

AMENDMENT SHEET

Planning Committee
7th September 2023

AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED

7.4 231370 – 4 St Botolphs Street

An additional letter of representation received by the Civic Society was received and therefore, section 8 of the report requires updating: Colchester Civic Society have objected to the replacement windows due to the impact on the character of the locally listed building, conservation area and the potential precedent which could be set. Painting the windows black does mask the poor detailing of the UPVC but results in the visual loss of window frame with the black appearance of glass. This will do considerable harm to the conservation area. This application should be refused, and the original windows reinstated. The Civic Society do support the proposal to replace the clock although anxious regarding the detailed design and nature – suggest an installation that allows for servicing the clock without full scaffolding.

One letter of objection has been received as part of the public consultation and therefore, section 10 of the report requires updating: One neighbouring letter of objection has been received and is summarised below; full comments are available to view on the website: The 2003 Licensing Act created huge problems for town centre residents. Life changed overnight. Communities were destroyed as people moved out, totally fed up with living in something often likened to a war zone. Properties were vandalised by late night revellers, anti-social behaviour kept us awake until dawn. It was hell! Luckily, times are changing again. Night clubs are far less popular. However, the nighttime economy is still causing huge problems. A vast swathe of the population no longer comes into Colchester in the evening - to the theatre, the cinema, concerts, meetings, a quiet drink, or an evening meal because they are afraid of what they will experience as they try to get home. People who move into town centre homes find the noise at night unbearable and move to the suburbs. This does not allow for the creation of stable, mutually supportive, mixed communities, something that we are trying to encourage in the Masterplan. Why should the Council bend over backwards to support the retention of a nightclub in a street that will be close to new housing developments on both the Britannia and Vineyard Street sites as well as in Priory Walk? Why pave the way for the owner of a locally listed building in a Conservation Area to instal plastic windows so that they can continue to run this club? St Botolph's Street is awful. It desperately needs regeneration, but this is not the way to do it!

Paragraph 15.7 also requires amending to the following:

It is noted that a very detailed objection has been received whereby it is opined that the nightclub business is not one that is desirable for retention. However, this is considered to be an important footfall driver in a regeneration area and an important part of the night time economy with Leisure, food, and beverage uses increasingly important in an age of shrinking demand for retail floorspace.

7.5 220526 - Land adjacent to 67 Braiswick

As previously confirmed the anticipated changes to the layout of the public open space (detailed at Paragraph 16.77 of the committee report) have been made and an amended public open space plan drawing AH013.346.04 submitted (dated 31st August). The aforementioned drawing forms part of a wider updated drawing pack, as other drawings which show the site in its entirety have been updated to ensure consistency between drawings (i.e. ensure all drawings reflect the changes made to the layout of public open space).

The drawing numbers referenced in Condition 2 (Plans) are updated accordingly, to ensure the drawings referenced are those which show the revised public open space provisions.

Notwithstanding the provisions of any other conditions attached to this permission, the development hereby permitted shall be carried out in accordance with the details shown on the submitted drawing numbers:

AH013.300.30
AH013.301.12
AH013.302.11
AH013.303.11
AH013.304.15
AH013.310.05
AH013.311.05
AH013.312.05
AH013.313.05
AH013.314.05
AH013.315.05
AH013.316.05
AH013.317.05
AH013.318.05
AH013.319.05
AH013.320.05
AH013.321.05
AH013.322.05
AH013.323.06
AH013.324.05
AH013.325.05
AH013.326.05
AH013.340.05
AH013.341.06

AH013.342.06

AH013.346.04

JBA 21/311-03 REV L

JBA 21/311-04 REV L

Reason: For the avoidance of doubt and to ensure that the proposed development is carried out as approved.

