material loss of privacy. Plots 38 and 39 are located further west than Captains Field, however, as a result of the irregular shape of the application site, which at this point runs diagonally from north east to south west, these properties are set back from the southern boundary and thus the garden of Captains Field even further than Plot 40. Intervening uses include again POS as well as the attenuation pond and a mature tree belt along the boundary. On this basis, it is considered that the proposed development would not result in any significant or material harm on the amenities of the occupiers of Captains Field in terms of appearing overbearing on the outlook of, or causing loss of light or privacy to, the occupiers of Captains Field.



Extract from Proposed Site Plan showing Plots 38, 39 and 40 in relation to Captains Field

- 16.22 Concerns have also been raised in relation to the submitted proposed wireframes. These concerns are noted, and require a detailed assessment, however, as mentioned above, this matter is covered by condition 5 of the outline planning permission which requires the submission of “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”, to ensure that no part of the new development would negatively impact neighbouring amenity. This condition states that no works shall take place until the details as referred to above have been agreed by the Local Planning Authority and it is therefore considered that the privacy of neighbouring occupiers is safeguarded through this condition.
- 16.23 Turning to the amenities of future occupiers of the development, the proposed 50 dwellings and associated outbuildings are arranged in a way that avoids unacceptable impacts and the proposal is therefore acceptable in this regard.
- 16.24 In conclusion, there are no concerns that the development would have a harmful impact on existing occupiers surrounding the site or future occupiers of the proposed development.

Parking Provision and Highway Matters

- 16.25 Access to the site is taken off Peldon Road to the east. Access was the only matter that was not reserved as part of the outline application and these parameters have therefore already been approved. The internal road layout includes two roads which serve the majority of the proposed dwellings and eight private drives. The applicant confirmed that none of the internal road layout will be offered for adoption to the Highway Authority. As such, the roads will remain private and the Highway Authority consequently had no comments to make on the proposal.
- 16.26 The Vehicle Parking Standards SPD, to which Section 2 Plan Policy DM22 refers, provides the parking standards for residential development. The adopted standard for dwellings of two or more bedrooms is a minimum of two

car parking spaces per dwelling; and a minimum of one secure covered cycle space per dwelling (unless a secure area can be provided within the curtilage of the dwelling). Visitor car parking is also required at 0.25 spaces per dwelling (rounded up to the nearest whole number).

16.27 The submitted plans show that 18 plots have at least two on-site parking spaces and one on site visitor parking space, whilst the remaining plots have two on-site parking spaces. This would leave 32 dwellings with the need for additional visitor parking. Eight visitor spaces are provided within the site and this complies with the requirements of Policy DM22.

16.28 The parking standards also require a minimum of 1 secure covered cycle space per residential dwelling (unless a secure area can be provided within the curtilage of the dwelling). Details for cycle storage are secured via condition on the outline planning permission. This can therefore be addressed through a submission of detail application at a later date.

Refuse & Recycling

16.29 Each dwelling will have dedicated storage within their own residential curtilage and it is expected that kerb side collection is proposed. To this extent, size 3 and size 5 turning heads are provided to enable refuse vehicles to access each dwelling.

Other Matters

16.30 The outline planning permission required 15 of the 50 dwellings to be affordable. The affordable housing mix comprises five 2-bed dwellings (including one bungalow), seven 3-bed dwellings and three 4-bed dwellings. The units are provided in three separate locations within the site and this, together with the proposed housing mix, is acceptable.

16.31 The Tree Protection Plan as approved at the outline stage sought to secure the majority of the existing hedgerow (tree and shrub belt) that runs through the application site. This feature consequently acted as a constraint in relation to the proposed site layout. This current application is supported by an updated Arboricultural Impact Assessment which has found the majority of the trees to be unhealthy, thus having been identified for removal. Without the retention of this tree and shrub belt there is no longer a constraint on the development in terms of any future layout. As such, an amended layout was sought which has enabled an improved arrangement of the built form and improved overall scheme. On this basis, the scheme's resulting conflict with the approved tree information is noted and accepted.

16.32 A proportionate financial contribution to mitigate wildlife impact from recreational disturbance (i.e. potentially caused by people occupying new residential units) in accordance with emerging Essex Coast RAMS requirements was secured through the outline planning permission.

16.33 The Planning Practice Guidance (Reference ID: 74-003-20240214) confirms that the approval of reserved matters for outline planning permissions is not subject to the biodiversity gain condition. As such, this matter does not require any further consideration.

