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Item No: 7.2

Application: 191676

Applicant: Colchester Amphora Trading Limited

Agent: Mr Kevin Whyte, Barefoot & Gillies Ltd

Proposal: Proposed refurbishment and replacement dwellings to provide 6no. flats and 2no. houses with associated parking and landscaping including demolition of ancillary buildings and change of use from C4 (large HMO) to C3 (dwelling houses). Resubmission of 190750

Location: 60 Creffield Road, Colchester, CO3 3HY

Ward: New Town and Christ Church

Officer: Eleanor Moss

Recommendation: **Conditional Approval**

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee because the applicant is employed by Colchester Amphora, a company owned by Colchester Borough Council which has been established to provide high quality new homes for market sale and rent, with a focus on exemplar design and place making in support of Colchester's regeneration.
- 1.2 The proposal has also been called in by Cllr Cope for the following reasons:

"Called in on the grounds that it still overcrowding on a small site and the design inappropriate being totally out of keeping and far too high and overbearing for the resident in 27 Inglis Road. Other new building designs in the area that have been passed have all shown at least a nod to the architecture in Creffield and Inglis Roads. The proposed design does not fit in with the surrounding street character."

2.0 Synopsis

- 2.1 key issues explored below are land-use, design, traffic and highway implications, flood risk, impact on ecology and built heritage. The impact on neighbouring amenity and the surrounding area are also discussed in the report. The report concludes that subject to appropriate mitigation measures (conditions), the development is acceptable and is consequently recommended approval.

3.0 Site Description and Context

- 3.1 The application site comprises a relatively large corner plot hosting a Victorian three-storey house with single-storey annexe to rear. 60 Creffield Road is a locally listed building. The existing use is HMO.
- 3.2 The site is located in Colchester Town. Creffield Road is located to the north of the application site with Inglis Road located to the west. The site is located in a residential area with residential properties surrounding the site.
- 3.3 The site lies within the Conservation Area. The area is mainly characterised by wide streets serving large houses set back from the road. In many places significant boundary planting behind and alongside boundary walls takes up much of the street scene.
- 3.4 The application site area is approximately 0.1 hectares in total and is bounded to the west and north by brick walls of varying heights, and to the east and south by 1.8m high close boarded fencing generally.

4.0 Description of the Proposal

- 4.1 Proposed refurbishment and replacement dwellings to provide 6no. flats and 2no. semi-detached houses with associated parking and landscaping including demolition of ancillary buildings and change of use from C4 (large HMO) to C3 (dwelling houses). Resubmission of 190750.

5.0 Land Use Allocation

5.1 Residential

6.0 Relevant Planning History

- 6.1 190750 - Proposed refurbishment and replacement extension to provide 12no. flats with associated parking and landscaping including demolition of ancillary buildings and change of use from Sui Generis (HMO) to C3 (dwelling houses). Withdrawn on 22 May 2019.

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
H2 - Housing Density
H3 - Housing Diversity
H4 - Affordable Housing
UR2 - Built Design and Character
PR2 - People-friendly Streets
TA1 - Accessibility and Changing Travel Behaviour
TA2 - Walking and Cycling
TA3 - Public Transport
TA4 - Roads and Traffic
TA5 - Parking
ER1 - Energy, Resources, Waste, Water and Recycling

- 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
DP11 Flat Conversions
DP12 Dwelling Standards
DP14 Historic Environment Assets
DP16 Private Amenity Space and Open Space Provision for New Residential Development
DP17 Accessibility and Access

DP19 Parking Standards
DP20 Flood Risk and Management of Surface Water Drainage
DP25 Renewable Energy

- 7.4 Some “allocated sites” also have specific policies applicable to them. The adopted Site Allocations (adopted 2010) policies set out below should also be taken into account in the decision making process:

SA H1 Housing Allocations

- 7.5 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:

1. The stage of preparation of the emerging plan;
1. The extent to which there are unresolved objections to relevant policies in the emerging plan; and
2. 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.

