

**COLCHESTER BOROUGH COUNCIL  
PLANNING COMMITTEE  
21 May 2009 at 6:00pm**

**SUPPLEMENTARY AGENDA**

**Part A**

(open to the public including the press)

**Pages**

**11. Amendment Sheet**

**122 - 128**

See Amendment Sheet



# AMENDMENT SHEET

Planning Committee  
21 May 2009

## AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED

7.1 090217 – Land adjacent (south) of Grange Road, Tiptree

Withdrawn from the Agenda by the Head of Environmental & Protective Services.

7.2 090099 – Culver \* Lion Walks, 9-21 Trinity Square, 30-33 Eld Lane, 87 Culver Street East, Colchester

1) The applicants' agent – Stanley Bragg – have re-iterated their clients' desire for the horizontal rendered panels in lieu of retaining the horizontal brick banding, as detailed below:

### Architectural Justification for the upper horizontal rendered panel

- Stanley Bragg remain passionate regarding their collaboration with Frederick Gibberd Partnership during the 1970's which resulted in the defining Lion Walk shopping centre. It is widely recognised that the form and simple use of materials have lasted longer than many of its counterparts of modernistic design. Therefore, Stanley Bragg have looked at the successful references of the 40 year old design and have applied these with the same careful attention by retaining all the existing forms, articulation, opposing materials, but replacing them with evolutionary materials which we believe would have the support of Sir Frederick himself.
- Sir Frederick Gibberd's work is widely known for using a palette of textures, including, of concrete and render. Indeed the original design was intended to use concrete throughout and therefore we consider that the render over 6 courses is wholly appropriate and faithful to the original architect's portfolio.

- By examining the facades of the existing Lion Walk shopping centre you are aware of differing layers of materials, textures and form i.e., vertical tile hanging, horizontal brick banding and expanses of shopfronts. The proposal retains the complete philosophy of textural layering with blocks of modular glass façade, blocks of modular render and shop fronts.
- If the elevational band of brickwork courses were to remain, the appearance of floating brickwork with thin brick slips would be very uncomfortable in the context of the new surface treatments above, as there are no visible means of support. This omission is a fundamental flaw in the design and the current proposal seeks to correct this by using a Gibberd material, a band of render. It will then provide a visual block of colour which allows you to assume that the supporting device is hidden within it.
- The horizontal render performs the function of acting as a transition material from the smoothness of the glass with an etched frieze, to the softer texture of the horizontal render and then onto the coarseness of the handmade brickwork below. It will soften and lessen the transition line between the band and the cladding panels above, which would otherwise cut in and produce a jarring line.
- This horizontal rendered band is without doubt the key architectural device that visually links and connects all the detached retail blocks together and creates the branding of the centre, in a coherent contemporary form. This band can be tracked from Vision Express in the south to the CO-OP in Culver Street East. The colour of the render remains to be finalised, but its use is a vital and integral part in delivering the final contemporary evolution.
- Render is one of Colchester's oldest form of materials to be used in construction and is listed on the "materials for use in the conservation area", approved by Colchester Borough Council. Its use is wholly appropriate for this location, as can be seen throughout the town. Acrylic renders are used widely and retain their colour and repel dirt, thus giving it longevity.
- It is vital that the brickwork is covered up to retain the crispness of the high level glass façades, which would be weakened by the very nature of the incidental handmade bricks. We would also argue that leaving a brick band could create an elevational image which looks oddly unfinished.

- To conclude, Stanley Bragg consider that the rendering of such a small proportion of Lion Walk façade, (approx 90% will be retained) is vital to provide a cohesive , evolving, sympathetic, refurbishment and that without completing this in its entirety, it will be construed as an ill conceived design resulting in an unacceptable eclectic architectural manner, with an unfinished appearance.

**2) Condition 20 is hereby deleted as a duplicate condition.**

Amended wording for the following conditions (new wording in **bold type**).

6 - Non-Standard Condition

Detailed drawings showing the proposed street furniture shall be submitted within 56 days of this permission. These shall be agreed in writing by the Local Planning Authority and shall be implemented **in accordance with a timetable which shall also be agreed in writing within 56 days of permission**, and retained as such at all times.

Reason: In the interests of visual amenity in this prominent location within Colchester Conservation Area 1.

7 -Non-Standard Condition

Details of the mortar type, colour **and joint profile** shall be agreed within 28 days of permission, and shall be implemented in a phased manner to be agreed with the Local Planning Authority, this agreement shall also be reached within 28 days of the permission.

8 - Non-Standard Condition

Detailed drawings showing the proposed type/specification, **including gauge** of the stone paving and the bonding shall be submitted within 28 days of this permission. These shall be agreed in writing by the Local Planning Authority **and shall be implemented in a phased manner to be agreed with the Local Planning Authority, this agreement shall also be reached within 28 days of the permission**, and retained as such at all times.

Reason: In the interests of visual amenity in this prominent location within Colchester Conservation Area 1.

#### 12 - Non-Standard Condition

Detailed drawings showing any under-lighting to the soffits shall be submitted within 28 days of this permission. These shall be agreed in writing by the Local Planning Authority and shall be **in a phased manner to be agreed with the Local Planning Authority, this agreement shall also be reached within 28 days of the permission** and retained as such at all times.

Reason: In the interests of visual amenity in this prominent location within Colchester Conservation Area 1.

