



Application No: 152795

Location: Rowan House, 33 Sheepen Road, Colchester, CO3 3LB

Scale (approx): 1:1250

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7.6 Case Officer: Daniel Cameron Due Date: 10/02/2016

MINOR

Site: **33 Sheepen Road, Colchester, CO3 3LB**

Application No: **152795**

Date Received: 16 December 2015

Agent: Mr Roy Hammond, Howkins and Harrison

Applicant: Langley Eco Ltd

Development: Construction of car ports incorporating integral solar photovoltaic panels and associated works.

Ward: Castle

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee because the application has been submitted on behalf of Colchester Borough Council.

2.0 Synopsis

- 2.1 The key issues explored below are the design and layout of the proposed development as well as its impacts on views from neighbouring sites.

3.0 Site Description and Context

- 3.1 The site is located to the north west of Colchester Town Centre, just off the major roundabout which connects Middleborough, Sheepen Road and the A134. Rowan House occupies the eastern half of the site, while the western half serves as associated car parking.

4.0 Description of the Proposal

- 4.1 This application proposes the installation car ports with integral solar photovoltaic panels with associated works and landscaping. The car ports are to be arranged in three, open sided banks, with the panels supported by a ground mounted frame. The total area covered by the structures would be 700 m² with the car port standing 4.7 m above ground level.
- 4.2 The photovoltaic panels would be orientated to face south at an angle of 10 degrees. The panels would be constructed of non-reflective glass to maximise the capture of solar energy and to minimise any unwanted glare.
- 4.3 The works would also include the installation of inverter units on the south western elevation of Rowan House which would allow the direct current electricity created by the panels to be used by Rowan House as alternative current. The panels would provide 70% of the daily electrical energy required by Rowan House.

- 4.4 It is also proposed that planting to the northern and southern boundaries of the site be increased to prevent the car ports and panels from impacting upon wider views of the area.

5.0 Land Use Allocation

- 5.1 The site is currently designated as an Employment Zone within the current Local Plan.

6.0 Relevant Planning History

- 6.1 In 2004 planning permission was granted subject to conditions for the installation of air conditioning with external condensers at Rowan House.

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:

CE1 - Centres and Employment Classification and Hierarchy

CE3 - Employment Zones

UR2 - Built Design and Character

TA5 - Parking

ENV1 - Environment

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

DP5 Appropriate Employment Uses and Protection of Employment Land and Existing Businesses

DP17 Accessibility and Access

DP19 Parking Standards

DP25 Renewable Energy

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

Vehicle Parking Standards

8.0 Consultations

- 8.1 Consultation responses were sought from Colchester Borough Council's Arboriculture Officer, Landscape Officer, Archaeological Advisor and Environmental Protection Team. Their comments are as set out below:
- 8.2 Arboriculture Officer – No objections.
- 8.3 Landscape Officer – The landscaping proposals are broadly acceptable subject to conditions.
- 8.4 Archaeological Advisor – The application site lies within an area of high archaeological importance and interest. No objections subject to conditions requiring a written scheme of archaeological investigation be submitted prior to commencement.
- 8.5 Environmental Protection Team – No Objections.

In addition to the details reported above, the full text of all consultation responses is available to view on the Council's website.

9.0 Parish Council Response

- 9.1 N/A. The application site lies within an unparished town centre ward.

10.0 Representations

- 10.1 The application was advertised for public representations until the 7th January 2016. No public representations were received.

11.0 Parking Provision

- 11.1 At present the car park at Rowan House provides 60 spaces alongside cycle parking facilities. As a result of the development proposed there would be no reduction in parking at Rowan House.

12.0 Open Space Provisions

- 12.1 N/A. There is no requirement for open space provision as a result of this application.

