

Planning Committee

Town Hall, Colchester
15 October 2009 at 6.00pm

This committee deals with

planning applications, planning enforcement, public rights of way and certain highway matters.

If you wish to come to the meeting please arrive in good time. Attendance between 5.30pm and 5.45pm will greatly assist in noting the names of persons intending to speak to enable the meeting to start promptly.

Information for Members of the Public

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Private Sessions

Occasionally meetings will need to discuss issues in private. This can only happen on a limited range of issues, which are set by law. When a committee does so, you will be asked to leave the meeting.

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Material Planning Considerations

The following are issues which the Planning Committee can take into consideration in reaching a decision:-

- planning policy such as local and structure plans, other local planning policies, government guidance, case law, previous decisions of the Council
- design, appearance and layout
- impact on visual or residential amenity including potential loss of daylight or sunlight or overshadowing, loss of privacy, noise disturbance, smell or nuisance
- impact on trees, listed buildings or a conservation area
- highway safety and traffic
- health and safety
- crime and fear of crime
- economic impact – job creation, employment market and prosperity

The following are **not** relevant planning issues and the Planning Committee cannot take these issues into account in reaching a decision:-

- land ownership issues including private property rights, boundary or access disputes, restrictive covenants, rights of way, ancient rights to light
- effects on property values
- loss of a private view
- identity of the applicant, their personality, or a developer's motives
- competition
- the possibility of a "better" site or "better" use
- anything covered by other types of legislation

Human Rights Implications

All applications are considered against a background of the Human Rights Act 1998 and in accordance with Article 22(1) of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003 there is a requirement to give reasons for the grant of planning permission. Reasons always have to be given where planning permission is refused. These reasons are always set out on the decision notice. Unless any report specifically indicates otherwise all decisions of this Committee will accord with the requirements of the above Act and Order.

Community Safety Implications

All applications are considered against a background of the implications of the Crime and Disorder Act 1998 and in particular Section 17. Where necessary, consultations have taken place with the Crime Prevention Officer and any comments received are referred to in the reports under the heading Consultations.

**COLCHESTER BOROUGH COUNCIL
PLANNING COMMITTEE
15 October 2009 at 6:00pm**

Members

Chairman : Councillor Ray Gamble.
Deputy Chairman : Councillor Stephen Ford.
Councillors Mary Blandon, Helen Chuah, Mark Cory,
John Elliott, Andrew Ellis, Theresa Higgins, Sonia Lewis,
Jackie Maclean, Jon Manning and Ann Quarrie.

Substitute Members : All members of the Council who are not members of this Committee or the Local Development Framework Committee. The following members have undertaken planning training which meets the criteria:-
Councillors Christopher Arnold, Nick Barlow, Lyn Barton, John Bouckley, Nigel Chapman, Peter Chillingworth, Barrie Cook, Beverly Davies, Wyn Foster, Mike Hardy, Pauline Hazell, Peter Higgins, Martin Hunt, Michael Lilley, Sue Lissimore, Richard Martin, Nigel Offen, Lesley Scott-Boutell, Laura Sykes, Jill Tod, Anne Turrell and Julie Young.

Agenda - Part A

(open to the public including the media)

Members of the public may wish to note that Agenda items 1 to 6 are normally brief and agenda items may be considered in a different order if appropriate.

An Amendment Sheet is circulated at the meeting and members of the public should ask for a copy to check that there are no amendments which affect the applications in which they are interested. Could members of the public please note that any further information which they wish the Committee to consider must be received by 5pm on the day before the meeting in order for it to be included on the Amendment Sheet. With the exception of a petition, no written or photographic material can be presented to the Committee during the meeting.

Pages

1. Welcome and Announcements

(a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.

(b) At the Chairman's discretion, to announce information on:

- action in the event of an emergency;
- mobile phones switched off or to silent;
- location of toilets;
- introduction of members of the meeting.