- 16.34 Condition 29 of the outline planning permission secures a provision for a drop off/pick up point for the local school, as per the Local Plan site allocation. This facility is required to provide at least 8no. spaces either on the application site or within the school grounds, the details of which need to be agreed with the Local Planning Authority together with a timeframe for implementation. The works will need to have been completed prior to the occupation of the development permitted. The applicant has worked closely with the school to progress this matter and is now in a position to submit the information to the Local Planning Authority for their approval under a submission of detail application. The preferred option at the time of writing this report would increase the parking provision within the school grounds from 30 to 40 spaces (an increase of five spaces for parents/guardians and five spaces for staff). This is in line with the criteria of condition 29 and is therefore considered to be satisfactory. Whilst the details have not yet been approved, Officers are supportive of this approach and therefore consider that making a decision on this current application for reserved matters would not compromise the provision of an acceptable drop off/pick up facility.
- 16.35 Other matters, including archaeological impacts, contaminated land, drainage, ecology and highway matters, were addressed at the outline application stage and, subject to conditions, were found to be acceptable. Whilst additional consultation responses and requests for mitigation in respect of some of these matters were received, the outline planning permission covers these aspects satisfactorily and there is no requirement for these matters to be considered any further or be subject to additional conditions as part of this current application.

17.0 Planning Balance and Conclusion

- 17.1 This reserved matters application is submitted pursuant to outline planning permission 213530. The principle of development is established by this outline permission with the current reserved matters application covering all other aspects, including appearance, landscaping, layout and scale of the development.
- 17.2 In summary, the scheme is held to be generally well designed and thus satisfactory. The conditions attached to the outline planning approval and those listed below will ensure that this development can be undertaken without material harm to matters of acknowledged planning importance.

18.0 Recommendation to the Committee

18.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to the following conditions:

1. Reserved Matters Applications

The reserved matters planning permission hereby granted is given in accordance with the terms of the outline planning permission reference 213530 relating to this site and the conditions attached thereto remain in force.

