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Item No: 7.4

Application: 220148

Applicant: Colchester Borough Council

Agent: Mrs Rebecca Howard

Proposal: Redevelopment of site to create 7 no. new residential units

Location: Land to the West of, Cross Cottages, Boxted, Colchester

Ward: Rural North

Officer: Nadine Calder

Recommendation: **Approval subject to conditions**

1.0 Reason for Referral to the Planning Committee

1.1 This application is referred to the Planning Committee because the applicant is Colchester Amphora Homes Limited on behalf of Colchester Borough Council.

2.0 Synopsis

- 2.1 The key issues for consideration are the principle of the proposed development, its design, scale and form, impact on neighbouring amenity in terms of outlook, light and privacy and provision of parking. These matters have been considered alongside planning policy requirements and other material matters, leading to the application being subsequently recommended for approval.

3.0 Site Description and Context

- 3.1 The site lies within the defined settlement limits for Boxted Cross but has no other allocation. It is irregular in shape, with no road frontage. The site is bounded by residential development to the east, west and south, with open agricultural land to the north. The site currently comprises hardstanding which is informally used to park cars. Access to the site is gained from Dedham Road to the south.
- 3.2 A small part of the site relates to an area that is leased to and used as additional garden space by a local resident. A footpath runs through the site providing a link from Dedham Road to Cross Cottages. A gate at the entrance to the overflow parking area ensures no unauthorised access is gained into the site.

4.0 Description of the Proposal

- 4.1 The application seeks planning permission for the construction of seven dwellings, comprising of three bungalows (one 3-bedroom detached Cat 3 and two 2-bedroom semi-detached dwellings) and a two storey terrace providing 4no. 1-bedroom flats, with associated landscaping, parking and private amenity provision. The proposal is to be 100% affordable and would be owned by Colchester Borough Council and managed by Colchester Borough Homes.
- 4.2 In terms of the external appearance of the development, the palette of materials includes red brick, buff brick, and rockpanel cladding and buff facing brickwork.
- 4.3 The proposal includes a total of 20no. parking spaces; two spaces each for the bungalows, one space each for the flats, two spaces for the donor property and eight visitor spaces. The proposed development would require two visitor spaces, resulting in an overprovision of six visitor parking spaces which are to be provided as a reprovision of the informal car parking that would be lost as part of the proposal.
- 4.4 The footpath through the site is to be retained (diverted), and incidental soft landscaping pockets are proposed around the site to soften the appearance of the proposed development on the visual amenity of the area.

5.0 Land Use Allocation

- 5.1 The site lies within the defined settlement limits for Boxted Cross but has no other allocation.

6.0 Relevant Planning History

- 6.1 There is no planning history that is particularly relevant to this proposal. The proposal was however the subject of preliminary discussions in the summer of 2019 and again in late 2020/early 2021, which helped inform the final scheme.

7.0 Principal Policies

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

7.2 Local Plan 2017-2033 Section 1

The shared Section 1 of the Colchester Local Plan is adopted (Feb 21) and covers strategic matters with cross-boundary impacts in North Essex. This includes a strategic vision and policy for Colchester. The Section 1 Local Plan was adopted on 1 February 2021 and is afforded full weight. The following policies are considered to be relevant in this case:

- SP1 Presumption in Favour of Sustainable Development
- SP2 Recreational disturbance Avoidance and Mitigation Strategy (RAMS)
- SP7 Place Shaping Principles

Appendix A of the Section 1 Local Plan outlines those policies in the Core Strategy Focused Review 2014 which are superseded. Having regard to the strategic nature of the Section 1 Local Plan, policy SD2 of the Core Strategy is fully superseded by policies SP5 and SP6 of the Section 1 Local Plan. Policies SD1, H1 and CE1 of the Core Strategy are affected in part. The hierarchy elements of policies SD1, H1 and CE1 remain valid, as given the strategic nature of policies SP3, SP4 and SP5 the only part of the policies that are superseded is in relation to the overall requirement figures.

The final section of Policy SD1 which outlines the presumption in favour of sustainable development is superseded by policy SP1 of the Section 1 Local Plan as this provides the current stance as per national policy.

All other Policies in the Core Strategy, Site Allocations and Development Management Policies and all other adopted policy which comprises the Development Plan remain relevant for decision making purposes.