2. Have Your Say!

The Chairman to invite members of the public to indicate if they wish to speak or present a petition on any of items included on the agenda. You should indicate your wish to speak at this point if your name has not been noted by Council staff.

3. Substitutions

Members may arrange for a substitute councillor to attend a meeting on their behalf, subject to prior notice being given. The attendance of substitute councillors must be recorded.

4. Urgent Items

To announce any items not on the agenda which the Chairman has agreed to consider because they are urgent and to give reasons for the urgency.

5. Declarations of Interest

The Chairman to invite Councillors to declare individually any personal interests they may have in the items on the agenda.

If the personal interest arises because of a Councillor's membership of or position of control or management on:

- any body to which the Councillor has been appointed or nominated by the Council; or
- another public body

then the interest need only be declared if the Councillor intends to speak on that item.

If a Councillor declares a personal interest they must also consider whether they have a prejudicial interest. If they have a prejudicial interest they must leave the room for that item.

If a Councillor wishes to make representations on an item on which they have a prejudicial interest they may do so if members of the public are allowed to make representations. In such circumstances a Councillor must leave the room immediately once they have finished speaking.

An interest is considered to be prejudicial if a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice the Councillor's judgement of the public interest.

Councillors should consult paragraph 7 of the Meetings General

Procedure Rules for further guidance.

6. Minutes

1 - 5

To confirm as a correct record the minutes of the meeting held on 1 October 2009.

7. Planning Applications

In considering the planning applications listed below, the Committee may chose to take an en bloc decision to agree the recommendations made in respect of all applications for which no member of the Committee or member of the public wishes to address the Committee.

1. 090011 Hawkins Road, Colchester
(St Andrew's)

6 - 14

Reserved Matters application for erection of 221no. dwellings in 4no. buildings, including 244no. car parking spaces, refuse and cycle storage, sewer diversion, work to river wall, commercial accommodation and landscaping. Resubmission of 072531.

2. 091139 Shorlands, Coggeshall Road, Dedham
(Dedham and Langham)

15 - 23

Demolition of existing dwelling and construction of 2no. 4 bedroom detached houses and associated garaging.

3. 090902 1B Winnock Road, Colchester
(New Town)

24 - 32

Demolition of shop and construction of 3no. 2 bedroom houses with secure cycle and bin store.

4. 091121 Connaught House, 850 The Crescent, Colchester Business Park, Colchester
(Highwoods)

33 - 35

Construction of a compound to contain condensers.

5. 090802 All Saints Church, Halstead Road, Eight Ash Green
(West Bergholt and Eight Ash Green)

36 - 41

Removal of Condition 21 attached to approval ref: O/COL/02/0306 (Access onto church land prior to occupation of dwellings).

6. 090932 31 Creffield Road, Colchester
(Christ Church)

42 - 49

New garages, office (resubmission of 082042).

7. 091057 The Coast Inn, 108 Coast Road, West Mersea
(West Mersea)

50 - 53

Retention of posts and shuttering to enclose car parking area.

8. Guidance Note // Shopfront Security Guidance

54 - 67

See report by the Head of Environmental and Protective Services.

9. Exclusion of the Public

In accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).

**PLANNING COMMITTEE
1 OCTOBER 2009**

Present :- Councillor Ray Gamble* (Chairman)
Councillor Sonia Lewis* (Deputy Mayor)
Councillors Mary Blandon*, Mark Cory,
John Elliott*, Andrew Ellis, Stephen Ford*,
Theresa Higgins*, Jackie Maclean and
Jon Manning*

Substitute Members :- Councillor Laura Sykes
for Councillor Helen Chuah*
Councillor Richard Martin
for Councillor Ann Quarrie

Also in Attendance :- Councillor Martin Hunt

(* Committee members who attended the formal site visit.)

Councillor Elliott, having declared a personal and prejudicial interest in one of the following applications, was also not present for the determination of applications at minute nos. 106, 107, 109 and 111 all of which were determined under the en bloc arrangements.

105. Minutes

The minutes of the meeting held on 17 September 2009 were confirmed as a correct record.

