

# Planning Committee Meeting

**Council Chamber, Town Hall, High Street,  
Colchester, CO1 1PJ**

**Thursday, 13 April 2017 at 18:00**

The Planning Committee deals with planning applications, planning enforcement, public rights of way and certain highway matters.

If you wish to come to the meeting please arrive in good time. Attendance between 5.30pm and 5.45pm will greatly assist in noting the names of persons intending to speak to enable the meeting to start promptly.

## Information for Members of the Public

### Access to information and meetings

You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda, which is usually published five working days before the meeting, and minutes once they are published. Dates of the meetings are available at [www.colchester.gov.uk](http://www.colchester.gov.uk) or from Democratic Services. Occasionally meetings will need to discuss issues in private. This can only happen on a limited range of issues, which are set by law. When a committee does so, you will be asked to leave the meeting.

### Have Your Say!

The Council values contributions from members of the public. Under the Council's Have Your Say! policy you can ask questions or express a view to most public meetings. If you wish to speak at a meeting or wish to find out more, please refer to Your Council> Councillors and Meetings>Have Your Say at [www.colchester.gov.uk](http://www.colchester.gov.uk)

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### Access

There is wheelchair access to the Town Hall from St Runwald Street. There is an induction loop in all the meeting rooms. If you need help with reading or understanding this document please take it to the Library and Community Hub, Colchester Central Library, 21 Trinity Square, Colchester or telephone (01206) 282222 or textphone 18001 followed by the full number that you wish to call and we will try to provide a reading service, translation or other formats you may need.

### Facilities

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## Material Planning Considerations

The National Planning Policy Framework highlights that the planning system is plan-led and reiterates The Town and Country Planning Act 1990 and The Planning and Compulsory Purchase Act 2004, which require (in law) that planning applications “must be determined in accordance with the development plan, unless material considerations indicate otherwise”.

Where our Development Plan is absent, silent or the relevant policies are out of date, paragraph 14 of the National Planning Policy Framework requires the application to be determined in accordance with the presumption in favour of sustainable development unless otherwise specified.

The following approach should be taken in all planning decisions:

- Identify the provisions of the Development Plan which are relevant to the decision and interpret them carefully, looking at their aims and objectives
- Identify and consider relevant material considerations for and against the proposal
- Consider whether or not the proposal accords with the Development Plan and, if not, whether material considerations warrant a departure from the Development Plan.

A material planning consideration is one which is relevant to making the planning decision in question (e.g. whether to grant or refuse an application for planning permission). The scope of what can constitute a material consideration is very wide and so the courts often do not indicate what cannot be a material consideration. However, in general they have taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations.

When applying material considerations the Committee should execute their decision making function accounting for all material matters fairly, reasonably and without bias. In court decisions (such as *R v Westminster CC ex-parte Monahan* 1989) it has been confirmed that material considerations must relate to the development and use of land, be considered against public interest, and be fairly and reasonably related to the application concerned.

Some common material planning considerations which the Planning Committee can (and must) take into consideration in reaching a decision include:-

- Planning policies, including the NPPF and our own Development Plan
- Government guidance, case law, appeal decisions, planning history
- Design, scale, bulk, mass, visual appearance and layout
- Protection of residential amenities (light, privacy, outlook, noise or fumes)
- Highway safety and traffic issues, including parking provisions
- Heritage considerations; archaeology, listed buildings and conservation areas
- Environmental issues; impacts on biodiversity, trees and landscape, flooding
- Economic issues such as regeneration, job creation, tourism and viability
- Social issues; affordable housing, accessibility, inclusion, education, recreation

The above list is not exhaustive

The following are among the most common issues that are **not** relevant planning issues and cannot be taken into account in reaching a decision:-

- land ownership issues; private property rights, boundary disputes and covenants
- effects on property values
- loss of a private view
- identity of the applicant, their character, previous history, or possible motives
- moral objections to a development, such as may include gambling or drinking etc
- competition between commercial uses

- matters specifically controlled through other legislation

Strong opposition to large developments is a common feature of the planning process but whether or not a development is popular or unpopular will not matter in the absence of substantial evidence of harm (or support from the policies within the Development Plan). It is the quality of content, not the volume that should be considered.

The law also makes a clear distinction between the question of whether something is a material consideration, and the weight which it is to be given. Whether a particular consideration is material will depend on the circumstances of the case but provided it has given regard to all material considerations, it is for the Council to decide what weight is to be given to these matters. Subject to the test of “reasonableness”, the courts (or the Local Government Office) will not get involved in the question of weight. Weight may be tested at appeal.

## **Planning Obligations**

Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are:

1. necessary to make the development acceptable in planning terms
2. directly related to the development, and
3. fairly and reasonably related in scale and kind.

These legal tests are set out as statutory tests in the Community Infrastructure Levy Regulations and as policy tests in the National Planning Policy Framework.

## **Human Rights, Community Safety and Equality and Diversity Implications**

All applications are considered against the background and implications of the:

- Human Rights Act 1998
- Crime and Disorder Act 1998 (and in particular Section 17)
- Equality Act 2010
- Colchester Borough Council Equality Impact Assessment (EIA) Framework

In order that we provide a flexible service that recognises people's diverse needs and provides for them in a reasonable and proportional way without discrimination.

## Using Planning Conditions or Refusing Planning Applications

The Planning System is designed to manage development, facilitating (not obstructing) sustainable development of a satisfactory standard. The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (PPG) reinforce this, stating that “Planning should operate to encourage and not act as an impediment to sustainable growth”. Therefore, development should be considered with a positive approach. Where a condition could be used to avoid refusing permission this should be the approach taken.

The PPG sets out advice from the Government regarding the appropriate use of conditions, and when decision makers may make themselves vulnerable to costs being awarded against them at appeal due to “unreasonable” behaviour. Interpretation of court judgments over the years is also an important material consideration. Reasons why a Planning Authority may be found to have acted unreasonably at appeal include lack of co-operation with applicants, introducing fresh evidence at a later stage, introducing a new reason for refusal, withdrawal of any reason for refusal or providing information that is shown to be manifestly inaccurate or untrue.

In terms of the Planning Committee, Members are not bound to accept the recommendations of their officers. However, if officers’ professional or technical advice is not followed, authorities will need to show reasonable planning grounds for taking a contrary decision and produce relevant evidence on appeal to support the decision in all respects. If they fail to do so, costs may be awarded against the authority.

Whenever appropriate, the Council will be expected to show that they have considered the possibility of imposing relevant planning conditions to allow development to proceed. Therefore, before refusing any application the Planning Committee should consider whether it is possible to resolve any concerns by use of conditions before refusing permission. Failure to do so on a planning ground capable of being dealt with by conditions risks an award of costs where it is concluded on appeal that suitable conditions would enable the proposed development to go ahead.

Any planning condition imposed on a development must pass 6 legal tests to be:

- |  |                         |
|--|-------------------------|
| 1. Necessary                             | 2. Relevant to planning |
| 3. Relevant to the development permitted | 4. Reasonable           |
| 5. Precise                               | 6. Enforceable          |

Unless conditions fulfil these criteria they are challengeable at appeal as ultra vires (i.e. their imposition is beyond the powers of local authorities).

If no suitable condition exists that can satisfy these tests a refusal of planning permission may then be warranted. In considering the reasons for that refusal, the Council must rely only on reasons for refusal which stand up to scrutiny and do not add to development costs through avoidable delay or refusal without good reason. In all matters relating to an application it is critically important for decision makers to be aware that the courts will extend the common law principle of natural justice to any decision upon which they are called to adjudicate. The general effect of this is to seek to ensure that the Council acts fairly and reasonably in executing our decision making functions, and that it is evident to all that we have done so.



## **Colchester Borough Council Development Management**

### **Highway Safety Issues**

When considering planning applications, Colchester Borough Council consults Essex County Council Highways Authority on all highway safety issues. They are a statutory consultee, and a recognised expert body. This means that they must be consulted on planning applications, by law, where the proposed development will involve a new access to the highway network, create “material” changes in traffic movement, or where new roads are to be laid out. Where developments affect the trunk road network Highways England become a statutory consultee.

When the Highway Authority is consulted they are under a duty to provide advice on the proposal in question as the experts in highway matters. Their opinion carries significant weight upon which the Local Planning Authority usually relies. Whilst this Council could form an opinion different to the Highway Authority, it would need to provide counter-evidence to justify an argument that the expert body was incorrect. That evidence would need to withhold challenge in appeal or through the courts. Failure to do so would result in a costs award against the Council for acting unreasonably (see other notes pages within this Agenda). Similarly, if the Highway Authority were unable to support their own conclusions they may face costs being awarded against them as the statutory consultee.

Officers of Essex County Council Highway Authority conduct their own site visits to each site in order to take account of all highway safety matters. They also consult their own records and databases, traffic flow information and any other relevant material that may be available, including any submitted documents within planning applications.

### **Parking Standards**

Although the Highway Authority has some remit over parking in so far as it relates to highways safety issues, parking itself is a matter for the Local Planning Authority to determine against national policy and our own adopted standards. Like the other Essex Authorities, Colchester Borough Council has adopted the Essex Planning Officer’s Association Parking Standards. These standards set out that:

- A parking space should measure 2.9 metres by 5.5 metres. A smaller size of 2.5 metres by 5 metres is acceptable in special circumstances.

For residential schemes:

- The residential parking standard for two bedroom flats and houses is two spaces per unit.
- The residential parking standard for one bedroom units is one space per unit.
- A garage should have an internal space of 7 metres by 3 metres. Smaller garages do not count towards the parking allocation.
- One visitor space must be provided for every four units.

Residential parking standards can be relaxed in areas suitable for higher density development and where there is good walkable access to shops, service and public transport, such as town centres.