- 7.6 Regard should also be given to the following adopted Supplementary Planning Documents (SPD):

The Essex Design Guide
External Materials in New Developments
EPOA Vehicle Parking Standards
Backland and Infill
Affordable Housing
Sustainable Construction
Planning for Broadband 2016
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 **Archaeological Advisor** – no objections to the scheme subject to condition
- 8.3 **Arboricultural Officer** – no objection to the scheme
- 8.4 **Landscape Advisor** – no objection subject to conditions

8.5 **Highway Authority** – no objection subject to conditions

8.6 **Urban Designer** – no comments to the revised scheme

8.7 **Heritage Officer** – no comments

8.8 **North East Essex Clinical Commissioning Group state:**

“We will not be seeking a healthcare contribution in respect of this development due to the low number of dwellings proposed which will form a minor impact on primary care within the vicinity of the site.”

8.9 **SuDS** – Holding objection

Officer comment in relation to SuDs comment: The application site is not a major and therefore SuDs are not a statutory consultee for minor applications which as this and therefore is not a legal requirement to consult with SuDs. Flood risk is adequately considered in the body of the report.

9.0 Parish Council Response

9.1 Non-Parished

10.0 Representations from Notified Parties

10.1 The application resulted in four letters of objection being received from 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.

- No need for additional housing in the area
- Increased traffic, noise and pollution
- Harmful impact upon parking
- Overbearing impact
- Harmful impact upon neighbouring amenity
- Harmful impact upon character of the area
- Overdevelopment
- Poorly designed and out of keeping
- Detrimental for local flora and fauna
- Harmful impact upon Conservation Area
- Will destroy the history and beauty of the house

11.0 Parking Provision

11.1 8 off road car parking spaces are proposed.

12.0 Accessibility

- 12.1 Please refer to Design & Access Statement regarding duties under the Equalities Act, this confirms the new dwellings will comply with building regulation part M 'Access to and use of Buildings', with sanitary conveniences compliant with part M4(1) 'Visitable Dwellings'.

13.0 Open Space Provisions

- 13.1 Not applicable.

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

Proposal

- 16.1 The application seeks planning permission for the conversion of 60 Creffield Road from a HMO into six flats, two of these are proposed to be affordable units. The proposal also seeks permission for the demolition of the annexe on site (60A Creffield Road) and the erection of two semi-detached dwellings.

Principle of Development

- 16.2 In accordance with Core Strategy policies SD1, H1 and ENV1 development within the Borough is directed to sites within existing settlement development boundaries. The application site is identified within the defined settlement boundary of Colchester Town and is identified in the Site Allocation Plan as predominately residential use. Given this, the proposal is considered to be acceptable in principle.

Heritage and Design

- 16.3 Core Strategy policy ENV1 seeks to conserve and enhance Colchester's natural and historic environment. Core Strategy policy UR2 seeks to promote and secure high quality design. Development Policies DP1 and DP12 set out design criteria that new development must meet. These require new development to be of a high quality and respect the character of the site and its context.
- 16.4 Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires development, as a whole, to preserve or enhance the appearance or character of Conservation Areas.

