

AMENDMENT SHEET

Planning Committee
5th July 2018

AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED

7.1 180733 – Land adj. Armoury Road, West Bergholt

Condition 7 third bullet point omit the word “restrict” after the word “hours”.

Condition 19 add.. to be submitted and approved by the Local Planning Authority. The open space shall be provided in accordance with the approved details.

Condition 20 omit EZ1 AONB; EZ3 small town centres or urban locations; EZ4 town/city centres with high levels of night-time activity.

Members will note the recommendation on page 55 paragraph 17.3 last bullet point includes a contribution towards broadband. The following information has been provided *“We have ... spoken with a West Bergholt resident, whom we have a professional relationship with, who has advised the following: “2 years ago County Broadband with the assistance of the Parish Council got all the interested residents to sign up and commit to County Broadband supplying Fibre broadband. They were scheduled to start work in April 2017, but unfortunately for County Broadband, Virgin Media got in before them and have supplied 90% of the village with fibre. The only place Virgin could not connect was the Maltings development which is supplied by Openreach Fibre. Openreach have installed overhead fibre along Lexden Road to connect the School and I believe that the first run from the top down to the school is available to those residents only.” It would therefore appear that the supply of fibre broadband has moved on since we put in the planning application and it would also appear that the whole village does have fibre broadband available, either with Virgin or Openreach. Our contact has agreed to engage with the community fibre partnership scheme and also the Parish Council broadband group to: 1) confirm the extent of fibre broadband availability in the village; 2) confirm the ‘gaps’ in that availability and 3) provide guidance on the cost of filling any gaps. We have asked him to look at this as soon as possible, and will report back to you as soon as we know more.*

Officers recommend the requirement remains and your officers are given authority to negotiate an appropriate contribution.

7.2 180438 – Colchester Northern Gateway, Cuckoo Farm, Way, Colchester

Members are updated as follows:

- Sport England has advised that it has no objection to the proposals subject to the imposition of conditions on a grant of planning permission – these are included in the revised condition list below.
- The proposal was discussed at the Development Team meeting and it was requested that potential archaeological finds made at the site should be suitably displayed within the proposed Sports Centre building, together with interpretation boards. Furthermore, the requirement that the scheme should be incorporated into the Council's Travel Club was noted. Conditions are suggested to this effect.
- The conditions recommended for inclusion by the Highway Authority are also included in the revised list below.
- The following comment has been received from Councillor Coleman:

'The Highways review leaves a lot to be desired. The junction is already busy at peak times, including on Saturdays when Colchester United are at home with tailbacks trying to leave the A12 onto the slip roads.

If Col Utd and several rugby teams are at home on the same Saturday afternoon, all vehicles entering and leaving the area at the same time the A12 and surrounding areas will be a nightmare.

The 'perfect storm' must be looked into, namely a big game or event at the stadium and big games or events at the new sports developments including dual use of the Park and Ride.

Also, unless double yellow lines cover ALL roads in the area people will look to park on the roads in/out of the new sports development.

Finally, some form of monitoring regarding parking in the sports development will be needed to ensure football fans do not take up the places on Col Utd match days and therefore parking for free.'

Revised condition list:

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

P10362-00-003-100 REV D 14	SITE MASTERPLAN
15021-GT3-00-XX-DR-A(03)02	RUGBY PITCH SIZES
15021-GT3-00-XX-DR-A(03)01	RUGBY PITCH SIZES
15021-GT3-02-ZZ-DR-A(08)16	EXTERNAL SIGNAGE
15021-GT3-02-ZZ-DR-A(08)13	EAST & SOUTH ELEVATIONS
15021-GT3-01-ZZ-DR-A(08)14	NORTH & WEST ELEVATIONS REV I
15021-GT3-01-00-DR-A (08) 10	SPORTS CENTRE GROUND FLOOR
15021-GT3-01-00-DR-A (08) 11	SPORTS CENTRE FIRST FLOOR
15021-GT3-01-01-DR-A (08) 12	SPORTS CENTRE ROOF PLAN
15021-GT3-01-ZZ-DR-A (08) 18	SPORTS CENTRE PERSPECTIVE
15021-GT3-01-ZZ-VS-A (03) 02	SPORTS CENTRE VISUALS 2
15021-GT3-01-ZZ-VS-A-(03) 03	Rev C SPORTS CENTRE VISUALS 3
15021-GT3-01-ZZ-DR-A-ZZ-VS-A-(03) 04	SPORTS CENTRE VISUALS 4
15021-GT3-01-ZZ-DR-A(08)00	Rev A SPORTS CENTRE 3D CUTAWAYS
15021-GT3-01-ZZ-DR-A (08) 15	SPORTS CENTRE GA SECTIONS
15021-GT3-01-ZZ-DR-A (08) 16	SPORTS CENTRE GA SECTIONS
15021-GT3-02-00-DR-A (08) 10	RUGBY CLUBHOUSE GROUND FLOOR PLAN
15021-GT3-02-01-DR-A (08) 11	RUGBY CLUBHOUSE FIRST FLOOR PLAN
15021-GT3-02-A (08) 00	RUGBY CLUBHOUSE 3D VIEWS
15021-GT3-02-R1-A (08) 12	RUGBY CLUBHOUSE ROOF PLAN
15021-GT3-02-ZZ-DR-A (08) 13	RUGBY CLUBHOUSE E & S ELEVS
15021-GT3-02-ZZ-DR-A (08) 14	RUGBY CLUBHOUSE N & W ELEVS
15021-GT3-02-ZZ-DR-A (08) 15	RUGBY CLUBHOUSE GA SECTIONS
15021-GT3-02-ZZ-DR-A (08)16	RUGBY CLUBHOUSE EXTERNAL SIGNAGE
15021-GT3-02-ZZ-VS-A (03) 02	Rev B RUGBY CLUBHOUSE EXTERNAL VISUALS 2
15021-GT3-04-00-DR-A (08) 10	CYCLE OFFICIALS BOOTH DRAWING
15021-GT3-05-00-DR-A (08) 10	GARDENING EQUIPMENT STORAGE UNIT
15021-GT3-06-00-DR-A (08) 10	TYPICAL BINSTORE DRAWINGS
15021-GT3-07-00-DR-A (08) 10	ARCHERY CLUBHOUSE DRAWINGS
15021-GT3-08-00-DR-A (08) 10	ARCHERY STORE DRAWINGS
15021-GT3-09-00-DR-A (08) 10	TYPICAL STORAGE CONTAINER DRAWINGS

15021-GT3-ZZ-DR-A (08)01 REV B	LOCATION PLAN
105714 – 102 Rev. C	HIGHWAYS PLAN
105714-101-Rev. E	HIGHWAYS PLAN
P10362-00-003-111 Rev D01	EXISTING SITE LEVELS
P10362-00-003-110 Rev D04	PROPOSED SITE LEVELS
P10362-00-003-120 Rev D02	TREE REMOVAL PLAN
P10362-00-003-130 Rev D00	SITE SECTIONS

Furthermore the development shall be carried out in accordance with all documentation and reports submitted in support of the application (including amended versions and additional reports where applicable).

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

3. No works shall take place until a scheme for the phasing of construction work has been submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved phasing scheme.
Reason: To limit the local impact of construction work in the interests of the amenities of the surrounding area.
4. No external materials shall be used until a schedule of all types and colours has been submitted to and approved, in writing, by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved schedule.
Reason: This is a prominent site where types and colours of external materials to be used should be polite to their surroundings in order to avoid any detrimental visual impact.
5. Prior to the laying down of any surface materials for private, non-adoptable access-ways, driveways, footpaths, courtyards, parking areas and forecourts, full details of these materials shall be submitted to and agreed, in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed details.
Reason: There is insufficient information within the submitted application to ensure that these details are satisfactory in relation to their context and such details are considered important to the character of the area.
6. Prior to the commencement of the relevant phase of development evidence that the development is registered with a BREEAM certification body and a

pre-assessment report (or design stage certificate with interim rating if available) shall be submitted indicating that the development can achieve a final BREEAM rating level of at least Very Good.

