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Item No: 7.6

Application: 172815

Applicant: Holly Brett – CBC

Agent: Kevin Whyte

Proposal: Non material amendment following grant of planning permission 151825

Location: Car Park at, Sheepen Road, Colchester

Ward: Castle

Officer: Sue Jackson

Recommendation: Approval

1.0 Reason for Referral to the Planning Committee

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

2.0 Synopsis

- 2.1 The key issues for consideration are whether the amendments to the approved scheme are acceptable. The conclusion is that as the building will be slightly smaller than that approved and the number of parking spaces will be increased the application is acceptable.
- 2.3 The application is subsequently recommended for approval as a non-material amendment.

3.0 Site Description and Context

- 3.1 The site is along Sheepen Road to the west of the Middleborough roundabout. Sheepen Road links the Middleborough Roundabout to the Avenue of Remembrance and serves Colchester Borough Councils' offices, the Colchester Institute, a small retail park, allotments, a car dealership, a small number of residential properties and St Helena School.
- 3.2 Planning permission was granted for the erection of two office buildings on the site in November 2015. One of the approved buildings has been completed and is now occupied. The amendments relate to the second building fronting Sheepen Road.

4.0 Description of the Proposal

- 4.1 This application is for a non-material amendment and proposes minor changes to the approved building. These changes involve a reduction in the floor area of the building from 1327 square metres to 1105 square metres and the provision of solar panels on the roof. The building is unaltered in all other respects.
- 4.2 As a consequence of the smaller building the parking area has been re-arranged and this allows two additional parking spaces to be provided. The submitted drawing also indicate a substation and a new location for the plant compound, cycle parking and delivery vehicles.

5.0 Land Use Allocation

- 5.1 The site is within a Mixed Use area on the Proposals Map. Appropriate Land Uses in Mixed Use Centres are defined in the Core Strategy and offices are identified as a primary land use.

6.0 Relevant Planning History

- 6.1 151825 - Proposed phased development of 2 new office buildings and associated outbuildings, parking and landscaping - Approved 6th November 2015
151826- Totem board to form of building - Approved 6th November 2015
161291 - Printed site hoarding – temporary consent 18th July Approved 2016 (hoarding now removed)
163132 - Direction sign Approved- 20 January 2017
171236 - Agents letting board- Temporary consent 10 July 2017

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
CE2 - Mixed Use Centres
UR2 - Built Design and Character
TA5 - Parking
ER1 - Energy, Resources, Waste, Water and Recycling

- 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
DP7 Local Centres and Individual Shops
DP19 Parking Standards
DP25 Renewable Energy

- 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:

SA CE1 Mixed Use Sites

- 7.5 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

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 The Arboricultural Officer has been consulted as the revisions to the car park layout that result in minor changes to the parking and manoeuvring areas in relation to the retained trees. The officer's response will be reported on the amendment sheet.

9.0 Parish Council Response

- 9.1 N/A

10.0 Representations from Notified Parties

- 10.1 As the application is for a non-material amendment no one is affected by the proposal and notification to interested third parties including neighbouring properties is not required or necessary.

11.0 Parking Provision

- 11.1 Two extra parking spaces are proposed beyond the provision approved previously.

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 The main issues in this case are:

- **The Principle of Development**
The principle of the development is established by the planning permission granted in 2015.
- **Design and Layout**
Whilst this non material amendment proposes a slightly smaller building the approved design and layout are retained virtually unaltered.
- **Scale, Height and Massing**
The height of the building is unaffected. The amendments will result in an imperceptible change to the scale and massing of the approved building.
- **Impact on the Surrounding Area**
There is no impact on the surrounding area.
- **Impacts on Neighbouring Properties**
There is no impact on neighbouring properties.
- **Highway Safety and Parking Provisions (including Cycling)**
The vehicular access is unaltered by these amendments.
- **Parking Provision**
Parking provision has increased by two spaces.
- **Other Matters**
None

16.0 Conclusion

16.1 To summarise, this non-material amendment application, which were the applicant not Colchester Borough Council would be dealt with under delegated powers, proposes only minor changes to the building and layout and is considered acceptable.

17.0 Recommendation to the Committee

17.1 The Officer recommendation to the Committee is for:

APPROVAL of the non-material amendment, the development will be subject to the conditions on the 2015 planning permission which for Members information is produced in Appendix 1.