7.3 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

ER1 - Energy, Resources, Waste, Water and Recycling

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

DP1 Design and Amenity

DP12 Dwelling Standards

DP14 Historic Environment

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

DP17 Accessibility and Access

DP19 Parking Standards

7.5 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: Unallocated & n/a

7.6 The site lies within the Boxted Neighbourhood Plan Area. The plan forms an integral part of the development plan and is afforded full weight.

7.7 Submission Colchester Borough Local Plan 2017-2033:

The Section 1 Local Plan was adopted on 1 February 2021 and is afforded full weight. The Section 2 Emerging Local Plan is at an advanced stage having undergone examination hearing sessions in April 2021 and recent consultation on modifications. Section 2 will be afforded some weight due to its advanced stage. However, as it is yet to complete full and final examination, the exact level of weight to be afforded will be considered on a site-by-site basis reflecting the considerations set out in paragraph 48 of the NPPF. Proposals will also be considered in relation to the adopted Local Plan and the NPPF as a whole.

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

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

The Essex Design Guide

External Materials in New Developments

EPOA Vehicle Parking Standards

Affordable Housing

Open Space, Sport and Recreation

Sustainable Construction

Managing Archaeology in Development

8.0 Consultations

- 8.1 The stakeholders who have been consulted and who have given consultation responses are as set out below. More information may be set out on our website.
- 8.2 The Arboriculture Officer does not object to the proposal, as amended.
- 8.3 The Archaeological Advisor raises no objection to the proposal.
- 8.4 Environmental Protection raise no objection to the proposal subject to a condition limiting the hours of work and securing a Construction Method Statement.
- 8.5 The Landscape Advisor does not object to this proposal subject to conditions.
- 8.6 The Highway Authority does not object to the proposal subject to conditions securing the access to be provided as per the approved drawings; provision of adequate visibility splays; vehicular turning facilities for service and delivery vehicles; details relating to the diversion of the definitive right of way; details of the estate roads and footways; and the submission of a Construction Management Plan as well as ensuring the development is not occupied prior to the internal road and footway having been laid out in accordance with the approved drawings; turning areas and off street parking to be provided in accordance with the approved drawings; details for the storage of bicycles to be provided; parking spaces/hard standings to be of minimum dimensions; the provision of Residential Travel Information Packs; and the provision of a new north bound bus stop.
- 9.0 Parish Council Response
- 9.1 The Parish Council object to the proposed development due to the loss of parking on site and the potential for parking to be displaced onto the Dedham Road. Their full comments can be found on the website.
- 10.0 Representations from Notified Parties
- 10.1 The application resulted in a number of notifications to interested third parties including neighbouring properties. The full text of all of the representations received is available to view on the Council's website. However, a summary of the material considerations is given below.
- 10.2 68 letters (from 60 households or organisations, including the local school and Colchester Cycle Campaign) have been received, either objecting or making a general observation. The concerns that were raised (and are relevant to this application) can be summarised as follows:
- Parking on Dedham Road and Cross Cottages is dangerous;
 - Proposed development would remove parking;
 - Properties will be given to people from outside the village;
 - Very poor bus service;
 - There are no services and facilities in the village;

- Existing sewage system is over capacity;
- New junction with Dedham Road would increase congestion and create an added hazard for pedestrians;
- Development is not required in Boxted;
- Impact on neighbouring amenities;
- Open up the field to the north for future development;
- Development is cramped and not in keeping with immediate vicinity;
- Unsustainable location;
- Bad design;
- Increased light pollution;
- No need for 1-bed houses, if anything 3-bed properties are needed;
- Noise and disturbance during construction works;
- Damage and uncertainty over new fence line;
- Full Access to Public Footpath 8 (Boxted) must be available at all times.

10.3 In addition to the above, one letter of support was received.

11.0 Parking Provision

- 11.1 The proposal provides one parking space for each 1no. bedroom dwelling and two spaces for each 2no.+ bedroom dwelling, together with eight visitor spaces which would exceed adopted parking standards.

12.0 Accessibility

- 12.1 With regard to the Equality Act 2010 and compliance with policies DP12 and DP17 that detail requirements in terms of accessibility standards, the scheme includes a wheelchair accessible unit and has been designed to be inclusive, accessible and adaptable. As the development will be owned and managed by Colchester Borough Homes there is the scope and budget to manage the units in accordance with the needs of the occupants.