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

2. Development to Accord With Approved Plans

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

Site Location Plan

002 Rev D (Site Plan)

004 Rev D (Materials Plan)

005 Rev B (Open Space Plan)

101 Rev C (House Type 999, 882 Floor Plans)

102 Rev C (House Type 999, 882 Elevations)

103 Rev A (House Type 999 Floor Plans)

104 Rev A (House Type 999 Elevations)

105 Rev A (House Type 1116 Floor Plans)

106 Rev A (House Type 1116 Elevations)

107 Rev A (House Type 1592 Floor Plans)

108 Rev A (House Type 1592 Elevations)

109 Rev C (House Type 882 Floor Plans)

110 Rev C (House Type 882 Elevations)

111 Rev A (House Type 999, 754 Floor Plans)

112 Rev A (House Type 999, 754 Elevations)

113 Rev A (House Type 882 Floor Plans)

114 Rev A (House Type 882 Elevations)

115 Rev C (House Type 999, 754 Floor Plans)

116 Rev C (House Type 999, 754 Elevations)

117 Rev C (House Type 1116 Floor Plans)

118 Rev C (House Type 1116 Elevations)

119 Rev C (House Type 2106 Floor Plans)

120 Rev C (House Type 2106 Elevations)

121 Rev C (House Type 1592 Floor Plans)

122 Rev C (House Type 1592 Elevations)

123 Rev C (House Type 1687 Floor Plans)

124 Rev C (House Type 1687 Elevations)

125 Rev C (House Type 1144 Floor Plans)

126 Rev C (House Type 1144 Elevations)

127 Rev C (House Type 2106 Floor Plans)

128 Rev C (House Type 2106 Elevations)

129 Rev C (House Type 1592 Floor Plans)

130 Rev C (House Type 1592 Elevations)

131 Rev A (House Type 1770 Floor Plans)

132 Rev A (House Type 1770 Elevations)

133 Rev B (House Type 1592 Floor Plans)

134 Rev B (House Type 1592 Elevations)

135 Rev C (House Type 1592 Floor Plans)

136 Rev C (House Type 1592 Elevations)

137 Rev C (House Type 1317 Floor Plans)

138 Rev C (House Type 1317 Elevations)

139 Rev A (House Type 1770 Floor Plans)

140 Rev A (House Type 1770 Elevations)

201 Rev C (House Type 847 Floor Plans)
202 Rev C (House Type 847 Elevations)
203 Rev C (House Type 1152, 847 Floor Plans)
204 Rev C (House Type 1152, 847 Elevations)
205 Rev C (House Type 996 Floor Plans)
206 Rev C (House Type 996 Elevations)
207 Rev A (House Type 1152 Floor Plans)
208 Rev A (House Type 1152 Elevations)
209 Rev B (House Type 1029 Floor Plans)
210 Rev B (House Type 1029 Elevations)
211 Rev A (House Type 1152, 996 Floor Plans)
212 Rev A (House Type 1152, 996 Elevations)
213 Rev B (House Type 893 Floor Plans)
214 Rev B (House Type 893 Elevations)
302 Rev B (Store 2 Floor Plan & Elevations)
401 Rev C (Garage 1 Floor Plan & Elevations)
402 Rev C (Garage 2 Floor Plan & Elevations)
403 Rev A (Garage 3 Floor Plan & Elevations)
9939-BHP-XX-XX-DR-C-0751 Rev P02 (Refuse Vehicle Tracking Sheet 1 of 2)
9939-BHP-XX-XX-DR-C-0752 Rev P02 (Refuse Vehicle Tracking Sheet 2 of 2)

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

3. Architectural Details

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, arches, rustication / quoins, eaves, verges, ridge, brickwork/stone work detailing, porches, canopies, bays, chimneys; recessed/projecting/decorative brickwork and cladding; 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.

4. Facades

Notwithstanding the drawings hereby approved, no works shall commence (above ground floor slab level) until amended drawings showing the elevational treatments of all the proposed dwellings with consistent approaches to fenestration and detailing across all elevations of each unit have been 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: The submitted details are inappropriate and fail to provide appropriate levels of natural surveillance or provide adequate visual interest, to the detriment of public amenity and good place making.

5. Utilities

No works shall commence (above ground floor slab level) until details (including position) of all new plant, extract ducts, vents, grilles and meter housings have been submitted to and approved, in writing, by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: In the interests of good design and visual amenity.

6. Hard Surfaces

Notwithstanding the submitted details, no works shall commence (above ground floor slab level) until additional drawings that show details of the proposed hard surfacing materials have been 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: The submitted details are inappropriate, and revisions are required to ensure the proposal achieves high quality design and that the character, appearance and amenity of the area is not compromised.

7. Boundary Treatments

Notwithstanding the submitted details, no works shall commence (above ground floor slab level) until additional drawings that show details of the proposed boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented, and retained in perpetuity, in accordance with the approved additional drawings.

Reason: The submitted details are considered inappropriate, and revisions are required to ensure the proposal achieves high quality design and that the character, appearance and amenity of the area is not compromised.

8. Garages to be retained for parking

The garage accommodation relating to plots 5-7, 23 and 30-42 shall be retained for parking motor vehicles at all times and shall not be adapted to be used for any other purpose, including other uses ancillary to the residential use, unless otherwise subsequently approved, in writing, by the Local Planning Authority.

Reason: To retain adequate on-site parking provision in the interest of highway safety.

9. 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) (England) 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 and residential amenity, and to ensure that the development maintains adequate private amenity space and avoids an overdeveloped or cluttered appearance.

10. PD Removal for boundary treatments

Notwithstanding the provisions of Class A of Part 2 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or the equivalent provisions of any order revoking and re-enacting that Order), no fences, walls, gates or other means of enclosure shall be erected 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.

19.1 Informatives

19.1 The following informatives are also recommended:

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.

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.

Informative on Street Naming & Numbering

For the safety of residents, it is the developer's obligation to ensure that

1. street name signs are in place before the first property is occupied on any new street, and
2. each property is marked with a house number visible from the highway before occupation

Informative for Reserved Matter Applications Regarding Outline Condition

PLEASE NOTE that the outline planning permission reference number 213530 together with this approval constitute the planning permission for this development. All of the conditions imposed on both the outline permission and this approval must be complied with.

Informative for Levels and Landscaping Scheme

PLEASE NOTE that the outline planning permission requires details to be submitted showing the development in relation to adjacent property, illustrating the existing and proposed levels of the site (condition 5) as well as full details of all landscape works (hard and soft landscaping). Proposed landscape features along the northern boundary of the site should be included in the detailed drawings submitted pursuant to condition 5 to ensure that appropriate mitigation is provided in relation to the neighbouring occupier to the north. The landscaping details for this northern boundary to Willo The Wisp shall include adequate evergreen planting e.g. Scots Pine (*Pinus Sylvestris*) to filter and screen views in the longer term of their rear garden sitting out area.

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.