106. 091010 Sheepen Road Retail Park, Sheepen Road, Colchester

The Committee considered an application for a stand alone Class A1/A3 unit situated at the western end of the car park area backing onto the service road. It would be positioned in between the existing Unit C (Brantano) and B2 (Maplin).

The Committee had before it a report in which all information was set out together with additional comments on the Amendment Sheet.

RESOLVED that the application be approved with the conditions and informatives as set out in the report and Amendment Sheet.

107. 091060 23 Gladwin Road, Colchester, CO2 7HW

The Committee considered an application for a single storey lean-to extension to the rear of a semi-detached house.

The Committee had before it a report in which all information was set out.

RESOLVED that the application be approved with the conditions as set out in the report.

Councillor John Elliott (in respect of his membership of Tiptree Parish Council) declared a personal interest in the following item which is also a prejudicial interest pursuant to the provisions of Meetings General Procedure Rule 7(10) and left the meeting during its consideration and determination.

108. 091094 Caxton Close, Tiptree

The Committee considered an application for the erection of a community hall. The proposed building was single storey, incorporating a hipped roof with gabled elements. The accommodation would comprise a central main hall, a smaller hall, and office, store and infant's toilet within a side wing, together with a meeting room, toilets, kitchen and store in a wing on the opposite side of the building. Two disabled parking bays would be provided on the Caxton Road frontage together with a vehicular turning area and bicycle racks. A secure play area to rear was also proposed.

The Committee had before it a report in which all information was set out together with additional comments on the Amendment Sheet.

RESOLVED that the application be approved with the conditions and informatives as set out in the report and the Amendment Sheet.

Councillor Richard Martin (in respect of his knowledge of the applicant) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor John Elliott (in respect of his membership of Tiptree Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

109. 090471 Gwynlian, Kelvedon Road, Tiptree

The Committee considered an application for the change of use of land from agriculture to private gypsy caravan site. The proposal included hardstandings for four caravans, the erection of a communal dayroom/utility building and the formation of a new access. The application was a resubmission of application 082030. The application had been deferred at the Planning Committee meeting on 9 July 2009 in order for the site boundary to be clarified.

The Committee had before it a report in which all information was set out together with additional comments on the Amendment Sheet.

RESOLVED that the application be approved with the conditions and informatives as set out in the report.

Councillor Andrew Ellis and Councillor Richard Martin (in respect of having previously engaged the services of Mr Gittins) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Sonia Lewis (in respect of her husband having previously engaged the services of Mark Perkins Partnership) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

110. 090916 45 Cambridge Road, Colchester, CO4 4NR

The Committee considered an application for a single storey rear extension and loft conversion with new dormer windows.

The Committee had before it a report in which all information was set out.

The Committee made a site visit in order to assess the impact of the proposal upon the locality and the suitability of the proposal for the site.

John Davies, Principal Planning Officer, attended to assist the Committee in its deliberations.

Juliet Taylor addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application, representing the residents of nos. 1, 3, 5 and 7 Athelstan Road. Concern was expressed about the size and scale of the proposed extension. It would have an overbearing impact on the residents of Athelstan Road, who would suffer a loss of aspect. This impact was accentuated by the fact that the 45

Cambridge Road was at a noticeably higher level than the properties in Athelstan Road. The retention of the existing boundary wall was welcomed, but concern was expressed about the proximity of the extension to the wall and it was requested that conditions be imposed to secure the wall and protect it during construction. Some relatively minor amendments could make the scheme acceptable to all.

Ted Gittens addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. The retention of existing features and the scale of the extension were in harmony with the existing building. The extension would be 4.5 metres high and therefore would not appear prominent to neighbouring properties. In addition, the length of the gardens in the properties in Athelstan Road would lessen the impact of the extension on the dwellings. The proposed windows would be either be high level or glazed and no overlooking would arise. This was a well designed extension which contributed positively to the existing building. The impact on neighbouring properties would be low and the environmental benefits would be significant.

