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**Item No:** 7.5

**Application:** 183133

**Applicant:** Mr Peter Stewart, CBC

**Agent:** Mr Andrew Hastings, AH Landscape Consultants Ltd

**Proposal:** Widening of existing entrance, part removal of existing boundary walls and provision of new gates and railings repositioned to fit revised entrance. Also the introduction of electrical gate opening system - all for the purposes of Health and Safety.

**Location:** Colchester Crematorium, Mersea Road, Colchester, CO2 8RU

**Ward:** Berechurch

**Officer:** Eleanor Moss

**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 Council.

## **2.0 Synopsis**

- 2.1 The key issues for consideration are visual impact of the proposal, impact upon trees and landscaping, impact upon amenity and also impact upon highway safety. In this instance the proposal will create a limited impact overall, with no adverse impact on the established street scene, trees or on local highway network. The proposal does not cause any unacceptable harm to the residential amenity of neighbouring residents.
- 2.2 The application is subsequently recommended for approval.

## **3.0 Site Description and Context**

- 3.1 The application site relates to Colchester Crematorium which opened in 1957. Colchester Crematorium includes a large expanse of garden and landscaped area. The site is served by two existing entrances/exits. This proposed seeks to replace the gates located to the south east of the application site. The existing gates are not of any particular merit.

## **4.0 Description of the Proposal**

- 4.1 This application seeks planning permission for the widening of the existing entrance, part removal of the boundary walls and provision of new gates and railings.

## **5.0 Land Use Allocation**

- 5.1 The site serves a well established crematorium in a predominantly residential area.

## **6.0 Relevant Planning History**

- 6.1 None relevant to this application.

## **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  
TA1 - Accessibility and Changing Travel Behaviour  
TA2 - Walking and Cycling  
TA3 - Public Transport  
TA4 - Roads and Traffic  
TA5 - Parking  
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  
DP4 Community Facilities  
DP17 Accessibility and Access  
DP19 Parking Standards  
DP20 Flood Risk and Management of Surface Water Drainage

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

The Essex Design Guide  
External Materials in New Developments  
EPOA Vehicle Parking Standards  
Community Facilities  
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 Highway Authority -

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to:

SMO1 – Essex Highways  
Colchester Highways Depot,  
653 The Crescent,  
Colchester  
CO4 9YQ

8.3 Arboricultural Officer – Raises no objection to the scheme following the submission of an Arboricultural Impact Assessment.

8.4 Landscape Planning Officer – No objection subject to recommended conditions.

8.5 Natural England – No comments.

8.6 Environmental Protection - No comments.

## **9.0 Parish Council Response**

9.1 Non-Parished

## **10.0 Representations from Notified Parties**

10.1 None received at the time of writing.

## **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**

### Principle

15.1 The proposal relates to the provision of a new access and associated gates from Mersea Road into the application site. The proposal is located within the development boundary and as such the proposal should be judged on its own merits. In this case, the main considerations will be impact on local landscape character and visual amenity, highway safety and the residential amenity of local residents.

### Scale and Appearance

- 15.2 The proposal is relatively small-scale, in terms of appearance, involving the removal of the existing fence and a section of walls and the insertion of metal decorative gates and railings consistent with the type and form that is currently on site. In terms of visual impact, it is not considered that the proposal would have any adverse impact on the character of the built environment or local landscape character.

### Highway Safety

- 15.3 In terms of impact on highway safety, the Highway Authority have considered the proposal and raised no objections. The proposal has been submitted in order to improve safety and it is unlikely the proposal would result in an increase in vehicle movements to and from the site. The proposal is therefore considered to be acceptable in this regard.

### Impact upon Residential Amenity

- 15.4 In regard to residential amenity, it is not considered that the proposal will cause material harm. Even though it is not a through road to any further development, this part of Mersea Road is a residential area, with regular vehicle movements expected. As with the consideration of highway safety, the proposed development is unlikely to create any significant increase in traffic movements and it is not considered the proposal will result in increased noise. As a result increased disturbance is likely to be minimal.

### Archaeology

- 15.5 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

### Trees and Landscaping

- 15.6 Core Strategy policy ENV1 states that the Borough Council will conserve and enhance Colchester's natural and historic environment, countryside and coastline, and this is also echoed within the NPPF. Development Policy DP1 provides that all development must demonstrate environmental sustainability and respect its landscape setting and contribute to the surrounding area
- 15.7 In this instance, an Arboricultural Impact Assessment (AIA) has been submitted in support of the proposal which confirms the trees at the site entrance are limited in number (only eight trees) and are located within two shrub borders either side of the access drive. Most of the trees have modest amenity value but are visible from the public realm.

15.8 The main tree related issues relate to the protection of the existing trees, particularly T2 & T5 Holly, during the proposed site entrance re-alignment works, in particular during the excavation of the holes for the new metal railings where they are within close proximity to existing trees. Most of the trees are in need of some basic crown pruning works due to their lack of recent management. Tree protection measures, including the installation of tree protective fencing, will adequately protect the root protection areas, when accompanied by detailed methods and supervision by a consultant arboriculturist from Property Risk Inspection Ltd.

15.9 Overall, it is concluded that, subject to appropriate controls, the development can be implemented without undue impact on trees.

## **16.0 Conclusion**

16.1 To summarise, the proposed development is considered to be acceptable. The visual impact of the proposal will be limited, with no adverse impact on the established street scene or on local landscape character. The potential increase in vehicle movements is not considered to be significant and as a result will have no detrimental impact on highway safety or cause any unacceptable harm to the residential amenity of neighbouring residents.

## **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 18.4033.01 Revision A and 18.4033.02.

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

### **3. ZFE - Landscape Management Plan**

Prior to the first use of the development hereby approved, a landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas other than small, privately owned, domestic gardens shall be submitted to and agreed, in writing, by the Local Planning Authority. The landscape management plan shall thereafter be carried out as approved at all times.

Reason: To ensure the proper management and maintenance of the approved landscaping in the interests of amenity and the character and appearance of the area.

#### **4. Z00 – Landscaping**

The landscape details as shown on the approved drawing(s) 18.4033.01.A lodged on 03/01/19 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, like for like, 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 the landscape is implemented in accordance with the detail submitted within the application.

#### **5. ZFT - Tree and Hedgerow Protection: General**

Prior to undertaking work to trees or installing protective fencing a site specific Arboricultural Method Statement as detailed in the arboricultural impact assessment previously provided shall be 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.

#### **6. Z00 – AIA Approved Document**

The development hereby approved shall be carried out in strict accordance with the submitted Arboricultural Impact Assessment dated 15<sup>th</sup> February 2019 for the lifetime of the development.

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

### **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. Non Standard Informative – Landscaping**

‘Detailed landscape proposals, if/when submitted in order to discharge landscape conditions should first be cross-checked against the Council’s Landscape Guidance Note LIS/B (this available on this CBC landscape [webpage](#) under Landscape Consultancy by clicking the ‘read our guidance’ link).’

### **3. Non Standard Informative - Trees**

It should be noted that any technical interpretation of these detailed requirements by the applicant or their agent should be sought externally from/through the relevant professional (i.e. Arboricultural consultant – details of local practices available through Arboricultural Officer on 01206 282469 (am only).