Reason: To ensure that the completed development is sustainable and makes efficient use of energy, water and materials.

7. Within 6 months of the occupation of the development, a final Certificate shall have been submitted to the Local Planning Authority certifying that BREEAM rating Very Good has been achieved for this development.
Reason: To ensure that the completed development is sustainable and makes efficient use of energy, water and materials.
8. Prior to the first occupation of the development, the refuse and recycling storage facilities as shown on the approved plans shall have been provided and made available to serve the development. Such facilities shall thereafter be retained to the satisfaction of the Local Planning Authority at all times.
Reason: To ensure that adequate facilities are provided for refuse and recycling storage and collection.
9. Prior to the first occupation of the development hereby permitted, details of the management company responsible for the maintenance of communal storage areas and for their maintenance of such areas, shall be submitted to, and agreed in writing by, the Local Planning Authority. Such detail as shall have been agreed shall thereafter continue.
Reason: The application contains insufficient information to ensure that the communal storage areas will be maintained to a satisfactory condition and there is a potential adverse impact on the quality of the surrounding environment.
10. Prior to the first occupation of the development hereby permitted, equipment, facilities and other appropriate arrangements for the disposal and collection of litter resulting from the development shall be provided in accordance with details that shall have previously been submitted to, and agreed in writing by, the Local Planning Authority. Any such equipment, facilities and arrangements as shall have been agreed shall thereafter be retained and maintained in good order.
Reason: In order to ensure that there is satisfactory provision in place for the storage and collection of litter within the public environment where the application lacks sufficient information.
11. All sewage and waste water shall be discharged to the foul sewer.
Reason: To meet the requirements of Circular 3/99 and to ensure that

the environmental, amenity and public health problems that can arise from non-mains sewerage systems do not occur.

12. Prior to the commencement of the relevant phase of development a detailed surface water drainage scheme for the relevant part of the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme should include but not be limited to:
- Limiting discharge rates to 1 in 1 greenfield for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change.
 - Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
 - Final modelling and calculations for all areas of the drainage system.
 - The appropriate level of treatment for all runoff leaving the site, including roof areas, in line with the CIRIA SuDS Manual C753.
 - Detailed engineering drawings of each component of the drainage scheme.
 - A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
 - A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

Reason:

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

13. Prior to the commencement of the relevant phase of development a scheme

to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution shall be submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

Reason: The National Planning Policy Framework paragraph 103 and paragraph 109 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.

Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

14. Prior to the commencement of the relevant phase of development a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, shall be submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.
Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.
Failure to provide the above required information before commencement of works may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.
15. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.
Reason: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.
16. Notwithstanding the provisions of Article 3, Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 2015

(or any Order revoking and re-enacting that Order with or without modification) the development hereby approved shall be used solely as described in the planning application submission documents and supporting materials and for no other purpose(s) in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent in any Statutory instrument revoking and re-enacting that Order with or without modification).

Reason: This is the basis on which the application was submitted and subsequently considered and the Local Planning Authority would need to give further full consideration to the appropriateness of a different use or uses on this site at such a time as any future change of use were to be proposed.

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

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

18. Prior to the commencement of the relevant phase of development full details of all landscape works in relation to that phase shall be submitted to and agreed, in writing, by the Local Planning Authority and the works shall be carried out prior to the occupation of any part of the development unless an alternative implementation

programme is subsequently agreed, in writing, by the Local Planning Authority. The submitted landscape details shall include:

- Proposed finished levels or contours;
- Means of enclosure including all boundary fencing;
- Car parking layouts;
- Other vehicle and pedestrian access and circulation areas;
- Hard surfacing materials;
- Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.);
- Proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. Indicating lines, manholes, supports etc.);
- Earthworks (including the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform)
- Retained historic landscape features;
- Proposals for restoration;
- Planting plans;
- Written specifications (including cultivation and other

operations associated with plant and grass establishment);

- Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and
- Implementation timetables and monitoring programs.

