

AMENDMENT SHEET

Planning Committee
28th May 2015

AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED

7.1 146519 – 62 Brook Street, Colchester

Officer comment on issues raised in the letter from Grassroots Planning submitted since the application was previously discussed at Committee

- Self-build is being encouraged by the Government and the agent is correct in effectively stating that 'housing is housing' in use class terms and the local planning authority should not seek to differentiate between self-build and other types of delivery.

The agent provides a series of reasons why he believes it would be unreasonable for the Committee to agree the recommendation set out in the report relating to the unacceptable juxtaposition of and impact on amenity of the entrance and the existing dwelling.



Fig 1: extract from amended site layout

Whilst the applicant can move the front door to the side of the existing house that will not alter the fact that the proposed private drive to the new development of five houses will cut diagonally across much of the front garden to no 62 Brook Street. That said members will note that the front garden to no 62 is currently splayed. (see fig2)



Fig 2: existing plan of locality



Fig 3: aerial view

58

60

62



Fig 4: view from road

The agent suggests that the front door can be moved to the side of the property and that may well be true but that will not make a material difference

to the character of the site frontage and might even add to the contrived appearance of the access arrangement.

The agent suggests that there is sufficient residual depth to the front garden in front of the existing bay window to provide softening planting. Again that may be so and that may alleviate some of the adverse impact on outlook but the planting would have to be low level if it is not to unduly block sunlight and daylight to the front room. It should also be noted that the proposed access road/vehicular entrance will run close to no 60 Brook St. The introduction of limited planting within the residual garden will not overcome the fact that the diagonal access will introduce a discordant element into the street scene which is characterised by houses at right angles or parallel to streets.

It will also be noted that many properties in this section of Brook Street have vehicle hardstandings in what would once have been front gardens. This undoubtedly adds a hardening element to the street scene which makes the loss of the garden at no 64 and the gap between 62 and 64 Brook Street that much more regrettable in terms of adverse impact on streetscene. Members will of course realise that the owner of 62 Brook Street has not objected but the role of the local planning authority is to protect amenity.

Where hardstandings exist the only vehicles using those spaces will be those of the owner/occupiers or their visitors. The relationship in front of no's 62 & 60 Brook Street will be different in that vehicular tunings and froing's will be beyond the control of the occupiers of 62 & 60 Brook Street and this adds potential disturbance noise and vibration beyond that generated from traffic using brook Street. The Environmental Health officer in commenting on the proposal will have regard to noise that may constitute a statutory nuisance. What is being described here will not reach such a level but it will be an unnecessary and unacceptable disturbance from a general amenity perspective. (The agent notes that the five new properties will generate a low level of vehicular activity but members will be familiar with development cases where this has been deemed to constitute excessive disturbance.

Having considered the representation made by Grassroots the recommendation remains unchanged for the reasons described herein.

7.2 150781 – land rear of 284-300 Shrub End Road, Colchester

An Archaeological Evaluation Report (dated May 2015) has been submitted following the publication of the Committee Report. The Council's Archaeological Advisor confirms that this report satisfies the requirements of Condition 6 as set out in the Committee Report. This condition is therefore no longer required and it is recommended that this is omitted should consent for the development the subject of this application be granted.

7.3 150573 – Gosbecks Archaeological Park, Maldon Road South, Colchester

Consultation:

Historic England and the Community Development Manager have both responded to consultation. Historic England are supportive of the development and cite its lack of adverse impact on the scheduled monument as well as its contribution to public appreciation of its significance. They further confirm that scheduled monument consent has been granted by the Secretary of State for this development. The Community Development Manager has no comment to make.

Representations:

Cllr Lyn Barton contacted the Council on the 20th May 2015 in support of the application. She cited the positive impact that the interpretation boards make across Colchester to promoting the unique heritage of the town and that a board in this location would further this attraction.

7.4 150366 – 147 Lexden Road, Colchester

To remain in line with the previous approval Condition 3 should read:

No works shall take place until a scheme of archaeological investigation (including a programme of archaeological excavation, recording any finds and publishing the results) has been submitted and agreed, in writing, by the Local Planning Authority. The approved scheme of investigation shall be thereafter implemented in accordance with the details approved, unless otherwise subsequently agreed in writing by the Local Planning Authority.

Reason: To enable a proper archaeological investigation of the site and the identification and recording of any items of archaeological importance.

Condition 4 should be amended to relate to the first floor only. It shall therefore read:

Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the first floor side facing windows in the east and west facing flanks, including the glazed link shall be non-opening and glazed in obscure glass to a minimum of level 4 obscurity before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

Reason: To avoid the overlooking of neighbouring properties in the interests of the amenities of the occupants of those properties.