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**Item No:** 7.2

**Application:** 163208

**Applicant:** Friends of Colchester Roman Wall

**Agent:** Mr Philip Wise (Colchester and Ipswich Musuem Service)

**Proposal:** Interpretation panel containing general historical information and logos including friends of Colchester roman wall.

**Location:** Land Adj, 62 Head Street, Colchester, CO1 1PB

**Ward:** Castle

**Officer:** Daniel Cameron

**Summary of Recommendation** Conditional Approval

## **1.0 Reason for Referral to the Planning Committee**

- 1.1 This application is referred to the Planning Committee because the agent is Colchester and Ipswich Museum Service.

## **2.0 Synopsis**

- 2.1 The key issues for consideration are the impact of the proposed advertisement on the special interest of the Grade II\* listed building known as 17 Sir Isaacs Walk (Rebow House) and upon the character and appearance of the town centre conservation area. There is also the matter of whether the signage is likely to harm the amenity of the area or create unacceptable highways impacts.
- 2.2 Following consideration of the above issues, the application is subsequently recommended for approval.

## **3.0 Site Description and Context**

- 3.1 Historically Headgate was the south-western entrance to Roman Colchester and became the primary gate to the town following the closure of Balkerne Gate around AD 300. Later, Headgate was an important site when Colchester was besieged during the English Civil War. Headgate itself is no longer standing but its location has been confirmed during archaeological investigation in 2006 and located roughly under the junction of Headgate, Head Street, Crouch Street, and St. Johns Street.
- 3.2 The application site is located outside of the Grade II\* listed property at 58-62 Head Street. This property is described as being a large, late Seventeenth Century house with medieval cellar beneath. It was re-fronted in the Eighteenth Century and is linked to the Rebow family. This is located at the south-western edge of Colchester town centre inner core adjacent to where Headgate meets Head Street, close to the historic location of Headgate.
- 3.3 The context of the immediate area is largely commercial with retail and other ancillary uses prominent at ground floor level with some residential uses above at first floor. The site falls within the town centre Conservation Area.

## **4.0 Description of the Proposal**

- 4.1 The application proposes the erection of an interpretation panel containing general historic information on Headgate; in particular linked to the battle that occurred there during the English Civil War and then the subsequent siege of Colchester. The boards will also show the logos of Colchester Borough Council, Friends of Colchester Roman Wall and Ellisons Solicitors who have financially supported the panel.

## **5.0 Land Use Allocation**

- 5.1 The land use allocation of the site is as part of Colchester town centre inner core. Land use within this area is outlined by Development Policy DP6, however, the policy does not discuss the erection of signage.

## **6.0 Relevant Planning History**

- 6.1 There is no planning history at this site of relevance to the current planning 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:

UR2 - Built Design and Character  
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  
DP10 Tourism, Leisure and Culture  
DP14 Historic Environment Assets

## **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 Highways**

No objection to the proposal as submitted.

### **8.3 Historic England**

Historic England have chosen not to offer any comments.

#### 8.4 Archaeological Advisor

No objection to the proposed works provided that a condition to undertake investigation of the ground works has been attached to any decision notice.

#### 8.5 Historic Buildings and Areas Officer

The signage will not harm the fabric of the listed building by virtue of not being directly attached to it, nor affect its setting as this is an area of the town centre where signage is common. As a benefit the contents of the signage aids the public's understanding of the history of Colchester.

### **9.0 Parish Council Response**

9.1 The site falls within an unparished town centre ward.

### **10.0 Representations from Notified Parties**

10.1 A number of notifications were provided to interested third parties including neighbouring properties. No representations were received.

### **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**

#### 15.1 Design & Layout

The design and layout of the interpretation panel is similar to those which have been erected in other strategic heritage locations throughout the town centre. The design is simple and functional with the interpretation panel sitting flush on a single mild steel post about 1m above ground level. The design should ensure that the panel does not obstruct the use of the footway. The layout of the historic information on the panel is straightforward and should provide a useful overview on the history of the area.

### 15.2 Impact on Heritage Assets

As the site is within the vicinity of the Scheduled Ancient Monument which covers the line of the town's Roman walls, separate Scheduled Ancient Monument consent will be required from Historic England. It is understood that the applicant is in the process of acquiring this consent. The panel itself is largely free-standing, and its installation would not require any works to the listed building and are fully reversible. The panel would marginally affect the setting of the building and the character of the conservation area. However, it is not considered harmful as this is an area where advertising and signage is common and the form of the panel is minimal and the content is agreeable.