## **Colchester Borough Council Environmental Control**

### **Advisory Notes for the Control of Pollution during Construction and Demolition Works**

*The following information is intended as guidance for applicants/developers and construction firms. In order to minimise potential nuisance to nearby existing residents caused by construction and demolition works, Environmental Control recommends that the following guidelines are followed. Adherence to this advisory note will significantly reduce the likelihood of public complaint and potential enforcement action by Environmental Control.*

#### **Best Practice for Construction Sites**

Although the following notes are set out in the style of planning conditions, they are designed to represent the best practice techniques for the site. Therefore, failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974)

##### **Noise Control**

1. No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Monday to Saturday (finishing at 13:00 on Saturday) with no working of any kind permitted on Sundays or any Public/Bank Holiday days.
2. The selection and use of machinery to operate on site, and working practices to be adopted will, as a minimum requirement, be compliant with the standards laid out in British Standard 5228:1984.
3. Mobile plant to be resident on site during extended works shall be fitted with non-audible reversing alarms (subject to HSE agreement).
4. Prior to the commencement of any piling works which may be necessary, a full method statement shall be agreed in writing with the Planning Authority (in consultation with Environmental Control). This will contain a rationale for the piling method chosen and details of the techniques to be employed which minimise noise and vibration to nearby residents.

##### **Emission Control**

1. All waste arising from the ground clearance and construction processes to be recycled or removed from the site subject to agreement with the Local Planning Authority and other relevant agencies.
2. No fires to be lit on site at any time.
3. On large scale construction sites, a wheel-wash facility shall be provided for the duration of the works to ensure levels of soil on roadways near the site are minimised.
4. All bulk carrying vehicles accessing the site shall be suitably sheeted to prevent nuisance from dust in transit.

## **Best Practice for Demolition Sites**

Prior to the commencement of any demolition works, the applicant (or their contractors) shall submit a full method statement to, and receive written approval from, the Planning & Protection Department. In addition to the guidance on working hours, plant specification, and emission controls given above, the following additional notes should be considered when drafting this document: -

### **Noise Control**

If there is a requirement to work outside of the recommended hours the applicant or contractor must submit a request in writing for approval by Planning & Protection prior to the commencement of works.

The use of barriers to mitigate the impact of noisy operations will be used where possible. This may include the retention of part(s) of the original buildings during the demolition process to act in this capacity.

### **Emission Control**

All waste arising from the demolition process to be recycled or removed from the site subject to agreement with the Local Planning Authority and other relevant agencies.

# **The Town and Country Planning (Use Classes) Order 1987 (as amended)**

## **Class A1. Shops**

Use for all or any of the following purposes—

- (a) for the retail sale of goods other than hot food,
- (b) as a post office,
- (c) for the sale of tickets or as a travel agency,
- (d) for the sale of sandwiches or other cold food for consumption off the premises,
- (e) for hairdressing,
- (f) for the direction of funerals,
- (g) for the display of goods for sale,
- (h) for the hiring out of domestic or personal goods or articles,
- (i) for the washing or cleaning of clothes or fabrics on the premises,
- (j) for the reception of goods to be washed, cleaned or repaired,
- (k) as an internet café; where the primary purpose of the premises is to provide facilities for enabling members of the public to access the internet where the sale, display or service is to visiting members of the public.

## **Class A2. Financial and professional services**

Use for the provision of —

- (a) financial services, or
- (b) professional services (other than health or medical services), or
- (c) any other services (including use as a betting office)

which it is appropriate to provide in a shopping area, where the services are provided principally to visiting members of the public.

## **Class A3. Restaurants and cafes**

Use for the sale of food and drink for consumption on the premises.

## **Class A4. Drinking establishments**

Use as a public house, wine-bar or other drinking establishment

## **Class A5. Hot food takeaways**

Use for the sale of hot food for consumption off the premises.

## **Class B1. Business**

Use for all or any of the following purposes—

- (a) as an office other than a use within class A2 (financial and professional services),
- (b) for research and development of products or processes, or
- (c) for any industrial process,

being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

## **Class B2. General industrial**

Use for the carrying on of an industrial process other than one falling within class B1 above

## **Class B8. Storage or distribution**

Use for storage or as a distribution centre.

**Class C1. Hotels**

Use as a hotel or as a boarding or guest house where, in each case, no significant element of care is provided.

**Class C2. Residential institutions**

Use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses)).

Use as a hospital or nursing home.

Use as a residential school, college or training centre.

**Class C2A. Secure residential institutions**

Use for the provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short-term holding centre, secure hospital, secure local authority accommodation or use as military barracks.

**Class C3. Dwellinghouses**

Use as a dwellinghouse (whether or not as a sole or main residence) by—

(a) a single person or by people to be regarded as forming a single household;

(b) not more than six residents living together as a single household where care is provided for residents; or

(c) not more than six residents living together as a single household where no care is provided to residents (other than a use within Class C4).

**Class C4. Houses in multiple occupation**

Use of a dwellinghouse by not more than six residents as a “house in multiple occupation”.

**Class D1. Non-residential institutions**

Any use not including a residential use —

(a) for the provision of any medical or health services except the use of premises attached to the residence of the consultant or practitioner,

(b) as a crèche, day nursery or day centre,

(c) for the provision of education,

(d) for the display of works of art (otherwise than for sale or hire),

(e) as a museum,

(f) as a public library or public reading room,

(g) as a public hall or exhibition hall,

(h) for, or in connection with, public worship or religious instruction, (i) as a law court.

**Class D2. Assembly and leisure**

Use as —

(a) a cinema,

(b) a concert hall, (c) a bingo hall or casino,

(d) a dance hall,

(e) a swimming bath, skating rink, gymnasium or area for other indoor or outdoor sports or recreations, not involving motorised vehicles or firearms.

**Sui Generis Uses**

Examples of sui generis uses include (but are not exclusive to):

theatres, amusement arcades or centres, funfairs, launderettes sale of fuel for motor vehicles, sale or display for sale of motor vehicles, taxi businesses or a business for the hire of motor vehicles, a scrapyard or the breaking of motor vehicles, hostels, retail warehouse clubs (where goods are sold, or displayed for sale, only to persons who are members of that club), night-clubs, or casinos.

**Interpretation of Class C3**

*For the purposes of Class C3(a) “single household” shall be construed in accordance with section 258 of the Housing Act 2004.*

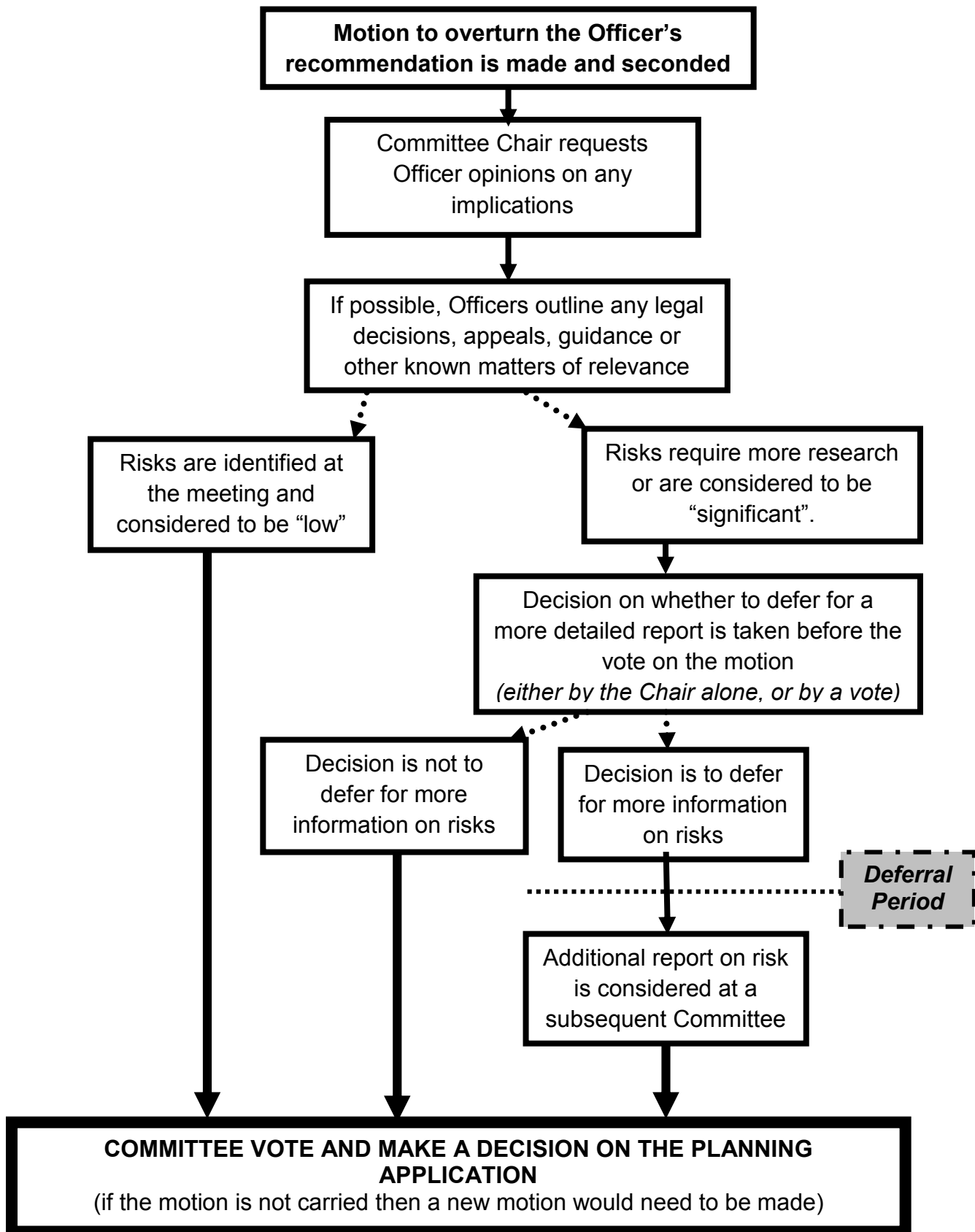
**Interpretation of Class C4**

*For the purposes of Class C4 a “house in multiple occupation” does not include a converted block of flats to which section 257 of the Housing Act 2004 applies but otherwise has the same meaning as in section 254 of the Housing Act 2004*