- 16.5 Core Strategy policy UR2 seeks to enhance Colchester's unique historic character and protects features which contribute positively to the character of the built environment from demolition or inappropriate development, these features include buildings and Conservation Areas. Development Policy DP14 seeks to protect the Council's Conservation Areas from inappropriate development.
- 16.6 In the exercise of Planning functions, the statutory test in relation to Conservation Areas is that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. The objectives of Development Policy DP14 are consistent with this test.
- 16.7 Paragraph 184 of the NPPF identifies that heritage assets are irreplaceable resources. Paragraph 193 advises that, when considering the impact of a proposed development on the significance of a designated heritage asset such as a Conservation Area, great weight should be given to the asset's conservation.
- 16.8 Paragraph 189 of the National Planning Policy Framework (NPPF) says that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their settings. When considering proposals which affect non-designated heritage assets, paragraph 197 of the NPPF requires a balanced judgment having regard to the scale of any harm or loss and the significance of the heritage asset.
- 16.9 The proposed demolition works relate to an aspect of the scheme which are later additions to 60 Creffield Road, the annexe and garage, and these do not hold any architectural merit. Demolition works also relate to the partial removal of the existing boundary wall along Inglis Road in order to provide access to the proposed semi-detached dwellings. In this instance, there are other examples of the boundary walls being removed in order to facilitate development. As there will be a partial loss of wall, the harm caused is considered to be less than substantial and, as such, the public benefits need to be weighed against the harm caused which is discussed further below.
- 16.10 The proposed conversion of 60 Creffield Road is considered to be acceptable given there are no proposed external extensions are proposed. The current building requires a number of repairs and this proposal will be able to visually improve 60 Creffield Road by facilitating these repairs. It is therefore considered the proposed conversion of 60 Creffield Road into flats is acceptable and will not harm the character of the Conservation Area.

- 16.11 The proposed pair of semi-detached dwellings are located to the rear of 60 Creffield Road. The host building is locally listed and is considered to be a non-designated heritage asset and is a significant building which contributes to the setting of the Conservation Area. The submitted information confirms, when formulating the design strategy, particular attention has been paid to the preservation and enhancement of the characteristic features of 60 Creffield Road, site and setting, to the extent appropriate to the level of significance of each.
- 16.12 It is accepted that the proposed new development will affect (change) the setting of nearby the host dwelling. Whilst the proposed new housing is taller than the existing annexe, the proposed height of the semi-detached dwellings are not considered to be so great so as to dominate (and therefore significantly detract) from the setting of the locally listed building or Conservation Area. The harm caused is therefore considered to be less than substantial and, as such, the public benefits need to be weighed against the harm caused which is discussed further below.
- 16.13 Objections have been received which raise concerns with overdevelopment of the site. The spatial setting of buildings is an important characteristic of the area and regard should be given to this. However, given that the context (setting) of 60 Creffield Road has fundamentally changed with the introduction of the annexe (60A Creffield Road), there is not an objection in principle to the erection of a new residential development to the south of the host dwelling. Whilst this is the case, it is still considered important that the proposed scheme is seen as being subordinate to 60 Creffield Road.
- 16.14 The main house of 60 Creffield Road would retain an adequate curtilage and would still reflect the curtilage proportions of a Victorian dwelling, retaining the spatial character of the area. The proposed development would be sited to the south of the main dwelling and is designed in a style that is sympathetic. The form, detailing and materials proposed have been selected and composed to present a historically informed, yet distinctly 21st century, addition. It is considered the revised proposal would result in a marginal impact upon the locally listed building and Conservation Area and the public benefits of additional housing in a sustainable location outweighs this harm. It is therefore considered the proposed semi-detached dwellings are acceptable and will not harm the character of the Conservation Area.
- 16.15 The design and layout of the proposed development is considered to be consistent with relevant adopted and emerging policies and the guidance set out in the NPPF in so far as they promote high quality design and the conservation of heritage assets. Any harm that will be caused by this development will be less than substantial. In this instance, the public benefits (which include the redevelopment of locally listed building in disrepair and additional housing) weigh in favour of the scheme. Given this, the proposed development is considered to be consistent with the aforementioned relevant adopted local plan policies and national planning policy guidance in relation to the historic environment.

