

**COLCHESTER BOROUGH COUNCIL  
PLANNING COMMITTEE  
14 April 2011 at 6:00pm**

**SUPPLEMENTARY AGENDA**

**Part A**

(open to the public including the media)

**Pages**

**. Amendment Sheet**

**67 - 78**

See Amendment Sheet attached.



# **AMENDMENT SHEET**

**Planning Committee  
14 April 2011**

## **AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED**

- 7.1 110304 – Land adjacent to Gregory and Card, Woringford Road, Woringford

The door mechanisms on the containers have been lagged and notices advising of the hours of operation attached to each container

Additional Condition:

The development shall be implemented in all respects strictly in accordance Amended Drawing received 21.7.09 (090786) as hereby approved, unless otherwise subsequently agreed, in writing, by the Local Planning Authority.

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

- 7.2 102680 – Greyfriars, Hillcrest and All Saints House, High Street, Colchester

For the avoidance of any doubt, an amended proposed site layout plan has been submitted by the agent which deletes any reference to the location of a Marquee in the gardens. The plan also shows enlarged car parking spaces to accord with the current standard. The covering letter confirms that the applicant would be willing to accept a condition stating that no marquee shall be erected on the site without the prior written approval of the Local Planning Authority. Such a condition has been included below.

The Committee's attention is drawn to two additional consultation responses which are summarised below.

English Heritage comment:

*“English Heritage has taken part in extensive pre-application discussions in respect of these proposals.*

*The proposed use of Greyfriars as a hotel would be an appropriate one. The combination of the fine Georgian house and substantial later wings lends itself to this use - while also militating against the return of the house to private use. English Heritage endorsed this approach to the use of the building in discussion with the Borough and County Councils prior to the sale of the property.*

*The present scheme is one that English Heritage considers broadly sympathetic. It would entail only limited works to the building. The majority of the proposed changes would be to the later wings, and the Georgian house would be left largely unchanged. Although some of the proposed alterations would damage the architectural and historic interest of the building - notably the creation of new doors between rooms, sometimes through panelling - we are persuaded that these are necessary, and consider the way that the alterations have been designed to be appropriate. The removal of the modern screen from the staircase would be beneficial.*

*The addition of a new entrance to the east of the building seems the most sympathetic means of planning for circulation within the hotel. The building can be altered here to provide all that is needed for the entrance and reception hall without damage to anything of importance; and a lift can be provided relatively unobtrusively in an addition close to the new reception hall. The same would not be true were the front door to the 18<sup>th</sup> century house to be used. The glass pavilion that would house the entrance itself would contrast with the architectural character of Greyfriars and with that of East Hill; but its position and scale are such that it would not be obtrusive.*

*While in broad terms acceptable, the appropriateness of what is proposed will depend on the execution of the proposed works in a manner sympathetic to the architectural and historic character of Greyfriars. The detailing of the works, the choice of materials and the quality of craftsmanship will all be vital. The detailed drawings for the proposed jib doors submitted with the scheme are appropriate, but your Council should attach suitable conditions to control such matters. One element of work not fully explained in the drawings is the proposed work on the second floor to the partition between the corridor and room 15 - a partition presently formed of interesting historic elements. Historic details of this sort should not be lost or wholly obscured.*

**Recommendation**

*These proposals for the alteration of Greyfriars and its conversion into a hotel are ones that English Heritage considers broadly sympathetic to the building and its history. The proposed use is an appropriate one, and the works, although entailing a few damaging alterations, have been thoughtfully conceived, are limited in extent and are largely consistent with the preservation of the architectural and historic interest of the building. We recommend that your Council approve these proposals, subject to suitable conditions to control the nature and quality of works."*

The Enterprise & Tourism Development Officer makes the following comments:

*"We support this application absolutely. It fits right in line with the recommendations in the 2007 Humberts Report into demand and supply of hotel accommodation in Colchester and the sequential site assessment which identified an urgent need for a boutique hotel in central Colchester. It will add to Colchester's appeal in terms of giving visitors more choice of accommodation and will also be a perfect compliment to the new firstsite gallery which together as a package will encourage more short breaks in Colchester and so a larger financial contribution than simple day tripping. This in turn will bring more jobs and so fits in well with the Council's broader aims on job creation and the Council's recently approved Economic Development Strategy which identifies tourism as a key driver for future economic growth."*

Below is a full schedule of draft 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:  
Site Area Plan,  
232035\_101B,  
232035\_102C,  
232035\_103B,  
232035\_104B,  
232035\_105B,  
232035\_106B,  
232035\_200D,  
232035\_201D,  
232035\_202C,  
232035\_203B,

232035\_204C,  
232035\_205C,  
232035\_206B,  
232035\_207B,  
232035\_208B,  
232035\_300A,  
232035\_301A,  
232035\_302A,  
232035\_303A,  
232035\_310B,  
232035\_311A,  
232035\_312B,  
232035\_313B,  
232035\_314A,

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

3. The premises shall be used as a hotel with ancillary bar, restaurant, function room, offices and staff flat, under Class C1 only as defined in the Use Class Order and for no other purpose (including any other purpose in Class C1, A3 or A4 of the Schedule to the Town and Country Planning (Use Classes) (Amendment) Order 2005, or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order, with or without modification.

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

4. Samples of all materials to be used in the external construction and finishes of all parts of the proposed development shall be submitted to and agreed in writing by the Local Planning Authority before the development commences. The development shall be implemented in accordance with agreed details and thereafter retained as such.

Reason: To ensure the use of an appropriate choice of materials having regard to the listed buildings on the site and the prominence and importance of this site in the conservation area.

5. Additional drawings that show details of all architectural features of the lift tower and glazed lobby entrance (including window reveals and glazing systems), doors, door cases, eaves, verges, cills, copings, arches, plinths, parapets, string courses, lintels, balconies, balustrades, brick bond, mortar mix, colour and pointing, flues, extract equipment and external plant and support structures and roof features, at a scale of between 1:20 and 1.1 as appropriate shall be submitted to and approved in writing by the local planning authority prior to commencement of the development. The development shall be carried out in accordance with the approved details.

Reason: The application has insufficient detail of all architectural elements and to ensure the use of appropriate detailing having regard to the listed buildings on the site and the prominence and importance of this site in the conservation area.

6. No development shall take place within the application site until the applicant has secured the maintenance of an on-site watching brief by a suitably qualified and experienced archaeologist during construction work in accordance with written details which have been submitted to and approved in writing by the Local Planning Authority. In the event of important archaeological features or remains being discovered which are beyond the scope of the watching brief to excavate and record and which require a fuller rescue excavation, then construction work shall cease until the applicant has secured the implementation of a further programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any remains of archaeological importance are properly recorded.

7. A competent person shall ensure that the rating level of noise emitted from the site plant, equipment and machinery shall not exceed 5dBA above the background prior to the use hereby permitted commencing. The assessment shall be made in accordance with the current version of British Standard 4142. The noise levels shall be determined at all boundaries near to noise-sensitive premises. Confirmation of the findings of the assessment shall be provided in writing to the local planning authority prior to the use hereby permitted commencing. All subsequent conditions shall comply with this standard. (A competent person is defined as someone who holds a recognised qualification in acoustics and/or can demonstrate relevant experience.)

Reason: To ensure that the permitted development does not harm the amenities of the area by reason of undue noise emission.