## Deferral and Recommendation Overturn Procedure (DROP) Flowchart

*If Councillors require more information, or minor amendments to be explored, then the item should be deferred.*

*If no more information or amendment is desired Councillors will proceed to propose a motion.*



**COLCHESTER BOROUGH COUNCIL**  
**Planning Committee**  
**Thursday, 13 April 2017 at 18:00**

**Member:**

Councillor Theresa Higgins  
Councillor Cyril Liddy  
Councillor Lyn Barton  
Councillor Helen Chuah  
Councillor Pauline Hazell  
Councillor Brian Jarvis  
Councillor Derek Loveland  
Councillor Jackie Maclean  
Councillor Philip Oxford  
Councillor Rosalind Scott

Chairman  
Deputy Chairman

**Substitutes:**

All members of the Council who are not members of this committee and who have undertaken the required planning skills workshop:-

Councillors Christopher Arnold, Roger Buston, Karen Chaplin, Nigel Chapman, Peter Chillingworth, Phil Coleman, Nick Cope, Robert Davidson, John Elliott, Annie Feltham, Adam Fox, Martin Goss, Dave Harris, Darius Laws, Mike Lilley, Sue Lissimore, Fiona Maclean, Patricia Moore, Gerard Oxford, Chris Pearson, Lee Scordis, Jessica Scott-Boutell, Lesley Scott-Boutell, Paul Smith, Martyn Warnes, Dennis Willetts, Julie Young and Tim Young.

**AGENDA - Part A**  
(open to the public including the press)

Members of the public may wish to note that Agenda items 1 to 6 are normally brief and agenda items may be considered in a different order if appropriate.

An Amendment Sheet is available on the Council's website by 4:30pm on the day before the meeting (see Planning and Building, Planning Committee, Planning Committee Latest News). Members of the public should check that there are no amendments which affect the application in which they are interested. Members of the public please note that any further information which they wish the Committee to consider must be received by 5pm two days before the meeting in order for it to be included on the Amendment Sheet. With the exception of a petition, no written or photographic material can be presented to the Committee during the meeting.

**1 Welcome and Announcements**

- a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.
- (b) At the Chairman's discretion, to announce information on:
  - action in the event of an emergency;
  - mobile phones switched to silent;
  - the audio-recording of meetings;

- location of toilets;
- introduction of members of the meeting.

## 2 **Have Your Say! (Planning)**

The Chairman to invite members of the public to indicate if they wish to speak or present a petition on any of the items included on the agenda. You should indicate your wish to speak at this point if your name has not been noted by Council staff.

These speaking provisions do not apply in relation to applications which have been subject to the Deferral and Recommendation Overturn Procedure (DROP).

## 3 **Substitutions**

Members may arrange for a substitute councillor to attend a meeting on their behalf, subject to prior notice being given. The attendance of substitute councillors must be recorded.

## 4 **Urgent Items**

To announce any items not on the agenda which the Chairman has agreed to consider because they are urgent, to give reasons for the urgency and to indicate where in the order of business the item will be considered.

## 5 **Declarations of Interest**

The Chairman to invite Councillors to declare individually any interests they may have in the items on the agenda. Councillors should consult Meetings General Procedure Rule 7 for full guidance on the registration and declaration of interests. However Councillors may wish to note the following:-

- Where a Councillor has a disclosable pecuniary interest, other pecuniary interest or a non-pecuniary interest in any business of the authority and he/she is present at a meeting of the authority at which the business is considered, the Councillor must disclose to that meeting the existence and nature of that interest, whether or not such interest is registered on his/her register of Interests or if he/she has made a pending notification.
- If a Councillor has a disclosable pecuniary interest in a matter being considered at a meeting, he/she must not participate in any discussion or vote on the matter at the meeting. The Councillor must withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.
- Where a Councillor has another pecuniary interest in a matter being considered at a meeting and where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Councillor's judgement of the public interest, the Councillor must disclose the existence and nature of the

interest and withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.

- Failure to comply with the arrangements regarding disclosable pecuniary interests without reasonable excuse is a criminal offence, with a penalty of up to £5,000 and disqualification from office for up to 5 years.

**6 Minutes of 30 March 2017** 17 - 20

To confirm as a correct record the minutes of the meeting held on 30 March 2017.

**7 Planning Applications**

In considering the planning applications listed below, the Committee may choose to take an en bloc decision to agree the recommendations made in respect of all applications for which no member of the Committee or member of the public wishes to address the Committee.

**7.1 170230 Pontoon opposite Yacht Club, Coast Road, West Mersea, Colchester** 21 - 26

Extend floating pontoon by 1.6m wide and 43m metres long.

**7.2 170466 George Street, Colchester** 27 - 32

Replacement of windows to flats in 9-13 (cons) George Street, 1-6 (cons) 9, 74, 75, 80-86 (cons) 89-100 (cons) Maidenburgh Street, 1-14 (cons) Roger Browning House, 1-8 (cons) Ryegate Road, 2, 3 and 4 Sanderson Mews, 15, 16, 17 West Stockwell Street and 20-23 (cons) Williams Walk.

**7.3 170488 Lancaster Toyota, Axial Way, Colchester** 33 - 40

Application for removal of condition 3 and variation of condition 2 following grant of planning permission 160262.

**7.4 170349 Southview, The Heath, Layer de la Haye, Colchester** 41 - 48

Proposed garden pavilion (Resubmission of 162722)

**7.5 170576 7 Broome Grove, Wivenhoe, Colchester** 49 - 54

Single storey front extension and replacement of stone cladding with render.

**8 Exclusion of the Public (not Scrutiny or Executive)**

In accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).

## **Part B**

(not open to the public including the press)

# Planning Committee

## Thursday, 30 March 2017

**Attendees:** Councillor Lyn Barton, Councillor Helen Chuah, Councillor Pauline Hazell, Councillor Theresa Higgins, Councillor Brian Jarvis, Councillor Cyril Liddy, Councillor Derek Loveland, Councillor Jackie Maclean, Councillor Philip Oxford, Councillor Rosalind Scott

**Substitutes:**

### **453 Site Visits**

Councillors Chuah, Hazell, Higgins, Jarvis, Liddy, Loveland J. Maclean and Scott attended the site visits.

### **454 Minutes of 16 March 2017**

The minutes of the meeting held on 16 March 2017 were confirmed as a correct record.

### **455 162399 Land south of Cambian Fairview, Boxted Road, Colchester**

The Committee considered an application for the erection of 32 dwellings with associated garages/car ports and parking spaces, estate roads, acoustic fence, detention basin, local area of play and landscaped amenity space (subsequently amended to 26 dwellings) at land south of Cambian Fairview, Boxted Road, Colchester. The application had been referred to the Committee because it was a major application, objections had been received and the recommendation was for approval subject to a legal agreement. The Committee had before it a report and amendment sheet in which all the information was set out. The Committee made a site visit in order to assess the impact of the proposals upon the locality and the suitability of the proposals for the site.

Sue Jackson, Principal Planning Officer, presented the report and, together with Simon Cairns, Major Development and Projects Manager, assisted the Committee in its deliberations. She explained that an additional representation had been received from a resident of Boxted Road seeking implementation of the parking scheme prior to the occupation of the dwellings. She was of the view that this would not be necessary as the marketing of the site was very likely to be from a show house which would have dedicated car parking.

Robert Johnstone, on behalf of Myland Community Council, addressed the Committee

pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. His main concern was in relation to Definitive Footpath 231 Myland and the need to reinstate its connection to Tower Lane and other nearby footpaths, as provided for in a condition attached to a previous application on the site. He was concerned that the condition proposed in relation to the current application provided for a permissive path which he considered was of inferior legal status than a definitive right of way. He also referred to the previous obstruction of the route by the construction of the A12 and his opinion that the connectivity provided by the original route needed to be reinstated by means of formal diversion and creation orders. He made reference to provisions contained in the National Planning Policy Framework which advocated measures to protect and enhance public rights of way.

Ted Gittins, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He explained that the application had been the subject of detailed negotiations due to the various constraints on the site including the impact of the A12 and the nearby North Growth Area Urban Extension (NGAUE). He explained that the intention was to provide a green link and a joint pedestrian / cycle link to the NGAUE from the public right of way on site which would be secured by condition and within the Section 106 Agreement. He confirmed that the proposed parking scheme did meet the council's adopted standards and he considered that the 26 dwellings, which had reflected the views of the council's Urban Designer, would provide an attractive mix of properties on the site.

Councillor Goss attended and, with the consent of the Chairman, addressed the Committee. He supported the views expressed by Mr Johnstone regarding the public right of way and the request for the implementation of the parking scheme prior to occupation of the site and also queried the adequacy of the applicant's confirmation that empty ducting would be installed for subsequent fibre broadband provision. He was also concerned about the ongoing maintenance of the public open space on the site and the likelihood that the cost would fall on the residents and questioned why no contributions were being made as part of the Section 106 Agreement towards improvements to roads and North Station.