Impact upon Neighbouring Amenity

- 16.16 Development Policy DP1 states that all development must be designed to a high standard and avoid unacceptable impacts on amenity. This includes protecting existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance, pollution (including light and odour pollution), daylight and sunlight. The adopted Supplementary Planning Document (SPD) the Essex Design Guide also provides guidance on the safeguarding of residential private amenity.
- 16.17 In this instance, there are no amendments to the windows serving 60 Creffield Road. Given this is the existing arrangement, it is not considered the proposal will create a harmful impact upon neighbouring amenity. Although there are rear facing windows facing towards the proposed semi-detached dwellings, these are not considered to harmfully overlook the new dwellings. The rear facing windows look towards the flank elevation, which is mostly blank, rather than any private sitting out areas. In addition, there is an intervening bike store, bin store and boundary fencing which limits overlooking.
- 16.18 In terms of the proposed semi-detached dwellings, first floor (and above) side facing windows are limited. The proposed side facing windows serve bathrooms and en-suites and are proposed to be obscure glazed as per the revised plans. Given this, these are not considered to create a harmful impact upon amenity. There are first floor rear facing windows which look towards the east (towards no. 56 Creffield Road). The Agent has confirmed these are obscured up to 1.7m above finished floor level. This is considered to limit any overlooking leaving only clear glass above with views to sky, trees and rooftops. There is also an intervening tree which helps to screen the new development. It is noted concerns have been raised in relation to overbearing impact to the neighbouring property along Inglis Road. In this instance, the tests set out by the Essex Design Guide are not considered to be breached. Further to this, the new dwellings are located directly to the north of properties along Inglis Road and therefore will not have an adverse impact upon loss of light. Not significant impact from noise and disturbance from vehicles close to boundary.
- 16.19 For the reasons given above, it is considered that the proposed development would not have a significant adverse effect on the amenity of neighbouring properties. In view of this, the proposed development is not considered to conflict with DPD Policies DP1 and DP12 or the NPPF insofar as they seek to secure a good standard of amenity for all occupants of land and buildings

Trees and Landscape

- 16.20 Core Strategy policy ENV1 states that the Borough Council will conserve and enhance Colchester's natural and historic environment, countryside and coastline, and this is also echoed within the NPPF. Development Policy DP1 provides that all development must demonstrate environmental sustainability and respect its landscape setting and contribute to the surrounding area.
- 16.21 There are a number of mature trees within and adjacent to the application site, which make an important contribution to the character of the area. An Arboricultural Impact Assessment (AIA) has been prepared in support of this application. The Council's Tree Officer confirmed that he is in agreement with

submitted report and that the tree proposed for removal is low value (a Category C tree).

- 16.22 In terms of landscaping, the scheme provides an extension of the existing boundary wall (at the front of 60 Creffield Road), and the introduction of a strong new tree line adjacent. This is considered to reinforce the existing character of trees and shrubs emerging from, and softening, walled street boundaries. The Council's Landscape Officer has not however raised an objection to these elements and it is considered the concerns raised can be adequately controlled through the detailed landscape scheme (condition).
- 16.23 In terms of the tree protection and the landscaping proposals, the planning application is considered to accord with CS Policy ENV1 and policies DPD DP1 and DP21 that require development schemes to respect and enhance the landscape and assimilate it into new development.

Ecology and Biodiversity

- 16.24 Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. DPD Policy DP21 seeks to conserve or enhance biodiversity and geodiversity in the Borough. New developments are required to be supported by ecological surveys where appropriate, minimise the fragmentation of habitats, and maximise opportunities for the restoration, enhancement and connection of natural habitats. Policy ENV1 states that the Borough Council will conserve and enhance Colchester's natural and historic environment. Conserving and enhancing the natural environment is also a core principle of the NPPF.
- 16.25 In this instance, the proposal has been considered in line with Natural England's Standing Advice. The application site is not considered to be a suitable habitat for protected species given the urban location and the site already being composed of hardstanding and built form, and as such is considered to be acceptable in this regard. The application site does sit within a zone of influence of a European designated site and to comply with the Habitats and Species Regulations 2017 (as amended), mitigation of any recreational impact will be required in accordance with the draft Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS). This will equate to a financial contribution that can be secured via a Unilateral Undertaking or via an online payment. The Agent has confirmed payment will be forthcoming.
- 16.26 The ecological potential of the site has been carefully considered and the potential for European Protected Species to use the habitats on site assessed. The fauna protected by the Wildlife and Countryside Act 1981 and species listed as of principal importance in Section 41 of the Natural Environment and Rural Communities Act 2006 are material considerations for local planning authorities. Subject to RAMS financial payment, it is considered that the proposed development accords with the relevant statutory provisions, the adopted policy

ENV1 and the requirements of the NPPF which seek to minimise impacts on biodiversity and, where possible, to provide net gains in biodiversity.