Councillor Hunt attended and, with the consent of the Chairman, addressed the Committee to express concern about the impact of the extension on properties on Athelstan Road. Whilst this was not apparent from 45 Cambridge Road, the extension would have an overbearing impact, which was accentuated by the upward aspect from Athelstan Road. Concern was also expressed about the small distance between the existing boundary wall and the wall of the extension and guidance was sought as to whether there were any regulations governing this. A condition should also be imposed to ensure the wall was repaired should it be damaged during construction. Both of these issues could be addressed by making the extension slightly narrower and moving it further away from the wall.

Members of the Committee noted the concerns expressed by the objectors and ward councillor and considered whether the application should be deferred to explore whether there was scope for the extension to be moved or to be of slightly lower pitch to reduce the impact on properties in Athelstan Road.

It was explained that moving the extension would require a redesign. Planning rules would not normally specify the size of a gap between walls. The pitch had been kept as low as possible. The pitch and materials proposed reflected the existing house and the area. Any changes to these would compromise the quality of the design. The eaves height of the extension was not significantly higher than the height of the existing conservatory. As the gardens in Athelstan Road would be north facing there would be no loss of sunlight.

Members noted the quality of the design and the factors that would limit the impact of the extension on properties in Athelstan Road. Members supported the imposition of an additional condition to retain the existing boundary wall and to ensure that damage caused to it during construction works be made good.

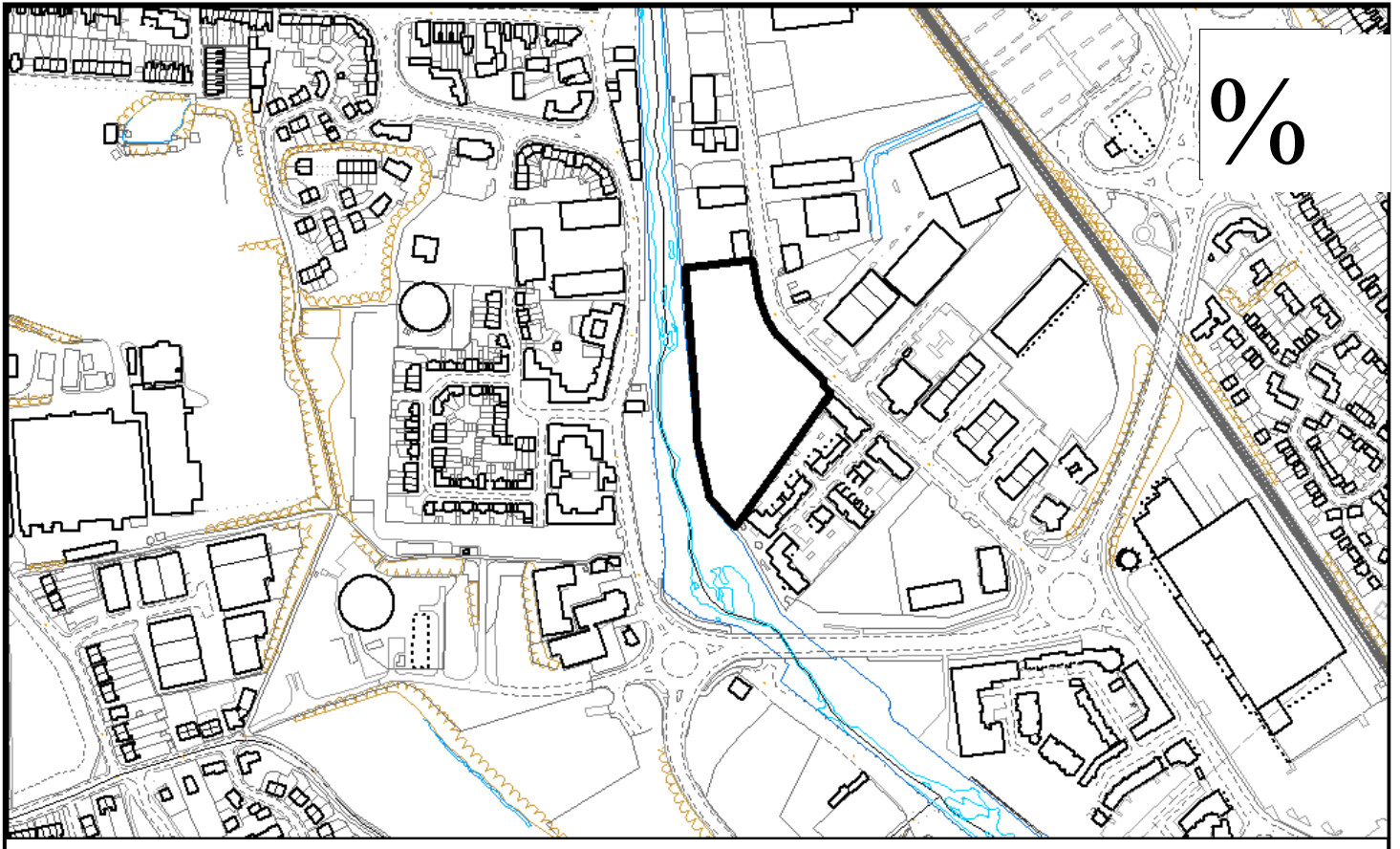
RESOLVED that the application be approved with the conditions as set out in the report and an additional condition No. 4 requiring the adjacent boundary wall to be retained and any damage caused during construction works to be made good.(SEVEN voted FOR, FOUR voted AGAINST and ONE ABSTAINED from voting).