13.0 Open Space Provisions

- 13.1 The proposed dwellings have adequate amenity space overall plus informal pockets of open space around the site.

14.0 Air Quality

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

15.0 Planning Obligations

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

16.0 Report

Principle of Development

- 16.1 The site lies within the Boxted Cross settlement boundary and an area that is residential in character where development such as that proposed is acceptable in policy terms subject to the development satisfying all other aspects of the Development Plan. These material considerations are assessed in detail in the following paragraphs.

Affordable Housing Need

- 16.2 Providing more affordable homes is a key corporate strategic priority of the Council, because of the unmet demand that exists. To this extent, the Council has set up a Housing Company, Colchester Amphora Homes Limited (CAHL), to develop mixed-tenure housing schemes with 30% affordable homes alongside private sale property. CAHL have also been appointed to deliver 100% affordable housing on a number of sites, including the development of garage sites.
- 16.3 This application is one of several submitted concurrently by CAHL for affordable housing on under-used Council owned, Colchester Borough Homes (CBH) managed garage sites. These applications are the result of ongoing work by the Council to find innovative ways of enabling more affordable housing to be built, in line with stated Council priority objectives.

Design, Layout and Impact on Surrounding Area

- 16.4 At the heart of the National Planning Policy Framework (the Framework), there is a presumption in favour of sustainable development. Good design is a key aspect of sustainable development, and the Framework indicates that new development should respond to local character and should reflect the identity of its surroundings. This is reflected in Development Policy DP1 and Core Strategy Policy UR2. These policies state that all proposals should be well designed, having regard to local building traditions, and should be based on a proper assessment of the character of the application site and the surrounding built and natural environment.
- 16.5 Owing to the site's set back position, the proposal represents a backland form of development. The site is surrounded by residential rear gardens belonging to dwellings fronting Cross Cottages to the east and Dedham Road to the south. There would be limited public views available towards the proposed dwellings from these roads. A public footpath runs however through the site thus making the development publicly visible.
- 16.6 The proposal consists of three single storey detached and semi-detached bungalows and a two storey terrace comprising four flats. The immediate vicinity of the site, including development towards the end of Cross Cottages and along the northern side of Dedham Road, consists of mainly semidetached dwellings and/or flat accommodations, though there are some detached properties nearby too. Properties are generally positioned in rectangular plots which provide very generous rear gardens.

- 16.7 The proposed housing mix and site layout is considered to broadly comply with the prevailing pattern of development in the immediate vicinity. All dwellings would benefit from a generous amount of private amenity space and informal pockets of open space benefitting from soft landscaping features are provided amongst the proposed hard surfacing areas (access road and parking provision) which would ensure that the proposed development does not appear cramped.
- 16.8 The external materials for the proposed development include a mixture of red and buff brick with rockpanel cladding to add visual interest to the development. The use of brick for the main bulk of the proposed development would ensure that the proposal respects the existing built development that surrounds the site, with the introduction of contrasting materials elevating the appearance of the proposed development.
- 16.9 Paragraph 134 of the Framework makes it clear that great weight should be given to proposals that help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings. Whilst the design of the proposed development in itself is not outstanding, as referred to in the Framework, it is considered that a more contemporary approach to the proposed development would create some visual interest in an area that is otherwise very repetitive in design and appearance. The visual amenity of the surrounding site would therefore be improved. As a result, the proposal is held to be acceptable in terms of its overall design, appearance and impact on the surrounding area.

Impact on Neighbour Amenities

- 16.10 The proposed development would be located amongst existing residential development. Consideration needs to be given as to how the proposal would affect the occupants of nearby residential properties in terms of loss of light, privacy and overbearing impacts.
- 16.11 The proposed detached bungalow sits in a relatively generous plot and a considerable distance from the nearest neighbouring dwellings to the north and west, while the dwellings to the north of the bungalow would be separated from the site by a footpath and boundary treatment. The distance and intervening boundary features between the proposed detached bungalow and neighbouring properties, coupled with its single storey height, would ensure that the dwelling would not cause any impact on the amenities of neighbouring occupiers in terms of appearing overbearing on their outlook or cause loss of light or privacy.
- 16.12 Similarly, the two semi-detached bungalows sit at the bottom of the very long garden associated with the neighbouring property to the south. They do therefore also not raise any concerns in respect of their impact on neighbouring amenities.