Parking and Highways Safety

- 16.27 Core Strategy policy TA1 seeks to improve accessibility and change travel behaviour and encourages development within highly accessible locations to reduce the need to travel. Core Strategy Policy TA2 promotes walking and cycling as an integral part of sustainable means of transport. Policy TA4 seeks to manage the demand for car use. Development Policy DP17 states that all developments should seek to enhance accessibility for sustainable modes of transport by giving priority to pedestrians, cycling and public transport access.
- 16.28 Given that proposal will provide for the required visibility splays, the proposed scheme is not considered to have a severe impact on the local highway either in terms of highway safety or capacity and accords with planning policies which seek to improve accessibility and changes in travel behaviour. The Highway Authority does not raise any concerns in relation to the proposal, and as such is considered to be acceptable in terms of highways safety.
- 16.29 CS Policy TA5 refers to parking and states that development proposals should manage parking to accord with the accessibility of the location and to ensure people friendly street environments. DPD Policy DP19 states that the Council will refer developers to the Essex Planning Officers Association (EPOA) Vehicle Parking Standards which was adopted by Colchester Borough Council as a Supplementary Planning Document (SPD) in November 2009. Emerging Policy DM22 states that parking should be provided in accordance with the most up to date parking guidance taking into account the following factors:
- i. Levels of local accessibility;
 - ii. Historic and forecast car ownership levels;
 - iii. The size, type, tenure and location of the dwellings; and
 - iv. The appropriate mix of parking types including opportunities for car-sharing (e.g. unallocated, on-street, visitor, car club etc).
- 16.30 The Council's adopted parking standards state that for new dwellings of two or more bedrooms, two car parking spaces should generally be provided. In addition to this, provision for visitor parking at a ratio of 0.25 spaces per unit is required. The guidance does however state that in accessible location, such as town centres, a reduction in car parking can be considered.

- 16.31 A selection of parking arrangements are proposed which would provide parking for up to 8 cars; this represents a parking provision of 1 space per unit. Parking is provided for 8 bikes on a 2-tier indoor rack, together with parking for powered two-wheeled.
- 16.32 Objection has been made to this application on the grounds that this scheme will exacerbate parking problems in the area. The application site is located in an accessible location, due to close proximity to the town centre and public transport facilities. Given this, the site is considered to have good accessibility and sustainability credentials and is therefore a site where a reduced level of parking can be accepted. Although not a planning matter, the Agent has also confirmed that on road car parking adjacent to the proposed access will be modified subject to the Highway Authority and North Essex Parking Partnership (NEPP) specifications and agreement.
- 16.33 The sensitivities surrounding parking are fully appreciated however in this instance, given the site's sustainable location and the unique constraints of the site, the proposed parking provision is considered to be acceptable.

Flood risk

- 16.34 Core Strategy policy ENV1 seeks to direct development away from areas of flood risk (both fluvial and coastal), towards sites with the lowest risk from flooding. Development Policy DP20 seeks to promote flood mitigation and defence measures as well as the use of appropriate sustainable drainage. The NPPF requires a detailed flood risk assessment (FRA) to be produced for all development located within a flood zone and/or sites that are greater than 1 hectare. The application site is outside an identified flood zone and measures 0.10 hectares and as such a FRA is not required to support the application. Given that the proposal is outside of any flood zone, the proposal is not considered to have a harmful impact upon surface water drainage within the locality.