111. 090939 10 Drury Road, Colchester, CO2 7UY

The Chairman had agreed pursuant to the provisions of Section 100B (4)(b) of the Local Government Act 1972 to consider the following item at this meeting as a matter of urgency as a delegated decision had been issued that was outside the scheme of delegation and therefore the application needed to be considered at the earliest opportunity.

The Committee considered an application for the demolition of the existing rear extension and the erection of a new extension. The new extension would be 6 metres by 3.2 metres and would extend across the full width of the rear end of the dwelling.

RESOLVED that the application be approved with conditions and informative as set out in the report.



Application No: 090011

Location: Jewson Ltd (Formerly), Hawkins Road, Colchester, CO2 8LH

Scale (approx): 1:1250

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Committee Report

Agenda item

7

To the meeting of **Planning Committee**
on: **15 October 2009**
Report of: **Head of Environmental and Protective Services**
Title: **Planning Applications**

Relevant planning policy documents and all representations at the time this report was printed are recorded as BACKGROUND PAPERS within each item. An index to the codes is provided at the end of the Schedule.

7.1 Case Officer: **Bradly Heffer**

MAJOR

Site: **Hawkins Road, Colchester, CO2 8LH**

Application No: **090011**

Date Received: 14 January 2009

Applicant: Weston Homes Plc

Development: Reserved Matters application for erection of 221no. dwellings in 4no. buildings, including 244no. car parking spaces, refuse and cycle storage, sewer diversion, work to river wall, commercial accommodation and landscaping. Resubmission of 072531.

Ward: St Andrews

Summary of Recommendation: Conditional Approval

1.0 Site Description

1.1 This planning application seeks reserved matters approval for appearance, landscaping and scale in relation to a redevelopment scheme on a site off Hawkins Road, Colchester. The application site was formerly occupied by Jewson builders merchants, and is located directly adjacent to a redeveloped site formerly occupied by the Spottiswood Ballantyne printing works.

1.2 Members are advised that outline planning permission was previously granted for development on this site (under application O/COL/06/1153) for the following:-

'Mixed use development comprising B1 (Business), A1 (Retail) and A3 (Restaurant/Cafe). 221 residential units and associated external landscaping and access.'

1.3 Following on from this approval, dated 3 October 2007, a reserved matters approval was granted under COL/07/2531 for the following:-

'Reserved matters application for erection of 221 no. dwellings in 4 no. buildings, including 237 no. car parking spaces, refuse and cycle storage, sewer diversion, work to river wall, commercial accommodation and landscaping.'