#### 14 - Non-Standard Condition

Detailed drawings showing the proposed “welcome mats” shall be submitted within 56 days of this permission. These shall be agreed in writing by the Local Planning Authority and shall be implemented **in a phased manner to be agreed with the Local Planning Authority, this agreement shall also be reached within 28 days of the permission** and retained as such at all times.

Reason: In the interests of visual amenity in this prominent location within Colchester Conservation Area 1.

#### 15 - Non-Standard Condition

Detailed drawings showing the proposed soft-landscaping and green wall shall be submitted within 56 days of this permission. These shall be agreed in writing by the Local Planning Authority and shall be implemented **in a phased manner to be agreed with the Local Planning Authority, this agreement shall also be reached within 28 days of the permission** and retained as such at all times.

### 7.3 090215 – St Fillan Road, Colchester

Members are advised that the following comment has been received from the Council’s Parks and Recreation Manager:

‘I have considered the content of the correspondence from Ms Nicky Ryan regarding the mental and physical condition of the residents of the proposed Greenways Care Home. The letter confirms that there will be no increased demand on open space and recreational facilities as a result of this development and I am satisfied that the mental and physical condition of the residents as set out in the letter from Nicky Ryan is accurate.

The reasoning for a developer’s contribution as set out in our approved SPD is to provide for the additional demands that arise from the needs of new residents. In view of the information provided I am prepared to accept that it is a reasonable assumption that there will be no increased demand associated with this specific application. I am therefore prepared to waive an open space sport and recreation contribution associated with this application on the understanding that

the mental and physical condition of the residents is as set out in the letter from Ms Nicky Ryan.'

On the basis of the above the recommendation to Members is altered to one of **Conditional Approval**.

Members are also advised that the terms of the application have been clarified by the applicant's agent and the following additional information has been received:

'The current proposal is only for the operation of a 66 bedroom care centre on the Greenways site. There is no specific provision for day care facilities on the site. However the building has been designed with flexibility of usage in mind, so that part of the ground floor can be converted at a later stage from bedrooms into a possible day care centre facility, should the local authority wish to commission a service to be provided solely within the Greenway site.'

Lastly, the reason for condition 16 should read :

' To safeguard the continuity of amenity afforded by existing trees on the site'.

An additional Travel Plan condition is also added to the recommended list of conditions as follows:

- Prior to occupation of the development a Travel Plan which shall include monitoring shall be submitted to and approved in writing by the Local Planning Authority. The provision of the Travel Plan shall be adhered to at all times unless otherwise approved in writing by the Local Planning Authority  
Reason: In the interests of sustainable development in accordance with Essex Local Transport Plan 2006 / 2011. Appendix G: Development Control Policies and Processes Policy 4 Sustainability and Policy 6 Travel Plans.

#### 7.4 090452 – Calver House, 44, 46, 48 & 38 Artillery Street, Colchester

Additional information provided on behalf of agent:-

- Calver House was altered by Colne Housing Society in 2003 when 8 car parking spaces were provided to rear. This area was open to the garden area provided for the flats.
- In 2003 an application for 1 bungalow on the car park was submitted and refused for single reason – inadequate garden area for proposed bungalow (O/COL/03/1443 refers – the proposal involved the re-modelling of the amenity space for the flats and clothes drying area).
- In the present case site area is larger and garden size issue addressed.

- Owners in Victor Road have been contacted and advised parking has been moved away from boundary, offering protection from noise and fumes. Also extra planting and higher fencing can be addressed by way of a “boundary treatment” condition.
- The applicants intend to provide a replacement shed for Calver House tenants.

7.5 090463 – Carlef, Ivy Lodge Road, Great Horkesley

The Parish Council has no objection to this application but asks the officer to have regard to obscured glazing, overlooking etc.

7.6 090446 – 110 Coast Road, West Mersea

The comments of the West Mersea Town Council have been incorrectly reported in the agenda and should read as follows:-

“Following discussion it was agreed to recommend CONSENT be granted in respect of this application. However, having regard to the site’s status as Conservation Area and the potential restriction of riparian rights, we ask that wooden posts, close enough together to prevent vehicle access, with no chains, are erected. Any conflict with the forthcoming Marine Bill should also be considered.”

**Mr Vince, 19 Firs Road refers to the map showing the Village Green and states that all of the site is included within the VG and not just the southernmost corner as described in paragraph 10.2 of the Committee report.**

**The Applicant has provided the following comment in respect of the Village Green:-**

**“As you can see, our buildings are just above the 'A; on the map. This means that the majority if not all of our site is clear of the 'village green'. I assume the red line, G-H, is for amended boundary and would accord with the edge of the concrete apron. This is as I had previously advised, the club owns the freehold of all the land and none is on the village green. I trust this help”.**



7.9 090221 – 92 Coast Road, West Mersea

Applicant has stated in correspondence relating to the previous withdrawn application that the trading floor area of the existing Public House is approximately 160 sq. m and that the total number of usable parking spaces (prior to the closure of the existing access and the provision of additional parking) is approximately 30 spaces (these spaces are not currently marked out).

The relevant adopted parking standard for a Public House is 1 space per 5 sq.m.floor area. On this basis the existing parking is marginally below this standard.

7.11 090360 – Sports Ground, Colchester Road, West Mersea

Withdrawn from the Agenda by the Head of Environmental & Protective Services for submission of information relating to the impact of the parking area on the existing trees/hedges and details of the hours of use of the improved clubhouse facilities.