

**COLCHESTER BOROUGH COUNCIL  
PLANNING COMMITTEE  
29 July 2010 at 6:00pm**

**SUPPLEMENTARY AGENDA**

**Part A**

(open to the public including the media)

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See Amendment Sheet attached.



# **AMENDMENT SHEET**

**Planning Committee  
29 July 2010**

## **AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED**

**LATE AMENDMENTS HAVE BEEN INCORPORATED INTO THIS  
AMENDMENT SHEET AND ARE SHOWN AS EMBOLDENED**

### **7.3 101124 – Unit K1, Salmons Lane, Colchester**

**Comments from Edward Gittins Associates, representing the applicant, have been received as follow:**

We have been asked by the Applicant, Mr William Sunnucks, to assess his current Planning Application and to formally submit our opinion on the planning policy aspects as well as the merits of his Application generally. We visited the site on 17<sup>th</sup> July 2010 and we are familiar with the general activity levels, having previously utilised the services of one of the small businesses established on this site.

We note that the Application seeks to convert a small section of an established but redundant agricultural building to form a Class BI office, namely Class BI (a). It therefore represents a small extension to the existing complex of low key commercial uses which occupy former farmstead buildings at East Gores Farm. We understand that the property no longer operates as an active farm and hence planning policies relating to agricultural diversification are not applicable in this case. The general principle of reusing rural buildings for commercial uses which support the rural economy has been implemented successfully already at East Gores Farm, providing a small and well managed complex of buildings which have very little impact on the surrounding area. The minor extension of the established complex to encompass an existing unused building on the southern flank of the complex therefore represents a natural adjunct to this small rural business park.

We note that Spatial Policy register objections to the proposal largely based on agricultural diversification aspects and concerns relating to the viability and continued use of the agricultural holding. As noted above, however, East Gores Farm no longer operates as an existing agricultural enterprise and therefore there is no question of the viability and continued use of an agricultural holding being a material consideration. Agricultural diversification Policy COIO, (a Saved Policy from the Adopted Review).

Colchester Borough Local Plan) and Policy DP8, (an emerging policy in the Development Policies DPD) referred to by Spatial Policy, are therefore not relevant to this case. The most relevant policies, namely Core Strategy Policy ENV2 and Policy CE1, are not addressed by Spatial Policy, nor is emerging Policy DP9. The appliance of policy to this Application by Spatial Policy is regrettably flawed as a result of a failure to identify and assess the scheme against the most relevant policies.

We submit that the proposal in this case is fully in line with the Adopted Core Strategy in relation to the rural economy. Specifically, ENV2 -Rural Communities indicates the Council will favourably consider small-scale rural business that is appropriate to local employment needs subject to minimal impact on the local character and surrounding natural environment. Furthermore, Policy CE 1 -Centres and Employment Classification and Hierarchy also supports small scale developments in countryside locations having low travel needs and low impacts -reflecting positive support for the rural economy.

We also note that Spatial Policy make no reference to important and relevant national policy in PPS4. In particular, Policy EC6: Planning for Economic Development in Rural Areas lends support for the conversion and reuse of existing buildings in paragraph EC6.2c. Furthermore, Policy ECI2: Determining Planning Applications for Economic Development in Rural Areas, paragraph EC12.1 b, supports small scale economic development outside settlements even though such sites may not be readily accessible by public transport.

Having regard to the scale of the proposals and its close association with the existing commercial hub, we consider the impacts of the proposed development will be very low. Clearly it will marginally increase traffic movements along Salmons Lane but such movements are not substantial and are largely confined to light vehicles at peak times. We have considered the representations submitted by some local residents raising traffic concerns but we do not consider that there would be any noticeable loss of amenity arising from the small number of additional traffic movements.

We believe the small rural business park at East Gores Farm to be a model of its type, being clearly well managed and having low impacts. The current proposals are fully in line with national and local policy and do not raise any material concerns in relation to the protection of the countryside or residential amenity.

Accordingly we believe that the proposal merits support and therefore trust that Planning Permission will be granted in due course.”