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

Policy Considerations

- 15.1 Core Strategy policy ER1 states “The Council will encourage the delivery of renewable energy projects, including micro-generation, in the borough to reduce Colchester’s carbon footprint”. Development Policy DP25 further states that support for renewable energy schemes and their ancillary infrastructure will be given provided that schemes are located and designed in such a way to minimise increases in ambient noise and visual impacts. It is therefore clear that while policy gives support in principle, the mitigation of any visual impacts that may arise as a result of the proposed development are of importance.

Design and Layout

- 15.2 In terms of design context the surrounding area is primarily urban, reflecting its town centre location and given the presence of tall, modern office buildings to the east of the site, the retail park with bright, illuminated signage to the west, large scale residential development to the south and car parking to the north. The site does not form part of a conservation area nor are there any designated heritage assets in the immediate surrounding area.
- 15.3 The application site itself is currently a hardstanding car park providing 60 car parking spaces. It is bordered to the north, west and south by established tree and shrub planting. None of the existing trees on site are subject to protection through a Tree Preservation Order.
- 15.4 The design of the car ports has been kept intentionally simple and is to be open sided. This should prevent the structure from creating unwanted intrusion into longer views of the site and will also allow the car park to continue its function with no loss of spaces.
- 15.5 The location of the car ports has been intentionally kept central within the layout of the existing Rowan House car park and away from the boundaries to ensure that the development is adequately screened.
- 15.6 In terms of materials the photovoltaic panels are constructed of non-reflective glass, as their main function is the absorption of light, however, will have the added advantage of preventing any unintentional visual impacts through light reflection. Further the colour frame of the car ports can be controlled via condition, so an appropriate, non-intrusive colour can be specified.
- 15.7 It should be noted that the photovoltaic panels will require the installation of an inverter to connect to Rowan House. The application does not contain sufficient information as to the precise location, any necessary air intake required for cooling or impact on the area of installation caused as a result. This will be obtained via condition.

Scale, Height & Massing

- 15.8 The photovoltaic panels to be installed on the car ports will at their maximum be 4.7m high. As such they would lie beneath the existing tree canopy at the northern and southern boundary of the site. This would prevent their intrusion into wider medium and long distance views of the area.

- 15.9 In terms of scale and massing the area to be covered by the panels is 700m². This area will allow the photovoltaic panels to produce 70% of the daily electricity required by Rowan House. The area has been determined to be that which will allow for the greatest electricity generation potential while remaining unobtrusive within the wider landscape and having a low visual impact upon the wider area.

Impact on surrounding area

- 15.10 In terms of the impact on the surrounding area, the material choices for the development will limit their intrusion. Further, it is unlikely that the installation of the panels will dominate within the context of the area given the proximity of brightly coloured, illuminated signage in the retail park to the west.
- 15.11 Direct views of the site will be possible from three locations, directly west from Rowan House, from Sheepen Road to the north and from the footpath to the west.
- 15.12 Views from Rowan House currently look out onto a car park and there is some screening provided by shrub planting immediately before the car park. Where there are gaps in the planting, the open sided construction of the car ports will allow for similar views to those currently enjoyed from Rowan House.
- 15.13 Views from Sheepen Road are screened by the existing tree planting at the northern boundary of the site, and screening will be improved by increased understorey planting provided by the developer. During spring and summer views will be extremely limited, however, the development will be more visible during winter.
- 15.14 Views from the footpath to the west will be possible given its increased elevation compared to the Rowan House car park which sits lower. Its elevated position offers access to the medium and long distance views out towards the River Colne which will not be affected by this application. Some screening of direct views is achieved through existing planting; however, it is not possible to achieve further screening at this boundary.
- 15.15 There are no impacts from ambient noise caused as a result of this application.

Impact on Neighbouring Amenity

- 15.16 In terms of impacts on amenity the most important view to consider is that of the residents of the St. Marys development to the south of the application site. Although the photovoltaic panels are orientated to face south their non-reflective nature will prevent unwanted glare from affecting the residents. Further, owing to the elevated position of the St. Marys development and its height, residents can enjoy medium to long distance views out towards the River Colne and North Colchester.