The Principal Planning Officer explained that there was currently no adopted policy that required the installation of fibre broadband and, as such, the offer of ducting had been welcomed. Other than the provision of a cycle and footway link in perpetuity to be laid out and provide a link to the adjacent site when developed, the Highway Authority had not required any other infrastructure improvements as part of the Section 106 Agreement. A condition was also proposed requiring improvement works to the public right of way on the site. In response to questions from Committee members she also confirmed that the proposed parking provision was in accordance with adopted standards and that this included spaces for visitors.

Some members of the Committee acknowledged the concerns expressed regarding the

legal status of a permissive path and considered the securing of formal footpath creation and diversion orders may provide for a better long term outcome for the rights of way network in the area. Reference was also made to the quality of external materials to be used and concerns regarding the poorer weathering qualities of certain materials.

The Major Development and Projects Manager was of the view that the Section 106 Agreement would adequately provide for the footpath / cycleway link being sought and he explained the constraints on the applicant due the control of the adjacent site resting with a separate landowner. He suggested the Committee could consider requesting Essex County Council to consider including this improvement to the rights of way network in the area as part of its Strategic Aims for the future.

The Principle Planning Officer confirmed that, whilst it would not be reasonable for the Committee to impose a condition specifying a particular type of external material, it would be appropriate to add a note explaining Committee members concerns regarding a more noticeable deterioration of materials and the impact this may have in terms of future maintenance for residents.

RESOLVED (UNANIMOUSLY) that –

(i) The Head of Commercial Services be authorised to approve the planning application subject to the conditions set out in the report and the amendment sheet, together with an informative referring to the weathering quality of external materials, and subject to the signing of a legal agreement under Section 106 of the Town and Country Planning Act 1990 within six months from the date of the Committee meeting, in the event that the legal agreement is not signed within six months, authority be delegated to the Head of Commercial Services to refuse the application, or otherwise to be authorised to complete the agreement to provide for the following:

- Provision of a shared pedestrian cycleway of 3.5m width to link into the adjacent North Growth Area Urban Extension site and a pedestrian link to the adjacent land;
- Open Space Sport and Recreation – 10% on site provision and a contribution of £130,576
- Community Facilities – a contribution of £42,000;
- 20% Affordable Housing – unit mix to reflect the private mix;
- Education – a contribution of £94,942 requested for primary school places;
- Details of the Management Company to be submitted and agreed prior to commencement of development, the Management Company to be responsible for the access road and all other areas not to be adopted or forming private gardens.

(ii) The Head of Commercial Services be requested to contact the appropriate Essex County Council Officer with responsibility for Public Rights of Way in order to confirm the route of the definitive public right of way on the application site and asking that consideration be given to securing definitive status for the proposed permissive path.

**Councillor Barton (by reason of her attendance at the golf club on social occasions) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

**Councillor Chuah (by reason of her attendance at the golf club on social occasions) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

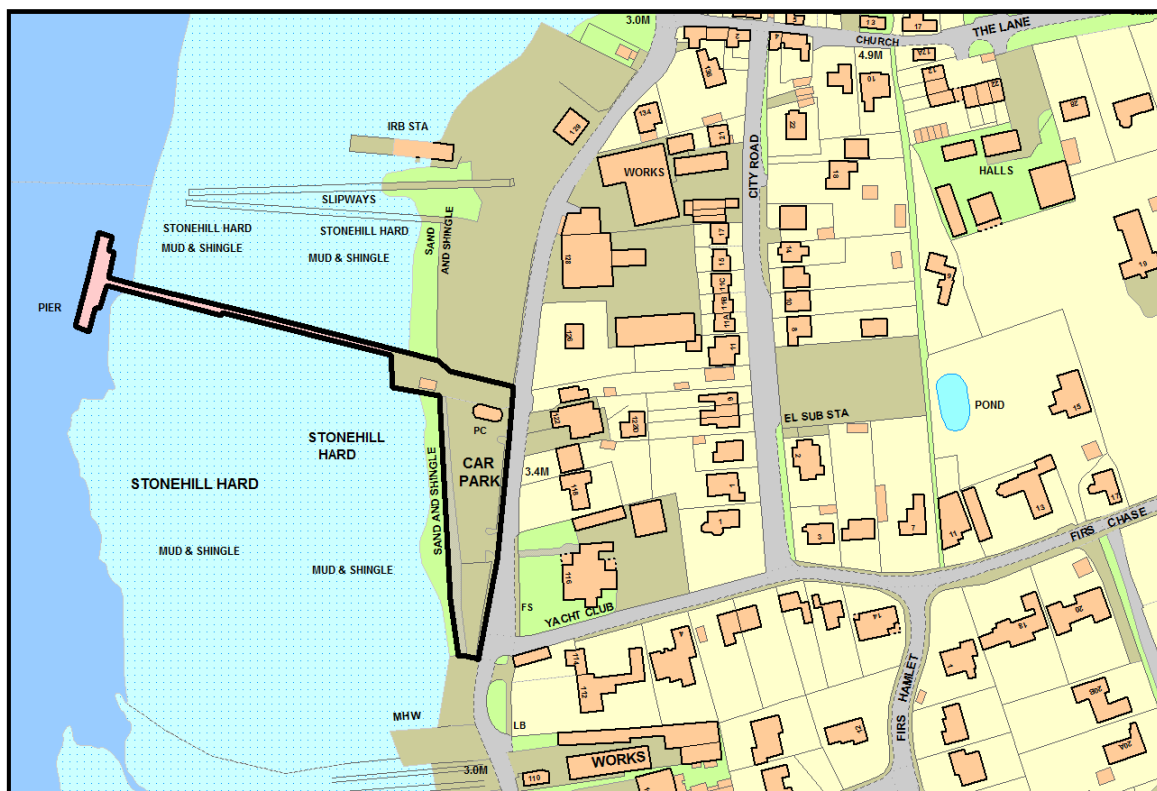
**Councillor Jarvis (by reason of his residence on Baker's Lane) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

**Councillor Scott (by reason of her membership of Lexden Wood Golf Club) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Committee considered an application for the addition of an adventure golf course and car parking within the existing golf course land at Playgolf Colchester Ltd, Lexden Wood Golf Club, Bakers Lane, Colchester. The application had been referred to the Committee because it was a major application and objections had been received. The Committee had before it a report in which all the information was set out. The Committee made a site visit in order to assess the impact of the proposals upon the locality and the suitability of the proposals for the site.

James Ryan, Principal Planning Officer, presented the report and assisted the Committee in its deliberations. In response to a question from a member of the Committee about the impact of construction traffic on the already poor condition of the road surface along Baker's Lane, he explained that this matter had not been raised as a concern by Essex County Council, as the responsible Highway Authority, and as such could not reasonably be considered by the Committee as part of their determination of the application.

**RESOLVED (UNANIMOUSLY) that the application be approved subject to the conditions set out in the report.**



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**Item No:** 7.1

**Application:** 170230

**Applicant:** Colchester Borough Council

**Agent:** Stephen Collis

**Proposal:** Extend floating pontoon by 1.6m wide and 43m metres long.

**Location:** Pontoon opposite West Mersea Yacht Club, Coast Road, West Mersea, Colchester, CO5 8PB

**Ward:** Mersea & Pyefleet

**Officer:** Bruce O'Brien

**Recommendation:** Approval

## **1.0 Reason for Referral to the Planning Committee**

- 1.1 This application is referred to the Planning Committee because the application is made by Colchester Borough Council.

## **2.0 Synopsis**

- 2.1 The key issues for consideration are health and safety, appearance within the Conservation Area, and ecology.
- 2.2 The application is subsequently recommended for APPROVAL.

## **3.0 Site Description and Context**

- 3.1 The site is an existing pontoon, stretching into the Blackwater Estuary, from a public site in West Mersea. The site is within the Conservation Area of West Mersea.

## **4.0 Description of the Proposal**

- 4.1 The application is for the widening of the pontoon, by 1.6m over a length of 42.5 m.

## **5.0 Land Use Allocation**

- 5.1 Unallocated Foreshore.
- 5.2 The stretch of water belongs to the Blackwater Estuary Special Protection Area, Ramsar (an international treaty for the conservation and sustainable use of wetlands) which is by extension an SSSI, Essex Estuaries Special Area of Conservation and the Estuaries Marine Conservation Zone.

## **6.0 Relevant Planning History**

- 6.1 The installation of the existing pontoon was approved by the Planning Committee in 2007.

## **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  
SD2 - Delivering Facilities and Infrastructure  
UR2 - Built Design and Character

- 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  
DP10 Tourism, Leisure and Culture  
DP23 Coastal Areas.

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

Sustainable Construction

## **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 Because of its sensitive coastal location, Natural England has shown an interest in the scheme. It does not oppose the widening of the pontoon, but would require that the operatives who will install the pontoon submit a construction method statement. The details of construction methods could be amended to mitigate any potential, detrimental ecological issues.

## **9.0 Parish Council Response**

- 9.1 The Parish Council has stated that it approves of the proposal.

## **10.0 Representations from Notified Parties**

- 10.1 One local resident submitted comments. This was not an objection to the scheme but raised concerns over the construction design against the forces of nature.
- 10.2 The comments also made reference to larger boats being used at the pontoon and suggested poles be placed to stop larger dinghies being pulled along the jetty.

*OFFICER RESPONSE: Reassurance has been given regarding the proposed construction; however, this is a matter for other agencies. The jetty is proposed to be widened so that the use of larger boats and dinghies (which already occurs) can take place without endangering the public.*

## **11.0 Parking Provision**

11.1 No change. The pontoon is served by a public car park accessed from Coast Road.

## **12.0 Open Space Provisions**

12.1 N/A

## **13.0 Air Quality**

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

## **14.0 Planning Obligations**

14.1 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.