- 16.13 The proposed flats have also been arranged in a way to avoid any materially harmful impact on neighbouring properties to the south and east. The dwellings are positioned a significant distance from the boundary with the neighbours to the east and would only provide windows to non-habitable rooms (bathroom and landing) in the rear elevation at first floor, thus ensuring that no materially harmful overlooking would occur. There are no windows in the side elevations, thus not causing any concerns with regards to overlooking of neighbouring properties or their private amenity spaces to the south. Whilst the development would cause some impact on the outlook of neighbours to the south, this would be minimal and not justifying a refusal, due to the intervening distance between the two built forms and the relatively small impact that would be caused.
- 16.14 With regard to the proposed residential use on the site, it is considered that this would be compatible with the surrounding area which is predominantly residential (the only exception being the agricultural field to the north). The site is already used for the parking of vehicles, and it is not considered that the vehicle movements associated with the proposed development would cause such an impact on neighbouring occupiers that would be significant or materially harmful in magnitude.
- 16.15 It is also considered that the existing built development surrounding the site would not cause any impact on the residential amenities of future occupiers of the proposed development. Consequently, the proposal is considered to be acceptable with regard to its impact on the amenities of existing neighbouring occupiers as well as future occupiers of the proposed development.

Parking and Highway Safety

- 16.16 Access to the site is proposed to be taken via an existing access from Dedham Road, which is to be widened. Adequate visibility splays are proposed at the site's entrance and the Highway Authority is satisfied with the proposed arrangement subject to stringent conditions. Subject to these, there are no objections to the proposed access to the site.
- 16.17 With regard to parking provision, the adopted standard for new residential development with one bedroom is a minimum of one parking space per unit, with dwellings benefitting from two or more bedrooms requiring a minimum of two car parking spaces per unit. Visitor car parking is also required at 0.25 spaces per unit (rounded up to the nearest whole number). The proposal would therefore require a total of 14no. parking spaces, including two spaces for the donor property. The submitted layout plan indicates that 20no. parking spaces would be provided. Consequently, the adopted standards would be exceeded. Secure cycle storage can be provided the curtilage of each unit.
- 16.18 It is noted that the proposals have been met with a significant number of objections from local residents and the Parish Council due to the loss of parking on this site. It must be noted that the site is Council owned land and offered to local residents as unallocated parking on an informal basis while

there is no other use for the site. The additional parking on this site is a benefit for local residents. However, there is no legal right to maintain access to this parking that replaced former garaging on the site (demolished).

- 16.19 The Council however acknowledges the parking stress in Cross Cottages and, whilst this development should not be held responsible to resolve an existing parking problem outside the application site, nevertheless the scheme has incorporated a total of six additional visitor spaces, which would continue to provide off street parking facilities for local residents on an informal basis. The proposed development is therefore held to be acceptable with regard to parking and highway matters.

Private Amenity Space

- 16.20 Development Policy DP16 requires that all new residential development shall provide private amenity space to a high standard, with secure usable space that is also appropriate to the surrounding context. The minimum requirement for 1- and 2-bedroom dwellings is 50m², with 3-bedroom houses requiring 60m² of private amenity space per dwelling. These requirements are echoed in emerging Section 2 Policy DM19.

- 16.21 The submitted site plan clearly shows that the development provides not only policy compliant private garden spaces, but that the proposed spaces are of a high standard with the siting, orientation, size and layout making for a secure and usable space. The proposed arrangement is therefore appropriate in its context.

- 16.19 Policy DP16 also states that “all new residential development will pay a commuted sum towards open space provision and maintenance.” No exception is made in relation to developments of affordable housing. Indeed, Supplementary Planning Document “Provision of Open Space, Sport and Recreational Facilities” specifies that “the standards, outlined above, are to be applied to all additional new residential Units. (...) New development includes most specialised types of housing including agricultural dwellings, affordable housing and also staff accommodation since all will create additional demands for open space.”

- 16.20 No Unilateral Undertaking or Monitoring Fee has been submitted with regard to addressing this policy. Consequently, the proposal presents a minor conflict with adopted policy. However, in similar previous cases at Council owned garage sites given permission in the past, the Council waived the commuted sum in order to make the provision of 100% affordable housing schemes viable. Given that the developer is the service provider, the requirement for contributions is effectively negated. It does not set a precedent for private market housing as this does not provide 100% affordable housing.