A request has been made for existing hours of use at the other units on East Gores Farm to be clarified. These are as follow:

Application	Hours of Use
C/COL/02/0001 - Change of use from chicken broiler houses to B1 use (Business, including light industry, office and research and development) APPROVED	08:00 – 18:00 (machinery) 07:00 – 19:00 (all activities)
C/COL/05/1706 - Change of use of shed from agricultural to workshop/storage. APPROVED	08:00 – 17:00 (Mon-Fri. machinery) 08:00 – 14:00 (Sat. Machinery)
C/COL/06/0195 - Change of use for shed D from agricultural to storage of flowers and decorations and preparation of flower arrangements. APPROVED	No limitations
C/COL/06/1444 – Change of use from part shed D2 from flowers to B1 office/workshop. APPROVED	No limitations
F/COL/07/0135 – Proposed conversion of former workshop to smaller workshop, 3 bay car parking and hot tub/amenity room. APPROVED	08.00 - 17.00 (Mon – Fri.) 08.00 - 14.00 hours (Sat)
072274 – Change of use from storage/workshop to office B1. APPROVED	No limitations
090367 – Shed D - Change of use from B1/B8 to B1(a) Shed E - Change of Use from redundant agricultural to B1/B8. APPROVED	No limitations
091639 - Change of use of shed N from B1/B8(office/storage) use to office (B1). APPROVED	07:00 – 19:00

#### Extra condition:

Prior to the commencement of development the applicant shall provide details of a surfacing treatment from the access point on Salmons Lane up to the unit subject to this application. These details shall be agreed in writing by the Local Planning Authority and shall be put in place prior to the use hereby granted commencing, and shall remain in place at all times.

Reason: To reduce the possible incidence of noise from vehicles on a gravel surface.

**7.4 101231 – 6 Columbine Way, Stanway**

- 1) An email has been received from the firm of Solicitors acting on behalf of the objector, as follows:

**“The red lined site plan accompanying the application is incorrect insofar as the land to the rear of the dwelling extends further than shown. We have today downloaded the registered title, which does show a greater area to the rear of that shown on the red lined site plan. We attach a copy for the Council’s information. We also confirm that this additional land is used by the applicants as their garden, as can be confirmed by our client and viewed on google maps. Whilst recognising that the Council are recommending refusal and that the decision taken by Members should be based on the application before them I am also aware that Members in considering the scheme could wrongly consider that there are no other alternatives for the applicant. This could be on the basis that the previous rear extension, in conjunction with the land shown on the red lined site plan would leave them with very little rear garden, which of course would not actually be the case because of the misleading plan.**

**Please can I ask that this matter is drawn to the attention of Members before they consider the application.”**

**The applicant’s agent has been made aware of the situation, and an amended site plan will be in the Members’ room.**

**The applicant’s agent has responded, as follows:**

**“I note the comments from the adjoining owners’ solicitor and enclose a revised red line plan to follow the correct boundaries. Unfortunately I didn’t realise the site extended beyond an old boundary and placed the red line incorrectly. This doesn’t change the difficulties in extending rearwards as my clients have built a conservatory to the rear (see previous approval for this site). To extend further would necessitate the removal of this conservatory which would be a totally uneconomic and unsatisfactory solution. Also, this would not assist my clients need which is to create a Breakfast Room attached to the Kitchen (at the front of the house) to supervise their children.”**

**This information does not alter the Officer recommendation.**

- 2) For reasons of clarity, the reasons for refusal have been reworded. The substance is as before:
- Policy DC1 (b) of the Approved Review Colchester Borough Local Plan (ARCBLP, March 2004 states, *inter alia*, that “development will be well designed, having regard to local building traditions, and should be based on a proper assessment of the surrounding built and natural environment.” Policy UEA13 of ARCBLP states, *inter alia*, that “An extension to a building, or a new building adjoining existing or proposed residential buildings, will not be permitted where: (a) the development would be poorly designed or out of character with the appearance of the original building.

**Policy UR2 of the Local Development Framework Core Strategy 2008, states, *inter alia*, that:**

“The design of development should be informed by context appraisals and should .... enhance the built character and public realm of the area. .... Developments that are discordant with their context and fail to enhance the character, quality and function of an area will not be supported.”

In this instance, the proposed extension which would protrude 3.357 metres from the front of the house would create a cramped street-scene, incongruous in its context, leaving insufficient room to the front and failing to respect the prevailing pattern of development in the area. This is contrary to the above-mentioned policies DC1 (b), and UR2.

Because of the excessive depth, the roof of the proposed lean-to is too shallow compared with the existing house and the traditional pitch of 35 degrees. This is also contrary to the above-mentioned policies in addition to policy UEA13 (a).

In addition to this, the lack of articulation of the extension from the existing house is also seen as a negative design aspect and fails to promote the “additive form” which is encouraged in the Supplementary Planning Document “The Essex Design Guide.” This aspect is also contrary to the above-mentioned policies.

7.6 101079 - Toad Hall, Colchester Road, Chappel

Amended plan submitted showing position of dormer to ensuite bathroom (left flank elevation) altered to reduce close grouping of dormers.

Condition 3 to be reworded to include after "decision"...."including revised plans & elevations as illustrated on dwg no 1475 – 2D, received 21/7/10"

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**Part B**

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**Pages**

**There are no Section B Items**