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

19. Prior to the commencement of the relevant phase of development details of all earthworks in relation to that phase shall be submitted to and agreed, in writing, by the Local Planning Authority.
These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. The development shall thereafter be carried out in accordance with the approved details.
Reason: To ensure that any earthworks are acceptable in relation to their surroundings.
20. Prior to the commencement of the relevant phase of development all trees, shrubs and other natural features not scheduled for removal on the approved plans shall have been safeguarded behind protective fencing to a standard that will have
previously been submitted to and agreed, in writing, by the Local Planning Authority (see BS 5837). All agreed protective fencing shall thereafter be maintained during the course of all works on site and no access, works or placement of materials or soil shall take place within the protected area(s) without prior written consent from the Local Planning Authority.
Reason: To safeguard existing trees, shrubs and other natural features within and adjoining the site in the interest of amenity.
21. 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.
22. During all construction work carried out underneath the canopies of any trees on the site, including the provision of services, any excavation shall only be undertaken by hand. All tree roots exceeding 5 cm in diameter shall be retained and any pipes and cables shall be inserted under the roots.
Reason: To protect trees on the site in the interest of visual amenity.
23. No works shall take place until a Construction Environmental Management Plan as referred to in the documentation supporting the

planning application has been submitted to and approved, in writing, by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.

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

24. No demolition or construction work shall take place outside of the following times:
Weekdays: 8am - 6pm
Saturdays: 8am - 1pm
Sundays and Public/Bank Holidays: Not at all
Furthermore, no vehicle connected with the works shall arrive on site before 7:30am or leave after 7:00pm (except on case of emergency).
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.

25. The uses hereby permitted shall be restricted to the following times:

SEE TABLE ON REPORT

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.

Note: Premises requiring a License will need to apply to the Licensing Authority and each application will be assessed on its own merits; there is no guarantee that the above hours would be approved.

26. Prior to the first use of the development hereby permitted, control measures shall be installed in accordance with a scheme for the control of fumes, smells and odours that shall have been previously submitted to, and agreed in writing by, the Local Planning Authority. This scheme shall be in accordance with Colchester Borough Council's Guidance Note for Odour Extraction and Control Systems. Such control measures as shall have been agreed shall thereafter be retained and maintained to the agreed specification and working order.
Reason: To ensure that there is a scheme for the control of fumes and odours in place so as to avoid unnecessary detrimental impacts on the surrounding area and/or neighbouring properties, as there is insufficient detail within the submitted application.

27. Prior to the first use of the development hereby permitted, any foul water drains serving the kitchen shall be fitted with grease traps

that shall at all times thereafter be retained and maintained in good working order in accordance with the manufacturer's instructions.
Reason: To prevent unnecessary pollution of the groundwater environment quality in the area and/or blocking of the drainage system

28. Prior to the first use or occupation of the development hereby permitted, the level of internal amplified sound shall be restricted by the installation and use of a noise-limiting device that complies with details that shall have been submitted to and agreed, in writing, by the Local Planning Authority. Thereafter, such devices shall be retained and operated in accordance with the approved specification and working order at all times.
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 and disturbance from amplified noise, as there is insufficient information within the submitted application.
29. Prior to the first use or occupation of the development hereby permitted, all doors allowing access and egress to the premises shall be self-closing and shall be maintained as such, and kept free from obstruction, at all times thereafter.
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.
30. Prior to the first use or occupation of the development as hereby permitted, the building shall have been constructed or modified to provide sound insulation against internally generated noise in accordance with a scheme devised by a competent person and agreed, in writing, by the Local Planning Authority. The insulation shall be maintained as agreed thereafter.
Reason: To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance, as there is insufficient information within the submitted application.
31. Prior to the first use or occupation of the development as hereby

permitted, full details of the public address system to be installed on the site shall be submitted to and approved in writing with the Local Planning Authority. The system shall thereafter be used solely in accordance with the approved details.

Reason: Insufficient details are included as part of this application submission and the Council would wish to ensure that the public address system is fit for purpose and does not unacceptable affect the amenity of nearby residents by reason of noise nuisance.