- 16.21 In addition, CBC is the provider and maintainer of public open spaces and is also the landowner. In this capacity, it has the power to provide and maintain

the land for public benefit for the foreseeable future anyway. As maintenance of public open space is undertaken from the Council's overall budget, there would be no net gain to the community by requiring payment of open space contributions as it would simply take money from one part of the budget and move it to another.

16.22 In conclusion, the scheme provides acceptable private amenity space and open space provisions.

Landscape and Trees

16.23 Development Plan Policy DP1 and emerging Section 2 Policy DM15 require development proposals to demonstrate that they respect and enhance the character of the site, context and surroundings including its landscape setting.

16.24 The site contains a number of trees and hedgerows and accordingly, a Tree Constraints Plan and Tree Protection Plan was submitted with the application. Following concerns raised by the Arboriculture Officer, the two semi-detached bungalows were moved further north within the site to ensure they lie outside the root protection zone for the nearby trees, thus ensuring no harm is caused to these trees. While it is noted that some trees within the site would need to be removed to facilitate the proposed development, it is noted that the proposal also includes pockets of informal open space and new tree planting which would provide some mitigating circumstances as well as a softening impact, and thus positive contribution, to the visual amenity of the site.

16.25 The site is currently exposed to the open countryside beyond its western boundary. The Landscape Adviser requested that this boundary be enclosed by a native hedge and hedgerow trees as part of any development to both soften its visual impact and filter screen it from viewpoints along Cooks Hill. Such hedging will also help conserve and enhance the character of the adjacent rural landscape (the Great Horkesley Farmland Plateau) and reinstate the historic hedge line. Cooks Lane forms the boundary to the nationally designated and protected Dedham Vale Area of Outstanding Natural Beauty (AONB) and the site therefore forms part of the setting to the AONB, the protection of which further supports the need to filter/screen the development with a hedgerow and hedgerow trees along the western boundary of the site. Subject to this being secured via condition, there are no objections to the proposal on landscape grounds.

Heritage Impacts

16.26 The Archaeological Adviser confirmed that the proposed development area was subject to archaeological evaluation prior to the submission of this planning application, following consultation with them. This evaluation did not reveal archaeological remains, although all the planned trenches could not be excavated.

16.27 While the proposed development area has not been completely evaluated, the information gathered in the evaluation that has occurred is sufficient to reduce

my assessment of its archaeological potential. Therefore, in this instance, no further archaeological work is required, and no archaeological condition is recommended.

Other Matters

- 16.28 The development would require the diversion of an existing footpath that runs through the proposed development site. The Highway Authority has considered this aspect of the proposal and has not raised an objection. The proposed development would retain a safe, convenient and direct route between Cross Cottages and Dedham Road and the proposed footpath diversion is therefore considered acceptable.
- 16.29 Comments from local residents with regards to loss of allotments are noted. As highlighted earlier in this report, the site contains a green space which has been licensed to neighbouring occupiers to be used as additional garden space. The site does not contain, and does therefore not result in the loss of, formal allotments.
- 16.30 Reference was made to the development being contrary to the Boxted Neighbourhood Plan. Policy LC2 requires proposals to consider the impact that development would have on the local landscape character and demonstrate that any impacts can be appropriately mitigated. It has been demonstrated above that the proposed development, subject to conditions, including a hedge along the western boundary of the site, would be acceptable from a landscape point of view. The proposal provides very generous garden spaces and pockets of informal open space within the site and a combination of this ensures that the proposed development would satisfy the criteria of Policy LC2
- 16.31 Policy TM1 of the Neighbourhood Plan, which deals with highway safety and parking, is also considered to be complied with, given that the proposed development not only meets but exceeds adopted parking standards. As such, the proposal would not conflict with the aims of the Neighbourhood Plan. Members are advised that this application should not be refused on the basis of existing parking problems in the surrounding area, especially since it has been demonstrated that the parking provision for the proposed development exceeds the adopted standards. This development, which should be assessed on its own merits, would therefore not increase the pressure of on-street parking in the surrounding area. Development proposals which meet adopted policy requirements should not be refused or held accountable for existing problems in the immediate vicinity which are outside the control of the development.
- 16.32 Refuse and recycling storage facilities would be provided within the individual plots. No information was however provided with regards to a communal collection point or how refuse/recycling will be collected. This information will therefore need to be conditioned.