Archaeology

- 16.35 The proposed development is located within an area of archaeological interest recorded in the Colchester Historic Environment Record. Roman burials have been discovered within and close to this site (HER Monument nos. MCC1357 and MCC3072) and the site is also on the projected line of a Roman road (HER Monument no. MCC2529). There is high potential for locating further burials and other archaeological remains at this location. 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. The Agent has confirmed agreement with the proposed condition and therefore the proposal is considered to be acceptable in this regard and thus in compliance with Policy DP14.

Private Amenity Space

16.36 DPD Policy DP16 sets out standards for private amenity space and public open space as part of new housing developments. With regard to private amenity space, Policy DP16 sets out a range of garden sizes which are as follows for houses:

- One or two bedroom houses – a minimum of 50m²
- 3 bedroom houses – a minimum of 60m²
- 4 bedroom houses – a minimum of 100m²

For flats; a minimum of 25m² per flat provided communally.

16.37 The proposed development provides Plots 1 and 2 and Flats 1 and 2 with amenity space which is considered to be in compliance with the aforementioned policy. Flats 3 – 6 are not provided with amenity space however due to constraints of the site, it would not be appropriate to fit these flats with balconies. It is noted the proposal is not entirely policy compliant, although given the constraints of the site and the close proximity to public areas of open space (Hilly Fields is located an approximately 10 minute walk from the application), the proposal is considered to be acceptable.

17.0 Conclusion

17.1 To summarise, the revised application will deliver 8 residential units in a sustainable and accessible location. The development will contribute positively towards the Borough's supply of housing. There would be economic benefits as a result of construction activity, the regeneration of 60 Creffield Road and the possible creation of additional jobs. There is sufficient evidence to be confident that overall the development would not cause significant harm to the amenity of local residents, ecology, flood risk or would not have a severe impact upon the highway network in terms of capacity.

17.2 The NPPF has at its heart the promotion of sustainable development. The proposal has significant sustainability credentials. A core planning principle of the NPPF is to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. The proposal would secure the repair and reuse of a non-designated heritage asset and will serve to preserve and enhance the character and appearance of this part of the Conservation Area. It is considered that the scheme would acceptably fulfil the environmental dimension of sustainable development by preserving and enhancing the identified heritage assets and by promoting new development of a high quality design.

- 17.3 In conclusion, it is considered that the benefits of the scheme significantly outweigh any adverse impacts and, as such, Members are asked to endorse the officer recommendation that planning approval should be granted subject to the suggested conditions provided below.

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. ZAA - Time Limit for Full Permissions

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

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

2. ZAX - *Development to Accord With Approved Plans (qualified)*

With the exception of any provisions within the following conditions, the development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers:

2030 DE 10-302 Revision A,
2030 DE 10-303 Revision A,
2030 DE 20-302 Revision A,
2030 DE 20-303 Revision A,
2030 DE 30-301 Revision C,
2030 DE 30-302 Revision C.

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

3. Z00 - Non standard condition – Materials

Prior to any bricks being laid, a sample panel of all new facing brickwork shall be constructed on site showing the proposed brick types, colours and textures, face bond and pointing, mortar mix and finish profile and shall be made available for inspection by the Local Planning Authority and the materials and methods demonstrated in the sample panel shall have been approved, in writing, by the Local Planning Authority. The approved sample panel shall then be retained on site until the work is completed and all brickwork shall be constructed in all respects in accordance with the approved details.

Reason: In order to ensure that the brickwork can be satisfactorily considered on site with regard to preserving the character of the Conservation Area.

4. Z00 - Non Standard Condition – Materials

No external roofing materials shall be used in the construction of the development hereby permitted until samples and precise details of the manufacturer, types and colours of these have been submitted to and approved, in writing, by the Local Planning Authority. Such materials as may be approved shall be those used in the development.

Reason: There is insufficient detail with regard to this to protect the special character, architectural interest and integrity of the Conservation Area.