## **15.0 Report**

### The Principle of Development

15.1 The principle of the pontoon being erected was established in 2007. The proposal is for an extension to that pontoon, adding width over a defined length. The proposal comes as a result of discussions between Colchester Borough Council, West Mersea, fishermen, coast guard and other interested parties at the Waterside Committee. At this committee it was agreed that, for health and safety reasons, the pontoon should be widened so that more room becomes available for access to the hammerhead at the end of the pontoon, as crabbers would be able to use the extra pontoon width.

### Design and Layout

15.2 The design would increase the width of the pontoon by 1.6 metres over a length of 42.5 metres, increasing the footprint by 68 square metres. This would extend all the way up to the hammerhead which is itself approximately 35 metres across.

15.3 The pontoon would be constructed from aluminium and covered by the same sandy-coloured, plastic tiling as exists.

## Impact on the Surrounding Area

- 15.4 As the pontoon reaches out into an estuary, it is considered that there would be little harm to the character of the surrounding Conservation Area as a result of this proposal.

## **16.0 Conclusion**

- 16.1 To summarise, the proposal is recommended for approval. As a result of local discussions, The Council wish to widen the existing pontoon in order to address health and safety concerns.

## **17.0 Recommendation to the Committee**

- 17.1 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 Drawings**

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawings entitled: Map- Proposed Extension to Floating Pontoon, West Mersea Pontoon Extension- Plan View Proposed, Side Elevations HWS and LWS.

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

### **3. 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 washing facilities;
- measures to control the emission of dust and dirt during construction;
- A scheme for recycling/disposing of waste resulting from demolition and construction works.

- Timing of the activities. Construction shall be limited to the months outside of the over winter birds season (October 1st - March 31st). To minimise the risk of disturbance to SPA birds.
- Details of any foreshore access requirements and methods.
- Details of any piling methods if required, including details of noise and vibration levels.
- How the proposal affects the movement of sediment, if applicable. The applicant should seek to minimise the disturbance to mudflats and the mobilisation of sediments and risk of flow tides, to reduce the impacts to the SAC during construction.

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

## 18.0 Informatives

18.1 The following informatives are also recommended:

### 1 - 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.

### 2 - ZTA - Informative on Conditions Stating Prior to Commencement/Occupation

PLEASE NOTE that this permission contains a condition precedent that requires details to be agreed 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](http://www.colchester.gov.uk/planning) or by using the application form entitled 'Application for approval of details reserved by a condition following full permission or listed building consent' (currently form 12 on the planning application forms section of our website). A fee is also payable, with the relevant fees set out on our website.

### 3 - 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.



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**Item No: 7.2**

**Application:** 170466

**Applicant:** Mr Andy Shelmerdine, Colchester Borough Homes

**Agent:** Ms L Bane Inkpen Downie Architecture And Design Ltd

**Proposal:** Replacement of windows to flats in 9-13 (cons) George Street, 1-6 (cons) 9, 74, 75, 80-86 (cons) 89-100 (cons) Maidenburgh Street, 1-14 (cons) Roger Browning House, 1-8 (cons) Ryegate Road, 2, 3 and 4 Sanderson Mews, 15, 16, 17 West Stockwell Street and 20-23 (cons) Williams Walk.

**Location:** George Street, Colchester

**Ward:** Castle

**Officer:** Daniel Cameron

**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 Borough Homes.

## **2.0 Synopsis**

- 2.1 The key issues for consideration are the impacts of the replacement windows and doors upon the affected properties and upon the character and appearance of Colchester Conservation Area 1.
- 2.2 The application is subsequently recommended for approval subject to the conditions outlined within the report.

## **3.0 Site Description and Context**

- 3.1 This application affects several buildings located within the Dutch Quarter including George Street, Maidenburgh Street, Roger Browning House, Ryegate Road, Sanderson Mews, West Stockwell Street and Williams Walk. All are of modern construction and form part of a number of infill developments built in the vernacular style to mimic the historic character of the Dutch Quarter.

## **4.0 Description of the Proposal**

- 4.1 As with similar proposals from Colchester Borough Homes within the immediate area, this application proposes the replacement of windows and street facing doors to the affected properties.
- 4.2 Existing window details are fairly common to all properties where at present they are provided with single glazed timber framed and metal sash windows, although single and double glazed timber framed casement windows are present on some properties on Sanderson Mews and West Stockwell Street.
- 4.3 Doors to the affected properties are typically single glazed timber doors, although the level of glazing does vary between them. A number have been previously replaced with PVC doors. The existing doors are showing various signs of age and associated wear.
- 4.4 The replacement windows are to be double glazed and Aluminium framed set within the existing opening to match the window it is replacing. The replacement doors are all to be solid timber doors with a small glazed vision panel section. Colours are to be determined by the residents of the properties from a range of approved heritage colours.

## **5.0 Land Use Allocation**

- 5.1 The existing land use allocation for the area within the current local plan is predominantly residential.

## **6.0 Relevant Planning History**

- 6.1 Permission was granted under applications 161912 and 162969 to allow for the windows and doors serving certain Colchester Borough Homes properties within the Dutch Quarter to be replaced. This formed phase 1 of a scheme of wider works to properties in this area. This application forms phase 2.

## **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:

UR2 - Built Design and Character  
ENV1 - Environment

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

DP1 Design and Amenity  
DP14 Historic Environment Assets

## **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 *Historic Buildings and Areas Officer* – The proposed windows offer a more slender profile than the existing which are chunky and are showing signs of wear. The buildings to be affected are all of modern construction, albeit with a vernacular bent and the proposed windows would be in keeping with the general aesthetic of these buildings and the wider Dutch Quarter. Trickle vents are expressed on the existing windows of the properties and are fairly noticeable. The proposed windows do continue to show trickle vents but it is judged that their impact, if any, would be minimal when considered with the visual improvement that the unified window details would offer.

## **9.0 Parish Council Response**

- 9.1 The application lies within an unparished ward.

## **10.0 Representations from Notified Parties**

10.1 The application resulted in a number of notifications to interested third parties including neighbouring properties. No representations were received.

### **11.0 Parking Provision**

11.1 N/A.

### **12.0 Open Space Provisions**

12.1 N/A.

### **13.0 Air Quality**

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

### **14.0 Planning Obligations**

14.1 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.

### **15.0 Report**

15.1 As with previous applications from Colchester Borough Homes for replacement windows and doors within the Dutch Quarter, the replacements are proposed to be on a broadly like-for-like basis with the existing. There are a number of issues with the existing windows due mainly to their age, state of wear, and their difficult and costly maintenance. These issues have led to problems with the build-up of condensation within the affected properties which in some cases is leading to mould and damp problems. The doors to be replaced as part of the application are also showing some signs of wear. Given that the majority of properties are inhabited by social housing tenants, there is a clear benefit to the replacement of the windows to both the residents and to the landlord.

15.2 The inclusion of double glazing to the replacement windows will necessitate a deeper section profile to accommodate them. It is considered that this would be a marginal increase over the section profiles of the existing windows and would not be unduly noticeable throughout the Dutch Quarter. The profile of the windows in section, which at present is quite large, would be reduced to a more slender profile. The replacement doors are of a suitably traditional appearance and are to be constructed from solid timber. All replacement doors are to be painted an appropriate colour.

15.3 In terms of the impact of the works upon the character of the conservation area it is considered that on balance, this would be minimal. The visual appearance of the windows would be an improvement over the existing, with the broadly like-for-like design replicating the consistency created by the originals. The trickle vent details are minor and would not constitute material harm to the character of the conservation area. In any case, as they are present on the existing windows, current Building Regulations would require them on any replacements. The replacement doors would sit well within the area and are of sufficient quality to compliment the wider area again through the use of a consistent detail.

## **16.0 Conclusion**

16.1 To summarise, there are clear benefits of the scheme for both the residents of the properties and for the fabric of the properties themselves. The design of the replacement windows mirrors that of the originals while the benefit of additional ventilation should remove any issues of mould or damp for the residents. Equally, the new doors should address any security concerns. With regards to the character of the conservation area, any impact from this application is minimal and there are no conflicts between the proposed works and existing national or local planning policies.

## **17.0 Recommendation to the Committee**

17.1 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 - 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 A-1516-PL-01, A-1516-PL-06, A-1516-PL-07, A-1516-PL-08, A-1516-PL-09 and A-1516-PL-10.

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 Non-standard**

The external 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 wider conservation area.

#### **4 - Z00 – Non Standard Condition – Colour of Doors**

The replacement doors hereby approved shall each be finished in one of the colours shown on drawing number A-1516-PL-07 and retained as such hereafter.

Reason: To ensure the colour of the doors are appropriately reflect the traditional character of the conservation area.

#### **5 - Z00 – Non Standard Condition – Colour of Window Frames**

Prior to the installation of the windows hereby approved, the outer frames of the windows shall be repainted in a colour, to be submitted to and agreed in writing with the Local Planning Authority. Once agreed, the outer window frames shall be painted according to the submitted details and thereafter maintained in accordance with the agreed details.

Reason: To preserve the historic character of the conservation area.