This application was approved by Committee on 8 January 2008.

1.4 The submission of this current application results from the developers' desire to amend the previously submitted reserved matters scheme as follows:-

1. Amendments to some balcony sizes.
2. Moving two residential units from Block 4 to Block 2.
3. Minor changes to unit mix.
4. Amendments to hard and soft landscaping (enabling, inter alia, an increase in car parking provision).
5. Minor revisions to materials.
6. Alteration to the construction method.

1.5 A full Design and Access Statement is included with this application, which is available to view on the Council's website.

1.6 The site for this proposal is an irregularly-shaped area of land with an extensive frontage directly following the river and a given area of 1.8 hectares. It is located within the historic port area of the Hythe, identified as a regeneration area.

1.7 The submitted plans repeat the form of buildings previously approved i.e. the creation of flatted blocks of development, many enjoying a view of the river, with a group of town houses located along the Hawkins Road frontage. The flat blocks would range between 5-7 storeys in height. A linear park would be created within the site, as would a hard landscaping public square. The proposed residential mix on the site compares to the previously-approved reserved matters scheme as follows:-

As approved

58 no. 1 bed units
150 no. 2 bed units
13 no. 3 bed units

As proposed

53 no. 1 bed units
156 no. 2 bed units
12 no. 3 bed units

2.0 Land Use Allocation

2.1 The site for this proposal is within the East Colchester Regeneration Area, as allocated in the adopted Review Colchester Borough Local Plan.

3.0 Relevant Planning History

3.1 O/COL/06/1153 - Mixed use development comprising B1 (Business), A1 Retail and A3 (Restaurant/Cafe). 221 residential units – Application approved

3.2 072531 - Reserved matters application for erection of 221 no. dwellings in 4 no. buildings, including 237 no. car parking spaces, refuse and cycle storage, sewer diversions, work to river wall, commercial accommodation and landscaping - Application approved 8 January 2008

4.0 Principal Policies

4.1 Adopted Review Colchester Borough Local Plan - March 2004

DC1 - General Development Control criteria

UEA11 - Design

UEA13 - Development, including extensions, adjoining existing or proposed residential property

L9 - Colne Riverside Way

ECH1 - River Colne Regeneration Area

4.2 Local Development Framework Adopted Core Strategy

UR1 - Regeneration Areas

UR2 - Built design and character

SD1 - Sustainable development locations

H1 - Housing Delivery

H2 - Housing Density

H3 - Housing Diversity

5.0 Consultations

5.1 The Council's Development Team having considered the proposal required that the previously agreed mitigation package (as secured under the outline scheme) should apply to this proposal.

5.2 The Highway Authority has no objection to this application. A series of notes are included in its response that would be added to any approved planning application.

5.3 The Council's Contamination Officer would require the imposition of conditions on an approval.

5.4 Environmental Control would require the imposition of an acoustic condition and makes the following comment:-

"It is concluded that with the inclusion of the necessary window double glazing configuration, window opening restrictors along the front facade, the site is suitable for redevelopment to residential premises."

6.0 Representations

6.1 None

7.0 Report

7.1 Members will note that outline planning permission and reserved matters permission has been granted on this site for a mixed residential and commercial scheme. The reason for the submission of this current scheme is that the range of revisions now proposed by the developer (as listed in the Description of Proposal section) would fall outside the scope of what could reasonably be termed a minor amendment.

7.2 Members are advised that when the current application was originally submitted there were a number of issues that required negotiation in order that a satisfactory form of development was secured for this important site. Following ongoing discussions, the scheme finally submitted for Members' consideration is considered to meet the standard set by the previously-approved outline and reserved matters proposals. Certainly in terms of overall layout and appearance the scheme is very similar to that previously given permission.

