

7.3 Case Officer: James Ryan Due Date: 17/03/2016

OTHER

Site: **The Old Police Station, 37 Queen Street, Colchester, CO1 2PQ**

Application No: **160206**

Date Received: 21 January 2016

Applicant: Mr Neil Coy, Phelan Construction Ltd

Development: Advertisement consent for a shroud to be placed on the front elevation showing the proposed creative business centre.

Ward: Castle

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 Council is involved in the redevelopment of the building.

2.0 Synopsis

- 2.1 The key issues explored below are the impacts on public safety and visual amenity. Both are held to be acceptable. The scheme is also held to be in accordance with the Council's corporate objectives.

3.0 Site Description and Context

- 3.1 The site comprises The Old Police Station building on Queen Street. It is currently being redeveloped into a Creative Business Centre.
- 3.2 37 Queen Street, Colchester is a Grade II listed building located within the Colchester Town Centre Conservation Area, designated in 1968. Its immediate neighbours to north and south, numbers 35 and 39 Queen Street, are also Grade II listed.
- 3.3 St Botolphs quarter is in the process of transformation. Firstsite is located nearby and 15 Queen Street has become an important cultural hub. The former bus station and St James' House and Roman House are proposed for redevelopment.

4.0 Description of the Proposal

- 4.1 The proposal is for the retention of the non-illuminated plastic printed banner. It is 8 metres high by 17.3 metres wide and is 2.45 metres from ground level. It masks some of the scaffolding and construction work that is currently ongoing behind.

5.0 Land Use Allocation

- 5.1 The site is located in Colchester Conservation Area 1, is in a regeneration area and is located in the mixed use policy area.

6.0 Relevant Planning History

- 6.1 The most relevant application in the planning history is 122272 which granted consent for the conversion to a Creative Business Centre.

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:

SD1 - Sustainable Development Locations
UR2 - Built Design and Character

- 7.3 In addition, the following are relevant adopted Colchester Borough Development Policies (adopted 2010, amended 2014):

DP1 Design and Amenity
DP14 Historic Environment Assets

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

- Shopfront Design Guide

8.0 Consultations

- 8.1 Highway Authority – No objection.
- 8.2 Environmental Protection - 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 Non-parished.

10.0 Representations

10.1 None received.

11.0 Parking Provision

11.1 This scheme raises no parking issues.

12.0 Open Space Provisions

12.1 This scheme raises no open space issues.

13.0 Air Quality

13.1 This scheme raises no air quality implications.

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

15.1 As an application for advertisement consent this scheme can only be assessed in terms of visual amenity and public safety.

Visual Amenity

15.2 This application is for the retention of the existing shroud whilst the building is converted into a Creative Business Centre. It is anticipated that this will be up and running this year. As the sign is tied to the scaffolding it will not realistically be retained any longer than it needs to be. On that basis it is held to have a neutral impact on the Conservation Area and therefore preserves it. It could be argued that it has a harmful impact on the setting of the listed building and on the neighbouring listed buildings but this is considered to be acceptable for the very limited time in question. It is not considerably different to the impact the scaffolding and other items needed for the conversion have on the listed building and its neighbours.

Public Safety

15.3 This scheme raises no public safety concerns. The Highway Authority has no objection to the scheme.

16.0 Conclusion

16.1 The scheme is acceptable and therefore temporary advertisement consent should be granted.

17.0 Recommendation

17.1 APPROVE advertisement consent subject to the following conditions:

18.0 Conditions

1 - 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 - *Limited Period Advertisements

The advertisement hereby approved shall be displayed for a limited period only expiring on 30/12/16 or when the building is first occupied for the Creative Business Centre use, whichever is the earlier.

Reason: To ensure the advertisement display is removed at the appropriate time in the interests of visual amenity.

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) The Highway Authority have requested the following informative:

Note: Any sign or overhang of any part of the highway may require the structure to be licensed under Section 177 or 178 of the Highways Act, 1980 which will incur a charge of £725.00. The Highway Authority reserves the right under Section 152 of the Highways Act, 1980 to remove or alter any sign overhanging the highway which is considered to be an obstruction to the safe and convenient passage of the public in the highway. Contact should be made with the Highway Authority on 0845 603 7631 in order to identify the extent and nature of the highway in the vicinity of the application site prior to any works being undertaken.

Note: No part of any sign, including any foundations required, shall be erection on land covered by highway rights as this would constitute a breach of the Highways Act 1980.

INF1 Highway Works - All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to 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 or by post to: Essex Highways, Colchester Highways Depot, 653 The Crescent, Colchester, CO4 9YQ.

INF2 Cost of Works - The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

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.