### **18.0 Informatives**

18.1 The following informatives are also recommended:

#### **1 - ZT0 – Advisory Note on Construction & Demolition**

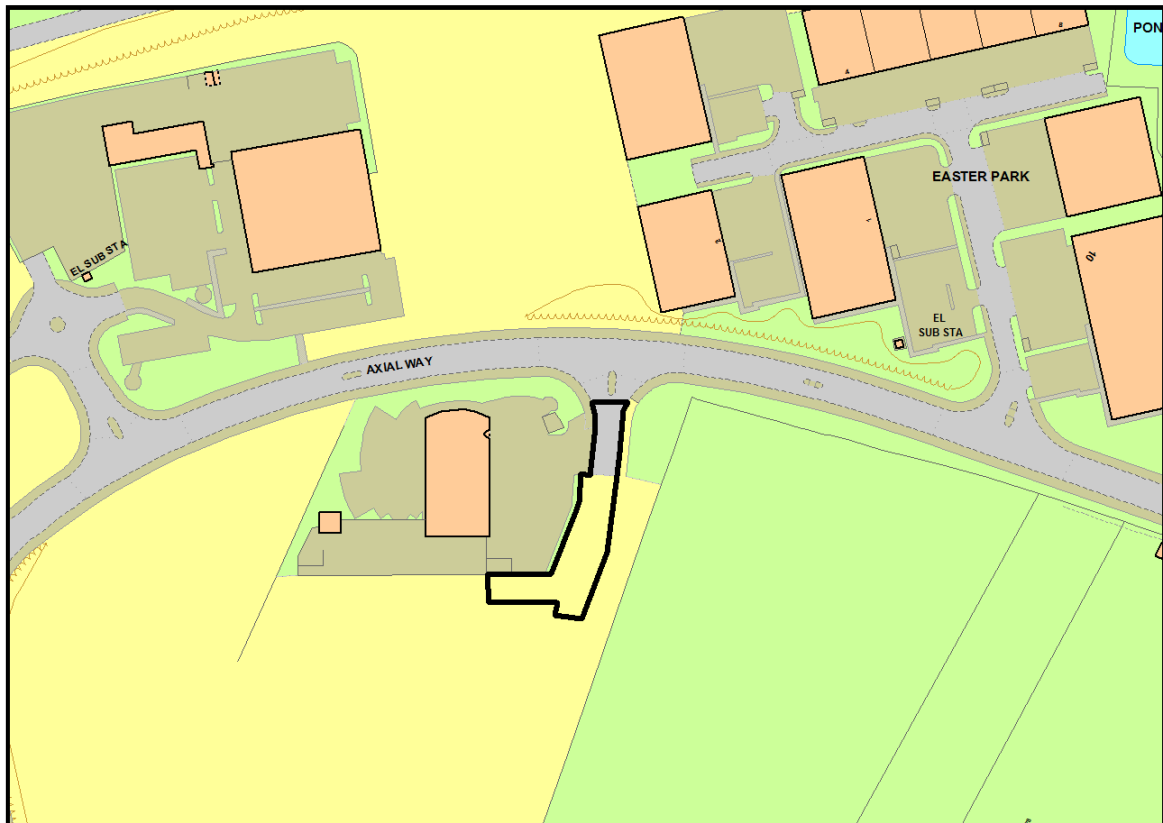
The developer is referred to the attached advisory note *Advisory Notes for the Control of Pollution during Construction & Demolition Works* for the avoidance of pollution during the demolition and construction works. Should the applicant require any further guidance they should contact Environmental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

#### **2 Informative on Conditions Stating Prior to Commencement/Occupation**

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

#### **3 - ZTB - Informative on Any Application With a Site Notice**

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<b>Item No:</b>	7.3
<b>Application:</b>	170488
<b>Applicant:</b>	Elizabeth Flood, Colchester Borough Council
<b>Proposal:</b>	Application for removal of condition 3 and variation of condition 2 following grant of planning permission 160262.
<b>Location:</b>	Lancaster Toyota, Axial Way, Colchester, CO4 5XD
<b>Ward:</b>	Mile End
<b>Officer:</b>	James Ryan
<b>Recommendation:</b>	Approval

## **1.0 Reason for Referral to the Planning Committee**

- 1.1 This application is referred to the Planning Committee because the applicant is Colchester Borough Council.

## **2.0 Synopsis**

- 2.1 The key issues for consideration are the impact of the proposed change in visual terms. It is held that the changes are acceptable.
- 2.2 The application is subsequently recommended for approval.

## **3.0 Site Description and Context**

- 3.1 The site is a small piece of long grass behind the recently constructed Lancaster Toyota on Axial Way.

## **4.0 Description of the Proposal**

- 4.1 The proposal looks to change the boundary treatment that surrounds the previously approved pumping station. A wall was proposed and now a metal fence with a planting belt in front is proposed instead.

## **5.0 Land Use Allocation**

- 5.1 The land is allocated for B1 uses on the Northern Grown Area masterplan. On the local plan maps the site is on land that is allocated as an employment zone, a strategic employment zone, a growth area and is within the defined settlement limits.

## **6.0 Relevant Planning History**

- 6.1 Application 160262 was approved by Members in May last year. This was for a foul drainage pumping station. This included the pumping equipment, a radio antenna, a floodlight for emergency maintenance purposes, a 1.8 metre compound wall, palisade gates to the compound and the access track to the compound from the existing bell-mouth east of the Toyota garage.

## **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 also be taken into account in planning decisions and sets out the Government's planning policies are to be applied. The NPPF makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental.

- 7.2 Continuing the themes of the NPPF, the adopted Colchester Borough Core Strategy (adopted 2008, amended 2014) adds detail through local strategic policies. Particular to this application, the following policies are most relevant:

SD1 - Sustainable Development Locations  
UR1 - Regeneration Areas  
UR2 - Built Design and Character  
ER1 - Energy, Resources, Waste, Water and Recycling

- 7.3 In addition, the following are relevant adopted Colchester Borough Development Policies (adopted 2010, amended 2014):

DP1 Design and Amenity  
DP20 Flood Risk and Management of Surface Water Drainage

- 7.4 Further to the above, the adopted Site Allocations (adopted 2010) policies set out below should also be taken into account in the decision making process:

SA NGA1 Appropriate Uses within the North Growth Area  
SA NGA2 Greenfield Sites in the North Growth Area  
SA NGA3 Employment Uses in the North Growth Area  
SA NGA4 Transport measures in North Growth Area  
SA NGA5 Transport Infrastructure related to the NGAUE

- 7.5 Regard should also be given to the following adopted Supplementary Planning Guidance/Documents:

- Northern Growth Area Masterplan.

- 7.6 The Neighbourhood Plan for Myland & Braiswick is also relevant. This forms part of the Development Plan in this area of the Borough.

## **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 Environmental Protection: No objections.

- 8.3 Landscape Officer: Three amendments requested. The following condition is recommended once the above minor amendments have been agreed. These were:

1. The proposed hedgerow needs to be clearly identified on drawing 45783\_C\_2001.
2. The proposed flood lighting needs to be plotted on drawing 45783\_C\_2001 and confirmed as complying with [Colchester Borough Council's External Artificial Lighting Guidance 2012'](#)
3. The proposed hard landscape surfacing needs to be identified by area and proposed material (e.g. concrete pad) on drawing 45783\_C\_2001.

Standard condition was requested:

ZFA – Implementation of acceptable landscape scheme as shown.

*Officer Note: The amendments to the plans requested have been received apart from details of the flood lighting in item 2 above. The flood lighting formed part of the previous approval and is not proposed to be changed. As the flood lighting will have to comply with Anglian Water's adoption criteria it is acceptable to leave the precise specifics to them. The use of the flood lights for emergency purposes only was conditioned on the previous application and this condition will be carried over.*

8.4 ECC PRoW (Jason Bothello): As this is no longer the line of Myland Footpath 69 which was diverted last year to the east of this location onto the field edge, no PROW is impacted by your proposal so I have no issue with this.

8.5 Anglian Water: No comments.

## **9.0 Parish Council Response**

9.1 The Parish Council will comment on the 06/04/17 and the response will be reported on the update sheet.

## **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 No comments received.

## **11.0 Parking Provision**

11.1 This scheme has no parking implications.

## **12.0 Open Space Provisions**

12.1 This scheme raises no open space implications.

## **13.0 Air Quality**

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

## **14.0 Planning Obligations**

14.1 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.

## 15.0 Report

- 15.1 The main issues in this case are the design and visual impact of the proposed changes.
- 15.2 It is held that substituting a 1.8 metre high wall with a 1.8 metre green metal fence (of a similar design to the fence Lancaster Toyota has directly next door) is acceptable in visual amenity terms. The planting proposed will further soften the impact of the scheme. The changes are therefore held to be acceptable in design terms.
- 15.3 It is noted that since the previous approval last May, the PRoW has been diverted and now this scheme has no material impact on it or on the definitive line. The scheme is also less visually sensitive now as the PRoW no longer passes right alongside the site.
- 15.4 The site is regularly mown to prevent colonisation by protected species. It is therefore held that this scheme will not be demonstrably harmful to the interests of ecology. The new planting belt will actually create habitat and therefore this scheme is held to be an improvement in ecological terms over the previous approval.

## 16.0 Conclusion

- 16.1 To summarise the proposed changes are acceptable.

## 17.0 Recommendation to the Committee

- 17.1 The Officer recommendation to the Committee is for: APPROVAL of planning permission subject to the following conditions:

### **1 - ZAW - \*Removal/Variation of Condition(s) Approval\***

With the exception of condition(s) 2 and 3 of Planning Permission 160262 which are hereby varied, the requirements of all other conditions imposed upon planning permission 160262 remain in force and shall continue to apply to this permission, including the details and provisions of any approved matters discharging any condition(s) of that permission.

Reason: To avoid any doubt that this application only applies for the variation of the stated condition(s) of the previous planning permission as referenced and does not seek the review of other conditions, in the interests of proper planning and so that the applicant is clear on the requirements they need to comply with.

### **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 45783/C/2000, 45783/C/2001 Rev. A (amended 27/03/17) and 45783/C/2005.

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

### **3 - ZFA - Implementation of Acceptable Landscaping Scheme As Shown**

The landscaping details as shown on the approved drawings shall be carried out in full prior to the end of the first planting 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, 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 development where there is insufficient detail within the submitted application.