The drawing numbers referenced in recommended Condition 10 are also updated, as the landscaping plans have been updated to reflect the revisions to the public open space provisions:

Notwithstanding the provisions of any other conditions attached to this permission, prior to the commencement of development a revised landscaping plan which is broadly inline with drawings [JBA 21/311-03 REV L](#) and [JBA 21/311-04 REV L](#), but which includes a linear tree belt to the western boundary of the site, while retaining the functionality of the proposed public open space and avoiding conflict with means of enclosure and street furniture, shall have been submitted to and approved, in writing, by the Local Planning Authority. The trees to the POS bounding the western access road shall form a comprehensive linear feature of large broader crowned native trees all along that western boundary. The approved revised landscaping plan(s) shall subsequently be implemented as approved and otherwise in compliance with the provisions of other conditions attached to this permission.

Reason: To ensure appropriate tree planting is implemented in this location to help protect, conserve and enhance views into the site from the west by, at maturity, filter screening the development whilst complementing the sites wooded ridge setting.

The remainder of the material submitted by the applicant since the previous committee meeting does not make further changes to the scheme but looks to provide additional detail and context on the proposals as submitted. This includes enlarged views of the proposed detailing to the dwellings (with corresponding annotations) and indicative computer-generated images of the proposed development.

Supplementary comments have also now been provided by the Council's Urban Design Officer:

At the Planning Committee meeting of 17th August Members deferred the application to seek urban design improvements to the layout, in order to consolidate area(s) of public open space. New plans were subsequently submitted, dated 31st August. The revised site layout plan appears to show changes to two areas of the site, however these changes are not reflected in the landscaping plans. Firstly, the area of public open space to the north of the proposed play area (LEAP) has been amended to consist of a grassed area with benches, rather than a seeded flower lawn (as previously proposed). Secondly, the parking provision for plots 14 and 15 has been revised to increase the area of public open space to the south of plot 15. Again, this area appears as grassed area with benches, rather than a seeded flower lawn with tree planting (as previously proposed).

In light of the above identified revisions, it is not considered that areas of public open space have been consolidated, but rather their function has been changed and/or their size increased. The resulting loss of parking is considered acceptable on the basis that policy compliant parking provision is retained. The resulting loss of structural landscaping should be weighed up in the round along side the increased provision of public open space. In this vein, I would suggest that overall, the revisions have a neutral impact on the standard of design achieved.

With regard to the wider design of the scheme and further to my previous comments (para. 8.15 of Committee Report), the proposed layout facilitates broadly acceptable treatment of the sites sensitive edges, including partial continuation of the building line along the existing highway. The layout also facilitates the onward vehicular connection to the wider allocation and an appropriate degree of pedestrian permeability. The peripheral location of the primary area of public open space and play area remains less than ideal in terms of optimal accessibility. However, the location of this area of public open space along with the road layout, is dictated to a degree by the existing topography of the site in combination with the quantum of development proposed. The primary area of public open space is also supplemented by a secondary area of public open space in a more central location. Combined, the two areas of public open space identified deliver a policy compliant quantum of public open space. The proposed layout also achieves policy compliance in terms of back to back distances, garden sizes and parking provision. The proposed built environment adopts relatively traditional vernacular forms, materiality and detailing. The use of additive forms is welcomed, however it is noted that this does not result in a variety of plan forms. This consistency in the composition of the proposed built environment, combined with its homogenous placement, results in a lack of distinct identity and visual interest across the site. However, the built environment broadly complies with relevant policy requirements and provides for adequate levels of residential amenity.

In summary, it is considered that some elements of the design of the proposed development have been improved throughout the application lifecycle, whilst others remain sub-optimal in design terms. However, the principle of the proposed development is established and a number of the negative elements of the design are dictated by existing site constraints and the quantum of development proposed. Notwithstanding details pertaining to proposed levels (to be agreed by condition), it is considered that on balance the proposed spatial layout responds to the existing site constraints in an appropriate manner. However, the built environment, though relatively inoffensive and broadly policy compliant, could do more to mitigate the impacts of said constraints. As such a balanced judgement is required as to whether the negative elements of the proposed design are considered acceptable in the context of the wider material planning considerations relevant to this application.