32. Prior to the installation of any floodlighting full details shall be submitted to and agreed, in writing, by the Local Planning Authority. The development shall thereafter be carried out and maintained in accordance with the approved details.
Reason: To ensure that any floodlighting at the site is of a satisfactory specification and to ensure that it will not cause any undue harm or loss of amenity to the surroundings area.
33. No external lighting fixtures shall be constructed, installed or illuminated until details of all external lighting proposals have been submitted to and approved, in writing, by the Local Planning Authority. Thereafter, no lighting shall be constructed or installed other than in accordance with those approved details.
Reason: To reduce the risks of any undesirable effects of light pollution.
34. All external lighting serving the buildings hereby approved shall only be illuminated during the authorised hours of opening of those buildings.
Reason: To control periods of illumination in order to reduce the risks of any undesirable effects of light pollution.
35. Prior to the commencement of the relevant phase of development an investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval, in writing, of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
- (i) a survey of the extent, scale and nature of contamination, including contamination by soil gas and asbestos;
 - (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,

- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

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

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

36. Prior to the commencement of the relevant phase of development a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and then submitted to and agreed, in writing, by the Local Planning Authority.

The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

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

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

38. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An

investigation and risk assessment must be undertaken in accordance with the requirements of condition 35, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 36, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 37.

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

39. Prior to the first OCCUPATION/USE of the development, the developer shall submit to the Local Planning Authority a signed certificate to confirm that the remediation works have been completed in accordance with the documents and plans detailed in Condition 36.

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

40. Prior to the commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority that describes the range of green infrastructure improvements that will be carried out on the site in order to improve its ecological value. The approved scheme shall be carried out to the satisfaction of the Council in accordance with a previously-agreed timescale.
- Reason: To protect and enhance nature conservation interests to the overall amenity value of the area.

41. Prior to the commencement of the relevant phase of the development a scheme for the provision of electric charging points for vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of charging point to be provided, their location, a timeframe for their implementation and details of their on-going management and maintenance. The development shall be implemented in accordance with the approved details.
- Reason: In the interest of promoting sustainable transport modes and reducing pollution.

42. 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. Furthermore, in the event that significant archaeological finds are made these shall be displayed, and interpretation boards provided in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority.

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, in accordance Colchester Borough Council's Core Strategy (2008) and Adopted Guidance 'Managing Archaeology in Development' (adopted 2015).

43. Any vehicular hardstanding shall have minimum dimensions of 2.9 metres x 5.5 metres for each individual parking space, retained in perpetuity.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety.

44. Prior to the development hereby permitted coming in to use, details of the number, location and design of cycle parking facilities shall be submitted to and approved, in writing, by the Local Planning Authority. The approved facility shall be secure, convenient and covered and shall be provided prior to occupation and retained for that purpose at all times thereafter.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety.

45. Before any development commences the developer shall have submitted to and had approved in writing by the local planning authority in consultation with Highways England the following design details

relating to the required improvements to the A12 J28 Stadium Junction. The scheme shall generally conform to the arrangements shown in outline on Systra Drawing 105714-100 Revision B dated 15 June 2018. Scheme details shall include drawings and documents showing:

- i. How the improvement interfaces with the existing highway alignment and carriageway markings including lane destinations,
- ii. Full construction details relating to the highway improvement. This should include any modification to existing structures or proposed structures, with supporting analysis,
- iii. Full signing, lighting and drainage details and details of any modifications to vehicle restraint systems, where applicable,
- iv. confirmation of full compliance with Departmental Standards (DMRB) and Policies (or approved relaxations/departures from standards),
- v. Evidence that the scheme is fully deliverable within land in the control of either the Highway Authority or the Applicant;
- vi. An independent Stage 1 Road Safety Audit, carried out in accordance with Departmental Standards (DMRB) and Advice Notes;
- vii. An independent Stage 2 Road Safety Audit (taking account of the Stage 1 Road Safety Audit recommendations) carried out in accordance with Departmental Standards (DMRB) and Advice Notes.

Reason: To ensure that the A12 Junction 28 Colchester Stadium, will continue to fulfil its purpose as part of the Strategic Road Network in accordance with the Highways Act 1980, Circular 02/13 'Planning and the Strategic Road Network' and guidance in National Planning Policy.