16.29 The site is located within Flood Zone 1 and consequently, the site is unlikely to be susceptible to flooding and the development would not contribute to surface water flooding.

16.30 A payment of £127.30 per dwelling will be made in contribution towards the measures in Recreational disturbance Avoidance and Mitigation Strategy (RAMS) for the Essex Coast to avoid and mitigate adverse effects from increased recreational disturbance to ensure that Habitat Sites are not adversely affected, and the proposal complies with the Habitat Regulations.

Planning Balance

16.31 The Framework confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, identifying three dimensions to sustainable development: an economic, social and environmental dimension. In respect of the first of these, the current proposal would provide economic benefits through the creation of temporary employment during the construction phase. The provision of additional and modern affordable housing within the Borough is a positive mechanism to promote balanced communities and thus generally satisfies the social dimension. The social role of sustainable development is also described as fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs. The proposal is considered to satisfy this objective due to the development being generally well designed. In respect of the environmental dimension, the proposal would make a more efficient use of land and provide additional landscaping features. The proposed development is considered to be of an enhanced visual quality when compared to the existing development on the site and would deliver much needed affordable homes in the Borough.

16.32 The proposed development is therefore considered to represent sustainable development. There is also sufficient evidence to be confident that overall, the development would not cause material harm to the amenity of nearby residents, create noise pollution or have a severe impact upon the highway network.

17.0 Conclusion

17.1 In summary, it is considered that the proposed development represents sustainable development and would not cause any visual or material harm to the character and appearance of the surrounding area, neighbouring occupiers or highway safety. Consequently, the proposed development is held to be acceptable.

18.0 Recommendation to the Committee

18.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to the following condition:

1. ZAA - Time Limit for Full Permissions

The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

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

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

CROSSC-IWD-XX-XX-DR-A-1000 Rev P02 Existing Location Plan

CROSSC-IWD-XX-XX-DR-A-1000 Rev P10 Proposed Site Plan

CROSSC-IWD-XX-XX-DR-A-1002 Rev P01 Proposed Site Plan – Visibility Splay

CROSSC-IWD-01-00-DR-A-2050 Proposed Floor Plans & Elevations – Plot 1 (Block 01)

CROSSC-IWD-02-XX-DR-A-2050 Proposed Floor Plans & Elevations – Plots 2-3 (Block 2)

CROSSC-IWD-03-XX-DR-A-2050 Rev P1 Proposed Floor Plans – Plots 4-7 (Block 03)

CROSSC-IWD-03-XX-DR-A-2051 Rev P1 Proposed Elevations – Plots 4-7 (Block 03)

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

3. ZBB - Materials As Stated in Application

The external facing and roofing materials to be used shall be those specified on the submitted application form and drawings, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure that materials are of an acceptable quality appropriate to the area.

4. ZPA - Construction Method Statement

No works shall take place, including any demolition, until a Construction Method Statement has been submitted to and approved, in writing, by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide details for: the parking of vehicles of site operatives and visitors; hours of deliveries and hours of work; loading and unloading of plant and materials;

storage of plant and materials used in constructing the development; the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; wheel and under body washing facilities;

the diversion of closure of FP 08 (Boxted) during the construction and fitting out stages; measures to control the emission of dust and dirt during construction; and a scheme for recycling/disposing of waste resulting from construction works.

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

5. Non-Standard Condition - Diversion of right of way

No development shall be permitted to commence on site until such time as an Order securing the diversion of the existing definitive right of way to a route to be agreed with the Local Planning Authority and in association with the Highway Authority has been confirmed and the new route has been constructed to the specifications of the Local Planning Authority.

Reason: To ensure the continued safe passage of pedestrians on the definitive right of way.

(Note: FP No 8 (Boxted) will be required to be retained at the recorded width on the Definitive Map throughout, no reduction or impediment to highway users will be accepted).

6. Non-Standard Condition - Estate Roads

Prior to the commencement of development, details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads and footways are constructed to an acceptable standard, in the interests of highway safety.