### **4 - Z00 - Bespoke control of lighting.**

The floodlight shown on plan 45783/C/2005 shall only be illuminated during periods of emergency maintenance and at no other time.

Reason: To ensure the light is not illuminated for prolonged periods to the detriment of the area and ecology.

## **18.0 Informatives**

18.1 The following informatives are also recommended:

### **1 - 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.

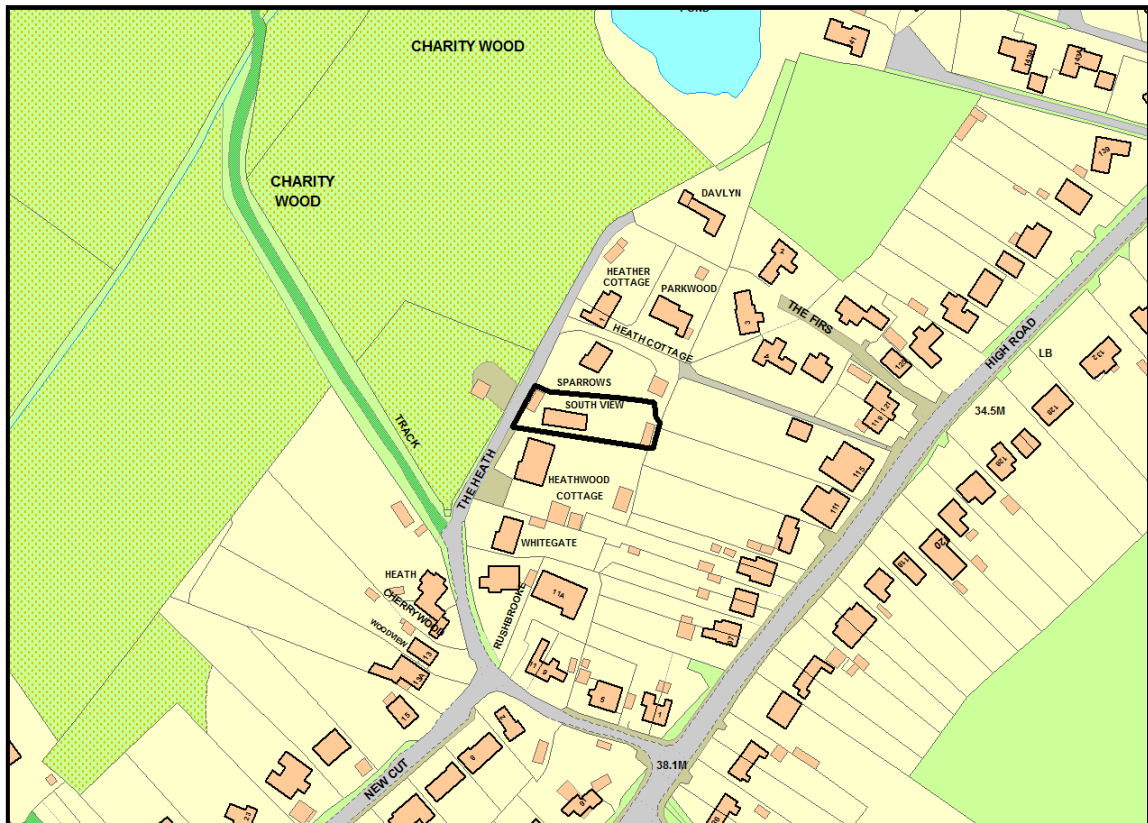
### **2 - ZTA - Informative on Conditions Stating Prior to Commencement/Occupation**

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](http://www.colchester.gov.uk/planning) or by using the application form entitled 'Application for approval of details reserved by a condition following full permission or listed building consent' (currently form 12 on the planning application forms section of our website). A fee is also payable, with the relevant fees set out on our website.

### **3 - 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.





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**Item No:** 7.4

**Application:** 170349

**Applicant:** Mr & Mrs Holmes

**Agent:** Mr Peter Tyler

**Proposal:** Proposed garden pavilion. (Resubmission of application 162722).

**Location:** Southview, The Heath, Layer De La Haye, Colchester, CO2 0EE

**Ward:** Marks Tey & Layer

**Officer:** Chris Harden

**Recommendation:** Approval

## **1.0 Reason for Referral to the Planning Committee**

- 1.1 This application is referred to the Planning Committee because the agent undertakes consultancy work for the Borough Council.

## **2.0 Synopsis**

- 2.1 Planning permission for exactly the same building in the same location with the same internal use was granted in January 2017 following approval at that Planning Committee. The differences between the previous approval and the current proposal relate to the use/finishes of external roof and wall materials. The differences in the appearance of the building therefore need to be assessed. The key issues relating to the design, scale and form of the garden pavilion and whether there is any detrimental impact upon the character of the street scene or neighbouring residential amenity were previously deemed acceptable.
- 2.2 The impact upon vegetation, including upon a nearby Spruce tree and Ash and Birch tree was also previously considered acceptable. In this case, the revised use of materials is considered acceptable and would not be detrimental to the visual amenity of the area or to the street scene. The design, scale and form of the garden pavilion, which replaces an existing garden building, remain acceptable and would not detract from the character of the area and street scene.
- 2.3 As before, there would be no significant impact upon neighbouring amenity owing to the relatively small scale of the building and distance from neighbouring dwellings. As the building would be in the same location as previously agreed, once again it is not considered there would be any significant impact upon important trees and vegetation subject to tree protection conditions and protective fencing.

## **3.0 Site Description and Context**

- 3.1 The site lies within the physical limits of Layer De La Haye and is within an Area of High Archaeological Potential. The property consists of a detached dwelling with existing garden building close to the rear boundary of the garden.
- 3.2 There are neighbouring properties either side and to the rear. There is a Spruce tree of modest size quite close to where the garden room is proposed and some vegetation beyond the boundary, including modestly-sized Ash and Birch trees.

## **4.0 Description of the Proposal**

- 4.1 The proposal is for the erection of a single-storey garden pavilion finished in Chestnut Brown coloured hardie plank and Redland Cambrian slate (as opposed to the previously approved light hardie plank and red concrete tiles). It would measure 3.7 metres in height, 8.5 metres in length and 5.7 metres in width. These dimensions include a veranda area and a garden/gym, home office, garden store and toilet. The existing single storey garden building and a shed would be removed. An Arboricultural Impact Assessment has been submitted.

## **5.0 Land Use Allocation**

- 5.1 Predominantly residential.

## **6.0 Relevant Planning History**

- 6.1 162722 Garden Pavilion: Approved conditional 6/1/17
- 6.2 F/COL/03/0600 Retention of single storey conservatory: Approve Conditional - 12/05/2003

## **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 also be taken into account in planning decisions and sets out the Government's planning policies are to be applied. The NPPF makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental.
- 7.2 Continuing the themes of the NPPF, the adopted Colchester Borough Core Strategy (adopted 2008, amended 2014) adds detail through local strategic policies. Particular to this application, the following policies are most relevant:

SD1 - Sustainable Development Locations

UR2 - Built Design and Character

- 7.3 In addition, the following are relevant adopted Colchester Borough Development Policies (adopted 2010, amended 2014):

DP1 Design and Amenity  
DP13 Dwelling Alterations, Extensions and Replacement Dwellings  
DP14 Historic Environment Assets  
DP16 Private Amenity Space and Open Space Provision for New Residential Development  
DP19 Parking Standards

- 7.4 Further to the above, the adopted Site Allocations (adopted 2010) policies set out below should also be taken into account in the decision making process:

N/A

- 7.5 Regard should also be given to the following adopted Supplementary Planning Guidance/Documents:

Vehicle Parking Standards  
The Essex Design Guide  
External Materials in New Developments

## **8.0 Consultations**

- 8.1 The Council's Archaeologist states: "No material harm will be caused to the significance of below-ground archaeological remains by the proposed development. There will be no requirement for any archaeological investigation."

## **9.0 Parish Council Response**

- 9.1 The Parish Council "has no objections."

## **10.0 Representations**

- 10.1 None.

## **11.0 Parking Provision**

- 11.1 Existing parking spaces are unaffected.

## **12.0 Open Space Provisions**

- 12.1 N/A

## **13.0 Air Quality**

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

## **14.0 Development Team and Planning Obligations**

- 14.1 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 (S106) of the Town and Country Planning Act 1990.

## **15.0 Report**

### Revised Materials, Design and Visual Impact

- 15.1 In this case the revised use of materials is considered acceptable and would not be detrimental to the visual amenity of the area or to the street scene. Visually, the slates would probably appear better than the previously approved concrete tiles and the darker boarding would blend with the darker backdrop of trees. The design, scale and form of the garden pavilion, which replaces an existing garden building, remains acceptable and would not detract from the character of the area and street scene. As the pavilion would be to the rear of the property it would not be visually obtrusive.

### Impact upon neighbouring residential amenity

- 15.2 As before, it is concluded that the garden pavilion would not be detrimental to neighbouring residential amenity. It is far enough from neighbouring dwellings to avoid causing an overbearing impact and also would not block out light to any significant degree. It is also not considered there would be any overlooking from the pavilion, including from the veranda, as the neighbouring fences are quite high and there is also some screening from vegetation. The impact of the building in this respect would not change compared with the previous approval.

