

**COLCHESTER BOROUGH COUNCIL
PLANNING COMMITTEE**

15 December 2011 at 6:00pm

SUPPLEMENTARY AGENDA

Part A

(open to the public including the media)

Pages

9. Amendment Sheet

40 - 45

See Amendment Sheet attached.

AMENDMENT SHEET

**Planning Committee
15 December 2011**

AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED

- 7.1 111927 – Land to west of Boundary Road, University of Essex, Wivenhoe Park, Colchester

The Council's arboricultural planning officer has advised that he has no objection to the proposal subject to the imposition of conditions on a grant of planning permission as follows:

- C10.15 Tree & Natural Feature Protection: Protected
No work shall commence on site until all trees, shrubs and other natural features shown to be retained on the approved plans, are safeguarded behind protective fencing to a standard to be agreed by the Local Planning Authority (see BS 5837). All agreed protective fencing shall be maintained during the course of all works on site. No access, works or placement of materials or soil shall take place within the protected area(s) without prior written consent from the Local Planning Authority.
- C10.16 Tree & Natural Feature Protection: Entire Site
No burning or storage of materials shall take place where damage could be caused to any tree, shrub or other natural feature to be retained on the site or on adjoining land (see BS 5837).
- C10.18 Tree and Hedgerow Protection: General
All trees and hedgerows on and immediately adjoining the site shown on the approved plans to be retained shall be protected from damage as a result of works on site, to the satisfaction of the local Planning Authority in accordance with its guidance notes and the relevant British Standard. All existing trees to be retained shall be monitored and recorded for at least five years following contractual practical completion of the approved development. In the event that these trees and/or hedgerows (or their replacements) die, are removed, destroyed, fail to thrive or are otherwise defective during such a period, they shall be replaced during the first planting season thereafter to specifications agreed in writing with the local Planning Authority. Any tree works agreed to shall be carried out in accordance with BS 3998.

- The construction shall take place solely in accordance with the terms of the Methodology Statement which forms part of this permission, and no other works shall take place that would affect the trees unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect the existing trees on the site

- No works or development shall take place until a scheme of supervision for the arboricultural protection measures required by condition AS ABOVE has been approved in writing by the Local Planning authority. This scheme will be appropriate to the scale and duration of the works and will include details of:
 - a. Induction and personnel awareness of arboricultural matters
 - b. Identification of individual responsibilities and key personnel
 - c. Statement of delegated powers
 - d. Timing and methods of site visiting and record keeping, including updates
 - e. Procedures for dealing with variations and incidents.
 - f. The scheme of supervision shall be carried out as agreed.
 - g. The scheme of supervision will be administered by a qualified arboriculturist instructed by the applicant and approved by the local planning authority.

Reason: In order to protect the existing trees on the site.

7.2 111981 – Colchester Town Station, St Botolphs Circus, Colchester

The applicants have received an updated lighting levels analysis which demonstrates adequate illumination with the specific lamps in the proposed locations using 4m high columns. This would accord with the advice of the urban designer. A condition specifying the column height at 4 metres has been inserted in the conditions schedule.

A full schedule of conditions is set out below.

Schedule of conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In order to comply with Section 91 (1) and (2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be implemented in all respects strictly in accordance with the submitted plans as hereby approved, unless otherwise subsequently agreed, in writing, by the Local Planning Authority. These plans include drawing numbers: 1, 2, 3, 4, 5, 6, 7, 8, 10, 11D, 12E, 14, 20D, 21A, 22A, E01B, E02, ST01C.
Reason: For the avoidance of doubt as to the scope of this permission and in the interests of proper planning.
3. The external materials and finishes to be used shall be as stated on the application form and as indicated on the approved plans, unless otherwise approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: To ensure that the materials used on the development are of a satisfactory visual appearance that respects the adjacent listed building and ties in with the forecourt to the new Magistrates Court.
4. Notwithstanding condition 3, above the RAL colour for all metal street furniture shall be submitted to and approved in writing by the local planning authority. The street furniture shall be finished in the approved RAL colour and thereafter retained as such, unless otherwise agreed in writing by the local planning authority.
Reason: To provide a consistent palette of colours for all street furniture on the square and to ensure a visual contrast to comply with the needs of the partially sighted.
5. Prior to commencement of development, details of the artwork to be etched on the curved metal rail as part of the urban artwork scheme shall be submitted to and approved in writing by the local planning authority.
Reason: To ensure artwork is appropriate to the location in the interests of visual amenity.
6. Notwithstanding condition 2 above, the lamp columns shall be a maximum of 4m in height.
Reason: To ensure the lamp columns are an appropriate height to compliment the domestic scale of the station building and to be in proportion to the relatively small square.

7. Any lighting of the development shall fully comply with the figures specified in the current '*Institution of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light*' for zone E3. This shall include sky glow, light trespass into windows of any property, source intensity and building luminance. Upon completion of the development and prior to the use hereby permitted commencing a validation report undertaken by competent persons that demonstrates compliance with the above shall be submitted to the planning authority for approval. Having been approved any installation shall thereafter be retained and maintained to the standard agreed.
Reason: In order to safeguard amenity by controlling the undesirable, disruptive and disturbing effects of light pollution.
8. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 9 has been complied with in relation to that contamination.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
9. In the event that contamination that was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of the Local Planning Authority and where remediation is necessary, a remediation scheme must be prepared, in accordance with the requirements of the Local Planning Authority, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with the approved remediation scheme. This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*' and the Essex Contaminated Land

Consortium's '*Land Affected by Contamination: Technical Guidance for Applicants and Developers*'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

10. Prior to commencement of the development the detail of any works which will abut existing or proposed highway shall be agreed with the Highway Authority.
Reason: To protect highway efficiency of movement and safety.
11. Lighting column reference LC3 shall be located to ensure it is clear of the emergency/service access off St. Botolph's Roundabout.
Reason: To protect highway efficiency of movement and safety.
12. No part, including the lantern, of any lighting column shall overhang existing or proposed highway.
Reason: To protect highway efficiency of movement and safety.
13. Prior to commencement of the development details of a wheel cleaning facility within the site and adjacent to the egress onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The wheel cleaning facility shall be provided prior to commencement of the development and maintained during the period of construction.
Reason: To prevent the deposit of material onto the highway to protect highway efficiency of movement and safety.

Informatives:

Standard Informative on Demolition and Construction

PLEASE NOTE: 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 demolition and construction works. Should the applicant require any further guidance they should contact Environmental Control prior to the commencement of the works.

Prior to any works taking place in the highway the developer should enter into an agreement with the Highway Authority under the Highways Act 1980 to regulate the construction of the highway works. All highway related details should be agreed with the Highway Authority.

7.3/74 – 091088 & 091089 – 3-4 Greens Yard, Colchester

Extra conditions

The rear boundary fence shall be replaced with the red brick wall as indicated on the approved drawing within 6 months from the date of this decision.

Reason: To ensure the development does not harm the character or appearance on the listed building on this site.

A sample area of the external concrete render shall be removed and the local planning authority informed in writing that this work has taken place to allow inspection of the work. Following inspection the local planning authority will confirm in writing whether or not the removal of all the concrete render and its replacement with lime based render is acceptable. No other work to the external render shall take place until this condition has been discharged.

Reason: To ensure the development does not harm the character or appearance on the listed building on this site.

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SUPPLEMENTARY AGENDA

Part B

(not open to the public or the media)

Pages

There are no Section B Items