46. The scheme shown in outline on Systra 105714-100 Revision B dated 15 June 2018, as referred to in condition no.46 and as approved by the Local Planning Authority, shall be implemented and completed to the satisfaction of the Local Planning Authority, in consultation with Highways England. No occupation of the site shall take place unless and until the junction improvements have been delivered and are fully operational.

Reason: To ensure that the A12 Junction 28 Colchester Stadium, will continue to fulfil its purpose as part of the Strategic Road Network in accordance with the Highways Act 1980, Circular 02/13 'Planning and the Strategic Road Network' and guidance in National Planning Policy.

47. Prior to the first occupation of the development hereby approved the applicant shall provide evidence that the scheme is included within the Colchester Travel Club.

Reason: In order that employees working on the site are able to access sustainable travel modes as part of a co-ordinated Travel Plan serving the site.

48. Prior to commencement of the development a construction traffic management plan, to include but shall not be limited to details of vehicle/wheel cleaning facilities within the site and

adjacent to the egress onto the highway, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the agreed plan

Reason: To protect highway efficiency of movement and safety.

49. No occupation of the development shall take place until the following have been provided or completed:

a. A priority junction off Cuckoo Farm Way to provide access to the proposal site as shown in principle on the planning application drawings

b. A footway/cycleway along the southwest side of Severalls Lane as shown in principle on planning application drawing number 105714-101 Rev. E

c. An all-purpose equestrian/cycle/pedestrian route off Boxted Road as shown in principle on planning application drawing number 105714-102 Rev. C

d. A travel plan in accordance with Essex County Council guidance

Reason: To protect highway efficiency of movement and safety and to ensure the proposal site is accessible by more sustainable modes of transport such as public transport, cycling and walking.

50. The new sports hall shall be constructed substantially in accordance with Sport England and National Governing Body Technical Design Guidance Notes (Sport England: Sports Halls Design and Layouts 2012) and in particular the artificial lighting of the indoor cricket nets shall comply with the English Cricket Board 'Indoor Sports Halls with Cricket Provision (TS3) Technical Standards Guidance'.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy DP1.

51. The grass playing field/s and pitch/es and two artificial grass pitches shall be constructed and laid out in accordance with the planning application and with the standards and methodologies set out in the guidance notes: 'Natural Turf for Sport' (Sport England, 2011), 'Artificial Sports Surfaces' (Sport England 2012) and RFU Guidance Note 7 'Artificial Rugby turf', 'Guide to Flood Lighting' and Guidance Note 2 - 'Grass Pitches'.

Reason: To ensure the quality and capacity of pitches is satisfactory and to accord with Development Plan Policy DP1.

52. Within 3 months of the date of this permission (or other period agreed with the LPA) a programme of use for the two new artificial grass pitches (AGPs) shall be submitted to and approved by the Local Planning Authority in consultation with Sport England. The programme of use shall provide access to the rugby club to both AGPs at peak rugby training and competition times.

Reason: To ensure the site provides sufficient capacity for rugby training and competition to secure adequate mitigation to address the loss of rugby pitches at Mill Road to comply with NPPF Para. 74 and SE policy exception E4 .

53. Before the Colchester Northern Gateway Sports Hub is brought into use, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The scheme shall provide for the replacement of the Artificial Grass Pitch carpet within a specified period (usually 10 to 15 years). The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the Sports Hub.

Reason: To ensure that a new facility/ies is/are capable of being managed and maintained to deliver facilities which is fit for purpose, have adequate capacity, are sustainable and to ensure sufficient benefit of the development to sport and to accord with Development Plan Policy DP1.

Proposed additional informatives

- The applicant is advised that the AGP pitch should be tested bi-annually by an accredited testing laboratory in order to achieve and maintain World Rugby Regulation 22.
- Prior to any works taking place in the highway the developer should enter into an agreement with the Highway Authority under the Highways Act 1980 to regulate the construction of the highway works.
- All highway related details should be agreed with the Highway Authority.