5. Z00 - Non Standard Condition – Detailing

Notwithstanding the details submitted, no works shall start (except for underground enabling works) until additional drawings that show details of any proposed new windows (including the depth of reveals), doors, eaves, verges, cills, arches, plinths, porches, brickwork / stonework detailing, roof features and rainwater goods to be used, by section and elevation, at scales between 1:20 and 1:1, as appropriate, are submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved additional drawings.

Reason: In order to ensure that the architectural detailing of the development is appropriate and to safeguard the character and appearance of the heritage assets and their setting.

6. Z00 - Non Standard Condition – Boundary walls

All boundary walls that front onto a public or semi public space shall be enclosed by a brick wall unless otherwise agreed in writing by the Local Planning Authority. Brick walls shall be finished with a brick on edge coping and terminated at each end by either a pier or return. Where changes in the height of walls occur, the higher wall shall be raked smoothly downwards to the level of the lower wall. Prior to the construction of any new boundary walls, details of boundary walls shall have been submitted to and approved, in writing, by the Local Planning Authority.

Reason: To ensure a satisfactory form of development and in the interests of visual amenity.

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

Notwithstanding the provisions of Classes A, B, C, D and E of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or the equivalent provisions of any order revoking and re-enacting that Order), no extensions, ancillary buildings or structures shall be erected unless otherwise subsequently approved, in writing, by the Local Planning Authority.

Reason: In the interest of visual amenity and to ensure the development avoids an overdeveloped or cluttered appearance.

8. Z00 - Non Standard Condition – Obscure glazing and limited opening

Prior to first occupation of Plots 1 and 2, the first floor side facing window shall be glazed in obscure glass to a minimum of level four on the Pilkington scale and shall be restricted in opening to no more than 200mm. The window shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

Reason: To protect residential amenity.

9. Z00 - Non Standard Condition – Obscure glazing and limited opening

Prior to first occupation of Plots 1 and 2, the first floor rear facing window shall be glazed in obscure glass to a minimum of level four on the Pilkington scale and shall be restricted in opening to no more than 200mm up to 1.7m above finished floor levels. The window shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

Reason: To protect residential amenity.

10. Z00 - Non Standard Condition - Highways

Both of the proposed vehicular accesses shall be provided in complete accord with the details shown in Drawing Numbered 2030.DE.10-303 REV A.

Reason: To ensure that all vehicles using the private drive access do so in a controlled manner, in the interests of highway safety.

11. Z00 - Non Standard Condition – Highways

The existing access or any part of an access (dropped kerb) rendered redundant or unnecessary by this development shall be suitably and permanently closed to the satisfaction of the Local Planning Authority, incorporating the re-instatement to full height of the highway verge/footway/kerbing to the specifications of the Highway Authority, immediately the proposed new accesses are brought into use.

Reason: To ensure the removal of and to preclude the creation of un-necessary points of traffic conflict in the highway and to prevent indiscriminate access and parking on the highway, in the interests of highway safety.

12. Z00 - Non Standard Condition – Highways

No unbound materials shall be used in the surface treatment of the proposed vehicular accesses within 6m of the highway boundary.

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

13. Z00 - Non Standard Condition – Car parking

The development shall not be occupied until such time as the car parking and turning area, has been provided in accord with the details shown in Drawing Numbered 2030.DE.10-303 Revision A. The car parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking 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.

14. Z00 - Non Standard Condition – Cycle Parking

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.

15. Z00 - Non Standard Condition – Construction Method Statement

No development shall take place, including any ground works or works of demolition, until a Construction Management Plan (CMP) 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:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. 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.

16. Z00 - Non Standard Condition - Highways

Prior to first occupation of the proposed development, the Developer shall be responsible for the provision, implementation and distribution of Residential Travel Information Packs for sustainable transport for the occupants of each dwelling, approved by Local Planning Authority, to include six one day travel vouchers for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

17. 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.

18. 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: 08:00-13:00

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.

19. ZCG - Communal Storage Areas

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 unless otherwise subsequently agreed, in writing, by the Local Planning Authority.

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.