8. Any plant, equipment or machinery on the premises shall be constructed, installed and maintained so as to comply with the initial noise condition. The noise generated by such equipment shall not have any one 1/3 octave band which exceeds the two adjacent bands by more than 5dB as measured at all boundaries near to noise sensitive premises.  
Reason: To ensure that the permitted development does not harm the amenities of the area by reason of undue noise emission.
9. The use hereby permitted shall not commence until there has been submitted to and approved in writing by the local planning authority a scheme for the control of fumes and odours. This shall be in accordance with Colchester Borough Council's *Guidance Note for Odour Extraction and Control Systems*. Such fume/odour control measures as shall have been approved shall be installed prior to the use hereby permitted commencing and thereafter be retained and maintained to the agreed specification and working order.  
Reason: To ensure that the permitted development does not harm the local environment or the amenities of the area by reason of odours.
10. Foul water drains serving the kitchen shall be fitted with grease traps maintained in accordance with the manufacturer's instructions prior to the use hereby permitted commencing. Such equipment as shall have been installed shall be retained and maintained to the agreed specification and in good working order thereafter.  
Reason: To prevent blocking of the drainage system and pollution of the water environment.
11. 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 E4. 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 building hereby permitted coming into beneficial use/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 thereafter.  
Reason: To minimise the undesirable effects of light pollution and to protect the amenity of nearby residential properties.



12. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i. the parking of vehicles of site operatives and visitors
  - ii. the timing and scheduling of deliveries to the site (to avoid peak times and unsocial hours)
  - iii. loading and unloading of plant and materials
  - iv. storage of plant and materials used in constructing the development
  - v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - vi. wheel washing facilities
  - vii. measures to control the emission of dust and dirt during construction
  - viii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To protect the amenity of neighbouring residential properties, to prevent obstruction of the highway in the interests of highway safety.

13. Demolition or construction works shall not take place outside 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: To protect the amenity of neighbouring residential properties.

14. No marquee or other temporary structures shall be erected on the site without prior approval in writing by the local planning authority.

Reason: To prevent undue noise and disturbance to nearby residential properties from outdoor events.

15. No customers shall be permitted on the rear terrace outside the following times, with the exception of in a designated smoking area, the siting of which shall be submitted to and approved in writing by the local planning authority prior to the use hereby approved first commencing, unless otherwise agreed in writing by the local planning authority:  
0800 – 2330hrs, Mondays - Fridays  
0800 – 2330hrs, Saturdays  
0800 – 2200hrs, Sundays.  
Reason: To prevent undue noise and disturbance to nearby residential properties
16. No works or development shall be carried out until an Arboricultural Implications Assessment (updated to take into account hard and soft landscaping proposals including level changes), Arboricultural Method Statement and Tree Protection Plan in accordance with BS 5837, have been 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 which contribute positively to the character and appearance of the Conservation Area and the setting of the listed buildings.
17. All existing trees and hedgerows shall be retained, unless shown to be removed on the approved drawing. All trees and hedgerows on and immediately adjoining the site 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 shall be monitored and recorded for at least five years following contractual practical completion of the approved development. In the event that any 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.  
Reason: To adequately safeguard the continuity of amenity afforded by existing trees which contribute positively to the character and appearance of the Conservation Area and the setting of the listed buildings.

18. 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).

Reason: To protect the health of trees, shrubs and other natural features to be retained and to adequately safeguard the continuity of amenity afforded by existing trees which contribute positively to the character and appearance of the Conservation Area and the setting of the listed buildings.

19. No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved in writing by the local Planning Authority (see BS 1192: part 4). These details shall include, as appropriate:

Existing and proposed finished contours and levels including cross sections through the site.

Means of enclosure between the site and the car park (to incorporate a brick wall, unless otherwise agreed in writing by the local planning authority due to archaeological reasons).

Other vehicle and pedestrian access and circulation areas.

Hard surfacing materials.

Minor artefacts and structures (e.g. furniture, refuse or other storage units, lighting).

Proposed and existing functional services above and below ground (e.g. drainage, power, communication cables, pipelines, etc. indicating lines, manholes, supports etc.).

Retained historic landscape features and proposals for restoration.

Soft landscape details shall include:

Planting plans.

Written specifications (including cultivation and other operations associated with plant and grass establishment).