7. Non-Standard Condition - Bespoke Landscape Condition

No works shall take place until a scheme of hard and soft landscape works has been submitted to and agreed, in writing, by the Local Planning Authority. This scheme shall include any significant changes in ground levels and also accurately identify positions and spread of all existing trees, shrubs and hedgerows on the site; proposed planting, including a native hedge and hedgerow trees along the western boundary of the site; details of any hard surface finishes and external works, including a 1.8m high hit & miss privacy fence set 500mm behind the western boundary hedge to rear gardens backing or siding onto the western boundary. The implementation of all the landscape works 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 hard or soft landscape works which, within a period of 5 years of being implemented fail, are removed or seriously damaged or seriously diseased shall be replaced, like for like, in the next planting season with others of similar specification/size/species/mix, unless the Local Planning Authority agrees, in writing, to a variation of the previously approved details.

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

8. 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.

9. Non-Standard Condition - Vehicular Access

Prior to the first occupation of the proposed dwellings, the proposed vehicular access as shown on the approved drawings shall be reconstructed to a width of 6.5m for the first 10m within the site then retained at 5.5m throughout after and shall be provided with an appropriately reconstructed dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.

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

10. Non-Standard Information - Visibility Splays

Prior to the proposed access being brought into use, vehicular visibility splays of 90m by 2.4m by 90m as measured along, from and along the nearside edge of the carriageway, shall be provided on both sides of the centre line of the access and shall be retained and maintained free from obstruction clear to ground thereafter. Reason: To ensure adequate intervisibility between drivers of vehicles using the proposed access and those in the adjoining highway, in the interests of highway safety.

11. Non-Standard Condition - Turning facilities

Prior to commencement of the proposed development, vehicular turning facilities for service and delivery vehicles of at least size 3 dimensions and of a design which shall be approved in writing by the Local Planning Authority, shall be provided within the site which shall be retained and maintained free from obstruction thereafter. Reason: To ensure that vehicles using the site access may enter and leave the highway in a forward gear, in the interests of highway safety.

12. Non-Standard Condition - Internal Road and Footway layout

Prior to the occupation of any of the proposed development the internal road and footway layout shall be provided in accordance with Drawing Number CROSSC_IWD-XX-XX-DR-A-100 Rev P10.

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

13. Non-Standard Condition - Turning Areas

The development shall not be occupied until such time as the turning areas and off street parking including visitor and ad hoc unallocated parking spaces has been provided in accord with the details shown in Drawing Numbered CROSSC_IWD-XXXX-DR-A-100 Rev P10. 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. Non-Standard Condition - Parking Space/Hardstanding Sizes (Open) The parking spaces / vehicular hardstandings shall each be constructed to minimum dimensions of 5.5m x 2.9m and retained thereafter.

Reason: To encourage the use of off-street parking, in the interests of highway safety.

15. Non-Standard Condition - Cycle Storage

Prior to the occupation of the proposed development, details of the provision for the storage of bicycles sufficient for all occupants and visitors to that development, 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.

16. Non-Standard Condition - Residential Travel Information Packs

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 which shall be 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. Non-Standard Condition - Provision of new north bound bus stop

Prior to the first occupation of any of the dwellings, the applicant/developer shall provide a new north bound bus stop adjacent to No 14 Cooks Hill junction with Dedham Road between the existing kerb line and the adjacent footway, the precise location to be agreed with the Highway Authority, including passenger hard standing/waiting area level entry kerbing, new post and flag, timetables, any adjustments in levels, surfacing and any accommodation works to the verge/footway and carriageway channel being provided entirely at the applicant/Developer's expense to the specifications of the Highway Authority.

Reason: To make adequate provision for the additional bus passenger traffic generated as a result of the proposed development.

18. 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.

19. Z1A – Street Name Signs

Prior to the first occupation of any of the dwellings hereby approved street name signs shall have been installed at the junction of the new highway with the existing road network.

Reason: To ensure that visitors to the development can orientate themselves in the interests of highway safety.

20. 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: none

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.

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.

Non-Standard Informative - Landscape

'Detailed landscape proposals, if/when submitted in order to discharge landscape conditions should first be cross-checked against the Council's Landscape Guidance

Note LIS/B (this available on this CBC landscape webpage: <https://www.colchester.gov.uk/info/cbc-article/?catid=which-application-form&id=KA01169> under Landscape Consultancy by clicking the 'read our guidance' link').

Non-Standard Informative - Works affecting Highway

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.

Non-Standard Informative - Highway Liability

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

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.

20.0 Positivity Statement

WA2 - Application Approved Following Revisions

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