20. Z00 - Non Standard Condition - EV Charging points

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

Reason: In the interests of low emissions.

21. ZCE - Refuse and Recycling Facilities

Prior to the first occupation of the development hereby permitted, refuse and recycling storage facilities shall be provided in accordance with a scheme which shall have been previously submitted to and agreed, in writing, by the Local Planning Authority. Such facilities shall thereafter be retained to the satisfaction of the Local Planning Authority at all times.

Reason: The application contains insufficient information to ensure that adequate facilities are provided for refuse and recycling storage and collection.

22. Z00 - Non Standard Condition – 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, in accordance Adopted Development Policy DP14 (2010, Revised 2014) and the Colchester Borough Adopted Guidance titled Managing Archaeology in Development (2015).

23. ZFE - Landscape Management Plan

Prior to the first occupation of the development, a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas other than small, privately owned, domestic

gardens shall be submitted to and agreed, in writing, by the Local Planning Authority. The landscape management plan shall thereafter be carried out as approved at all times.

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

24. Z00 - Non Standard Condition – Landscaping

No groundworks shall take place until a scheme of hard and soft landscape works for the publicly visible parts of the site has been submitted to and agreed, in writing, by the Local Planning Authority. This scheme shall include any proposed changes in ground levels and also accurately identify positions, spread and species of all existing trees, shrubs and hedgerows on the site, proposed planting, details of any hard surface finishes and external works, which shall comply with the recommendations set out in the relevant British Standards current at the time of submission. The approved landscape scheme shall be carried out in full prior to the end of the first planting and seeding season following the first occupation of the development or in such other phased arrangement as shall have previously been agreed, in writing, by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species.

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

25. ZFS - Tree and Hedgerow Protection: General

All existing trees and hedgerows shall be retained throughout the development construction phases, unless shown to be removed on the approved drawing and all trees and hedgerows on and immediately adjoining the site shall be protected from damage as a result of works on site in accordance with the Local Planning Authorities guidance notes and the relevant British Standard. All existing trees and hedgerows shall then be monitored and recorded for at least five years following contractual practical completion of the development. In the event that any trees and/or hedgerows die, are removed, destroyed, fail to thrive or are otherwise defective during such a period, they shall be replaced during the first planting season thereafter to specifications agreed, in writing, with the Local Planning Authority. Any tree works agreed to shall be carried out in accordance with BS 3998. Reason: To safeguard existing trees, shrubs and other natural features within and adjoining the site in the interest of amenity.

19.1 Informatives

19.1 The following informatives are also recommended:

ZT0 – Advisory Note on Construction & Demolition

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

ZTA - Informative on Conditions Stating Prior to Commencement/Occupation

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

INS – Non Standard Informative - 3dB

The first floor bedroom is directly beneath the 2nd floor living room. It would be advisable to reconfigure the layout to prevent this where possible or Environmental Protection would recommend an increase in sound insulation of 3dB above building regulation. Environmental Protection wish to protect bedrooms from living noises from adjacent dwellings.

INS – Non Standard Informative - Acoustic fencing

The 1.8 metre high close boarded fence surrounding the property is required to be kept and for it to extend along the boundaries with existing residential properties to reduce disturbance from vehicles entering and leaving the site.

INS – Non Standard Informative - Highways

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

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

SMO1 – Essex Highways
Colchester Highways Depot,
653 The Crescent,
Colchester
CO4 9YQ

INS – Non Standard Informative - Drawing

Please note, the northing provided on 2030 DE 10-303 Revision A appears to be inaccurate. This inaccuracy has been addressed by the Local Planning Authority and consideration has been given to geographical north and the officers appraisal still stands.

INS – Non Standard Informative - Archaeology

PLEASE NOTE The submitted scheme of archaeological investigation should be in accordance with an agreed brief. This can be procured beforehand by the developer from Colchester Borough Council. Please see the Council's website for further information: <http://www.colchester.gov.uk>

ZTB - Informative on Any Application With a Site Notice

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