### Impact upon trees and vegetation

- 15.3 The proposed building would be in the same position as previously approved. Accordingly, it is considered that the impact upon nearby trees and vegetation remains acceptable. As background, the submitted arboricultural report, which was also previously submitted, states that all trees nearby are Category C trees – i.e. desirable to retain in the short term but acceptable to be removed once new planting is established. They are not of the quality that would warrant a Tree Preservation Order and have limited public amenity value. All trees are proposed to be retained and conditions can be applied in relation to foundations and protective fencing in order to minimise any impact. The arboricultural report also states that the surrounding soil has already previously been disturbed during the construction of the base for the existing summer house and from the further paving that was added. Overall, as before, subject to conditions, it is not considered there would be any significant impact upon important trees and vegetation.

### Other Matters

- 15.4 Adequate private amenity space and parking and manoeuvring areas would be retained. It is not considered that an archaeological condition is required. There would be no impact upon wildlife. The building is considered to be a genuine garden pavilion and a condition can be applied to ensure it is used as a building ancillary to the existing dwelling.

## **16.0 Conclusion**

- 16.1 In conclusion, the revised use of materials is considered acceptable and would not be detrimental to the visual amenity of the area or to the street scene. The design, scale and form of the garden pavilion, which replaces an existing garden building, remains acceptable and would not detract from the character of the area and street scene.
- 16.2 As before, there would be no significant impact upon neighbouring amenity owing to the relatively small scale of the building and distance from neighbouring dwellings. As the building would be in the same location as previously agreed, once again it is not considered there would be any significant impact upon important trees and vegetation subject to tree protection conditions including foundations and protective fencing. A condition about use of the building being ancillary to the existing dwelling can be applied.

## **17.0 Recommendation**

- 17.1 APPROVE subject to the following conditions

## **18.0 Conditions**

### **1 – ZAA Time Limit for Permission**

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 of accord with approved plans**

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers: 868-1, 868-2B and 868-3 received 9/2/17.

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

### **3 – Non Standard Condition - Materials**

The external facing and roofing materials to be used shall be those specified on the submitted application form and drawings.

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

#### **4 – Non Standard Condition – Trees and Hedgerows**

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 protection and method statements outlined in the submitted Arboricultural Impact Assessment, including protective fencing (which shall be installed prior to commencement of development) and the foundation detail and shall be complied with during the lifetime of the development works. 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 the continuity of amenity afforded by existing trees and hedgerows.

#### **5 – Non Standard Condition – Purposes ancillary to residential use**

The development hereby permitted shall not be occupied or used at any time other than for purposes ancillary to the residential use of the dwelling known as Southview, The Heath, Layer De La Haye.

Reason: For the avoidance of doubt as to the scope of the permission as this is the basis on which the application has been considered and any other use would need to be given further consideration at such a time as it were to be proposed.

### **19.0 Informatives**

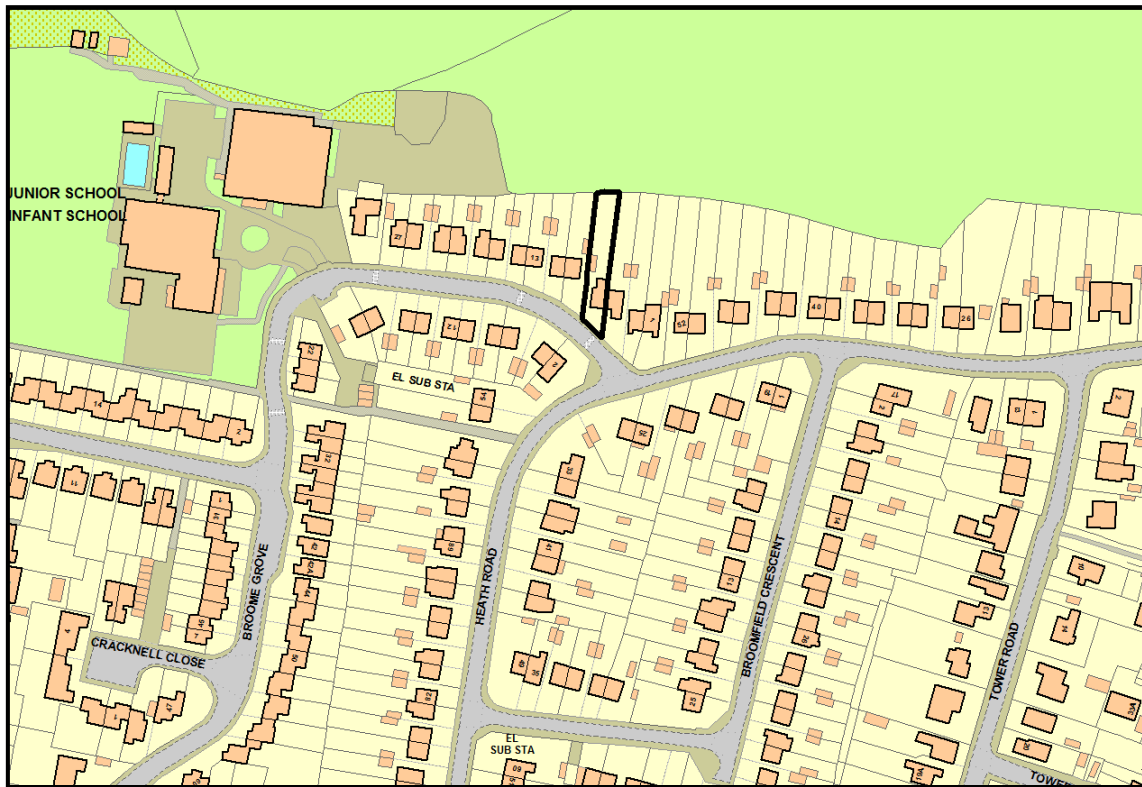
#### **ZT0 – Advisory Note on Construction & Demolition**

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.

#### **Non Standard Informative**

All works affecting the highway should be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be made by initially telephoning 08456 037631.





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**Item No:** 7.5

**Application:** 170576

**Applicant:** Mr & Mrs Tadman

**Agent:** Mr Peter Tyler

**Proposal:** Single storey front extension and replace stone cladding with render.

**Location:** 7 Broome Grove, Wivenhoe, Colchester, CO7 9QB

**Ward:** Wivenhoe

**Officer:** Nadine Calder

**Recommendation:** Approval

## **1.0 Reason for Referral to the Planning Committee**

- 1.1 This application is referred to the Planning Committee because the agent works for the Council on a consultancy basis.

## **2.0 Synopsis**

- 2.1 The key issues explored below are the design of the proposal and its impact on the amenity of the neighbours. Both are considered to be acceptable and therefore an approval is warranted.

## **3.0 Site Description and Context**

- 3.1 The application site comprises of a semi-detached property located on the northern side of Broome Grove close to its junction with Heath Road and within a predominantly residential area. To the rear, the property benefits from an existing single storey extension and there is ample amenity space to both the front and rear of the property. The directly adjoining neighbour (No. 5) lies to the east of the application property. The building line to the west changes considerably, with the neighbouring property's (No. 9) front wall being located behind the application property's original rear wall.

## **4.0 Description of the Proposal**

- 4.1 The application seeks permission for a single storey front extension (porch) measuring 2.6m in width and 2.147m in depth. Provision would be made for a downstairs cloakroom and an entrance lobby. The extension is proposed to be built using red Redland 49 tiles, white upvc joinery and face bricks to match the existing bricks on the property. It is also proposed to replace the existing stone cladding at first floor level with render.

## **5.0 Land Use Allocation**

- 5.1 The site is located within the defined settlement limits of Wivenhoe and a predominantly residential area.

## **6.0 Relevant Planning History**

- 6.1 Planning permission to extend the property to the rear was granted, and subsequently implemented, in the 1970s.

## **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  
UR2 - Built Design and Character

- 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  
DP13 Dwelling Alterations, Extensions and Replacement Dwellings

- 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:

n/a

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

The Essex Design Guide  
External Materials in New Developments

## **8.0 Consultations**

- 8.1 Dr. Jess Tipper - No material harm will be caused to the significance of below-ground archaeological remains by the proposed development. There will be no requirement for any archaeological investigation.

## **9.0 Parish Council Response**

- 9.1 The Parish Council have stated that they have no objection to the proposal.

## **10.0 Representations from Notified Parties**

- 10.1 No letters of representation were received from members of the public.

## **11.0 Parking Provision**

- 11.1 The proposed development would not impact upon the on-site parking provision which complies with current standards.

## **12.0 Open Space Provisions**

- 12.1 This scheme raises no concerns in terms of open space

### **13.0 Air Quality**

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

### **14.0 Planning Obligations**

- 14.1 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.

### **15.0 Report**

- 15.1 The design of the proposed development is considered satisfactory on its own merits. The proposed front extension is modest in size and scale which would neither materially nor visually affect the character of the dwelling itself or that of the surrounding area. Furthermore, the use of matching materials would ensure that the impact of the proposed development on the surrounding area would be limited.
- 15.2 There are other properties in the vicinity of the application site that benefit from similar front porches while existing soft landscaping features along the frontage of the application site aid in softening the proposal’s impact on the wider area. Consequently, the design and layout of the proposed development are acceptable.
- 15.3 As a result of its single storey height and location to the front of the property, coupled with the distance to the neighbouring properties either side, the proposed extension would not appear overbearing on the outlook of neighbours nor would it have any materially harmful impacts on the amenities of neighbouring occupiers in terms loss of light or loss of privacy.
- 15.4 Finally, in terms of other planning considerations (e.g. damage to trees or highway matters), the proposed development does not raise any concerns.

### **16.0 Conclusion**

- 16.1 This modest scheme is only before Members as the applicant’s agent works for the Council on an ad-hoc consultancy basis. The scheme is acceptable in design terms and raises no issues in terms of its impact on amenity. An approval is warranted.

## **17.0 Recommendation to the Committee**

17.1 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 923-1, 923-4 and 923-4.

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

## **18.0 Informatives**

18.1 The following informative is also recommended:

### **1 - 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.