Schedules of plants, noting species, plant size and proposed numbers/densities.

Planting area protection or decompaction proposals.

Implementation timetables.

Reason: To safeguard the provision of amenity afforded by appropriate landscape design and to preserve and enhance the character and appearance of the conservation area and the setting of the listed buildings.

20. All approved hard and soft landscape works shall be carried out in accordance with the implementation and monitoring programme agreed with the local Planning Authority and in accordance with the relevant recommendations of the appropriate British Standards. All trees and plants shall be monitored and recorded for at least five years following contractual practical completion of the approved development. In the event that trees and/or plants die, are removed, destroyed, or in the opinion of the local Planning Authority 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.  
Reason: To ensure the provision and implementation of a reasonable standard of landscape in accordance with the approved design.
21. The use hereby permitted shall not commence until the parking areas shown on the approved plans have been laid out and surfaced in accordance with the approved plans, and that area shall not thereafter be used for any purpose other than the parking of vehicles and cycles in association with the use hereby permitted.  
Reason: To ensure that vehicles visiting the site can park off the highway to ensure the convenience and safety of pedestrians and other road users is not prejudiced.
22. Prior to being discharged into any watercourse, surface water sewer or soakaway all surface water drainage from car park areas shall be passed through an oil interceptor designed and constructed to have a capacity compatible with the site being drained. Roof water shall not pass through the interceptor.  
Reason: To prevent pollution of the water environment.
23. The use hereby permitted shall not commence until refuse and recycling storage facilities shall be provided in accordance with a scheme which shall have previously been submitted to and approved in writing by the Local Planning Authority. Such facilities shall thereafter be retained to serve the development.  
Reason: To ensure that suitable facilities are provided for the storage of refuse and recycling to prevent harm to the amenities of nearby residential properties.

24. The use hereby permitted shall not commence until a Service Yard Management Agreement (SYMA) has been submitted to and approved in writing by the Local Planning Authority. The approved SYMA shall thereafter be adhered to unless otherwise agreed in writing by the Local Planning Authority. The SYMA shall include as a minimum:
- details of refuse and recycling storage facilities
  - methods to minimise odour, noise and disturbance including the timings of any noisy activities
  - servicing and delivery strategy including timings of deliveries
  - details of the transfer of good or waste from the service yard to vehicles

From the date one month after which the development begins trading, details of compliance with the SYMA and of any complaints received by the operator regarding deliveries to the site and use of the service yard shall be supplied to the Local Planning Authority every two weeks until the date which is four months after the date on which the use commences. The operator and the Local Planning Authority shall then carry out a review of the SYMA and the operation of the service yard. From the date which is five months after the date on which the development begins trading the use of the service yard and deliveries shall take place in accordance with the SYMA and any amendments to it agreed between the operator and the Local Planning Authority.

Reason: To protect the amenity of nearby residential properties and in order to minimise any risk of pollution or nuisance. Experience has shown that the recycling of bottles and other materials can cause noise disturbance to nearby residents, particularly when undertaken at unsocial times. The Council will expect noise attenuated systems to be used.

25. No development shall commence until a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and occupational phases of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The scheme shall be constructed and the measures provided and made available for use in accordance with such timetables as may be agreed.

Reason: To enhance the sustainability of the development through better use of water, energy and materials.

**Informatives**

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.

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 01206 838600.

The applicant's attention is drawn to the comments made by the Highway Authority regarding the relocation of the bus stop.

The applicant's are encouraged to prepare and monitor a staff travel plan.

One additional letter of support has been received in relation to this application, praising the sensitive conversion and restoration works, and noting the use would still allow public access to these historic buildings.

**COLCHESTER BOROUGH COUNCIL  
PLANNING COMMITTEE  
14 April 2011 at 6:00pm**

**SUPPLEMENTARY AGENDA**

**Part B**

(not open to the public or the media)

**Pages**

**There are no Section B Items**