Amenity Provisions

- 15.17 It is proposed by the developer that a programme of understorey planting below the existing tree canopy at the northern and southern boundaries of the site be enacted to mitigate any potential impact on views of the application site.

16.0 Conclusion

- 16.1 The application satisfies planning policy at both a national and local level, boasts clear economic and environmental benefits and has been designed to minimise its visual impacts.

17.0 Recommendation

- 17.1 APPROVE subject to the following conditions:

18.0 Conditions

1 - 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 - *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 3602-RH-CP- PV-01-F and 3602-RH-CP-PV-02.

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

3 - Materials as Stated in Application

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

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

4 – Schedule of Colour to be submitted

No works shall take place until a schedule of colour for the external materials of the carports hereby approved has been submitted to and approved, in writing, by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved schedule.

Reason: This is a prominent site where colours of external materials to be used should be polite to their surroundings in order to avoid any detrimental visual impact.

5 – Additional Inverter Details

Prior to the installation of the hereby approved electrical inverter unit further details of the design, precise siting, positioning, necessary cooling and impact on the existing landscape shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure sufficient detail on all aspects of the application have been submitted for consideration in the interests of proper planning.

6 - Archaeological Written Statement of Investigation

No works shall take place until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been previously submitted to and approved, in writing, by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording.
- b. Provision to be made for analysis of the site investigation and recording.
- c. Provision to be made for reporting, publication and dissemination of the analysis and records of the site investigation.
- d. Provision to be made for archive deposition of the analysis and records of the site investigation.
- e. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- f. The scheme of investigation shall be completed as agreed and approved in writing by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SD1 and ENV1 of Colchester Borough Council's Core Strategy (2008).

7 –Simple Landscaping Scheme Part 1 of 2

No works shall take place until a scheme of hard and soft landscaping works for the publicly visible parts of the site has been submitted to and agreed, in writing, by the Local Planning Authority. This scheme shall include any proposed changes in ground levels and also accurately identify positions, spread and species of all existing and proposed trees, shrubs and hedgerows on the site, as well as details of any hard surface finishes and external works, which shall comply with the recommendations set out in the relevant British Standards current at the time of submission.

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

8 - Simple Landscaping Scheme Part 2 of 2

All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out in full prior to the end of the first planting and seeding season following the first occupation of the development or in such other phased arrangement as shall have previously been agreed, in writing, by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, 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.

9 – Tree and Hedgerow Protection: General

All existing trees and hedgerows shall be retained, unless shown to be removed on the approved drawing. All trees and hedgerows on and immediately adjoining the site shall be protected from damage as a result of works on site, to the satisfaction of the Local Planning Authority in accordance with its guidance notes and the relevant British Standard. All existing trees shall be monitored and recorded for at least five years following contractual practical completion of the approved development. In the event that any trees and/or hedgerows (or their replacements) 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, by 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.

10 – Tree and Hedgerow: General

No works or development shall be carried out until an Arboricultural Implications Assessment, Arboricultural Method Statement and Tree Protection Plan in accordance with BS 5837, have been submitted to and approved, in writing, by the Local Planning Authority (LPA). Unless otherwise agreed, the details shall include the retention of an Arboricultural Consultant to monitor and periodically report to the LPA, the status of all tree works, tree protection measures, and any other arboricultural issues arising during the course of development. The development shall then be carried out strictly in accordance with the approved method statement.

Reason: To adequately safeguard the continuity of amenity afforded by existing trees.

11 – Limits to Peak Hours Construction Traffic

No construction worker vehicle movements or any deliveries to or from the site shall take place during the peak traffic hours from 07:30-09:30am or from 16:00-18:30pm on weekdays.

Reason: To ensure that the construction phase of the development hereby permitted is not detrimental to the existing levels of traffic already reaching high peak levels during these times.

19.0 Informatives

(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) 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.

(3) **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. Please pay particular attention to these requirements.

20.0 Positivity Statement

- 20.1 The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.