### 15.3 Amenity

In assessing an advertisement's impact on "amenity", regard has to be had to the effect on the appearance on visual amenity in the immediate neighbourhood where it is to be displayed. It is therefore necessary to consider what impact the advertisement, including its cumulative effect, will have on its surroundings. The relevant considerations for this purpose are the local characteristics of the neighbourhood, including scenic, historic, architectural or cultural features, which contribute to the distinctive character of the locality. It is considered that the impact of the panel on the surrounding area will be minimal. The size of the signage, its location, and the fact that it is unilluminated will not cause undue distraction or harm the amenity of the area. While other signage is common in this area, the panel clearly serves a distinct and separate purpose and would not be read in conjunction with other items of signage. It would therefore not contribute to any visual clutter.

### 15.4 Public Safety

In assessing an advertisement's impact on "public safety", regard has to be to the effect upon the safe use and operation of any form of traffic or transport. In assessing the public safety implications of an advertisement display, one can assume that the primary purpose of an advertisement is to attract people's attention; therefore it should not automatically be presumed that an advertisement will distract the attention of passers-by. The vital consideration, in assessing an advertisement's impact, is whether the advertisement itself, or the exact location proposed for its display, is likely to be so distracting, or so confusing, that it creates a hazard to, or endangers, people in the vicinity who are taking reasonable care for their own and others' safety. The proposed sign, by virtue of its location, design and lack of illumination, is not considered to have an adverse impact on public safety which is a view echoed by the Highway Authority.

### 15.5 Policy

In terms of local policy this application is in compliance with Core Strategy Policies UR2 – Built Design and Character and ENV1 – Environment, in that the proposal seeks to enhance Colchester's unique historic character and will create a positive impact on the area. The proposal also accords with Development Policies DP1 – Design and Amenity, DP10 – Tourism, Leisure and Culture and DP14 – Historic Environment Assets by virtue that it represents a high quality design, does not cause harm to the amenity of local residents, and enhances the local heritage asset without creating harm to it, respectively. Para 67 of the

NPPF states “poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.” Para 56 states “the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.” This application is considered to accord with guidance within the NPPF.

## **16.0 Conclusion**

16.1 To summarise, the proposal accords with the relevant policies of the Development Plan and having regard to all material planning considerations, it is considered that the proposal will not cause harm to interests of amenity and public safety.

## **17.0 Recommendation to the Committee**

17.1 The Officer recommendation to the Committee is for:

17.2 APPROVAL of planning permission subject to the following conditions:

### **1 - ZQA - Standard Advert Condition**

Unless an alternative period is specifically stated in the conditions below, this consent expires five years from the date of this decision and is subject to the following standard conditions:

1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
4. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
5. No advertisement shall be sited or displayed as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

Reason: In order to comply with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

## 2 - ZAM – Development to Accord With Approved Plans

The development hereby permitted shall be carried out in accordance with the details shown on the drawings submitted to the Council on 22<sup>nd</sup> December 2016. Reason: For the avoidance of doubt as to the scope of this permission and in the interests of proper planning.

## 3 - ZBB - Materials As Stated in Application

The materials to be used shall be those specified on the submitted application form and drawings, unless otherwise agreed, in writing, by the Local Planning Authority.

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

## 4 – Non Standard Condition – Archaeological Scheme 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).

## 18.0 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- 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 and be investigated by our enforcement team. Please pay particular attention to these requirements. To discharge the conditions and lawfully comply with your conditions you should make an application online via [www.colchester.gov.uk/planning](http://www.colchester.gov.uk/planning) or by using the application form entitled 'Application for approval of details reserved by a condition following full permission or listed building consent' (currently form 12 on the planning application forms section of our website). A fee is also payable, with the relevant fees set out on our website.

### 3 - ZTB - Informative on Any Application With a Site Notice

PLEASE NOTE that a site notice was erected in a publicly visible location at the site. Colchester Borough Council would appreciate your co-operation in taking the site notice down and disposing of it properly, in the interests of the environment.

### 4 - ZUJ - Informative on Archaeology

PLEASE NOTE The submitted scheme of archaeological investigation should be in accordance with an agreed brief. This can be procured beforehand by the developer from Colchester Borough Council. Please see the Council's website for further information:

<http://www.colchester.gov.uk/article/13595/Archaeology-and-the-planning-process>