7.3 Members are advised that the previously-approved outline proposal was subject to a Section 106 Agreement which covered the following items:-

- Contribution of £156,687 towards provision of affordable housing.
- Contribution of £100,000 towards provision of open space.
- Provision of a bridge over the River Colne between the west site boundary and Hythe Quay, OR contribution of £200,000 to be paid to Colchester Borough Council towards the provision of a bridge or bridge enhancement within East Colchester if the bridge is not provided for any reason given.
- Contribution of £200,000 towards education facilities.
- Contribution of £50,000 towards highway and transportation improvements.

7.4 In summary, it is considered that this scheme would reflect the character and quality of previously-approved schemes on this site and would make a significant contribution to the overall regeneration of the Hythe/East Colchester area.

8.0 Background Papers

8.1 ARC; Core Strategy; Development Team; HA; HH; O/COL/06/1153; 072531

Recommendation - Conditional Approval

Conditions

1 - Non-Standard Condition

The reserved matters planning permission hereby granted is given in accordance with the terms of the outline planning permission Ref: O/COL/06/1153 relating to the site and the conditions attached therein remain in force.

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 - Non-Standard Condition

Notwithstanding the submitted plans, details shall be submitted of the works required in connection with construction of the river walk showing the connection between the footpath/cyclepath, linear park and new bridge. Said details shall be agreed in writing with the Local Planning Authority prior to commencement of the cyclepath/footpath.

Reason: The application plans do not provide sufficient detail to facilitate the bridge landing and achieve an acceptable hard landscaping layout and are therefore not acceptable having regard to Local Plan Policies ECH1 and DC1.

3 - Non-Standard Condition

Additional drawings that show the details of architectural elements proposed to the main building elevations including shopfront design, render panel details, fenestration details and balcony elements by section and elevation to a scale of 1:20 or similar as appropriate shall be submitted to and approved by the Local Planning Authority in writing prior to commencement of above ground construction. The development shall be completed in accordance with agreed details.

Reason: To ensure the architectural details as demonstrated on Reserved Matters Plans are constructed to a sufficient quality.

4 - Non-Standard Condition

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 5 to 7 have been complied with. 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 7 has been complied with in relation to that contamination.

Reason: To ensure that risks from soil contamination to the future occupants of the development and neighbouring occupiers are minimised, together with those to controlled waters and ecological systems and to ensure that site workers are not exposed to the unacceptable risks from contamination during construction, in accordance with Policy P4 of the adopted Local Plan March 2004.

5 - B6.8 Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from soil contamination to the future occupants of the development and neighbouring occupiers are minimised, together with those to controlled waters and ecological systems and to ensure that site workers are not exposed to the unacceptable risks from contamination during construction, in accordance with Policy P4 of the adopted Local Plan March 2004.

6 - B6.9 Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from soil contamination to the future occupants of the development and neighbouring occupiers are minimised, together with those to controlled waters and ecological systems and to ensure that site workers are not exposed to the unacceptable risks from contamination during construction, in accordance with Policy P4 of the adopted Local Plan March 2004.

7 -B6.10 Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified 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 condition 4, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 5, 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 condition 6.

Reason: To ensure that risks from soil contamination to the future occupants of the development and neighbouring occupiers are minimised, together with those to controlled waters and ecological systems and to ensure that site workers are not exposed to the unacceptable risks from contamination during construction, in accordance with Policy P4 of the adopted Local Plan March 2004.

8 - B6.13 Validation Certificate

Prior to occupation of any property hereby permitted and the provision of any services the use hereby permitted commencing, the developer shall submit to the Local Planning Authority a signed certificate to confirm that the remediation works have been completed in accordance with the documents and plans detailed in Condition 7 above.

Reason: To ensure that risks from soil contamination to the future occupants of the development and neighbouring occupiers are minimised, together with those to controlled waters and ecological systems and to ensure that site workers are not exposed to the unacceptable risks from contamination during construction, in accordance with Policy P4 of the adopted Local Plan March 2004.

9 - Non-Standard Condition

The standard of double glazing windows at the development should have the configuration of at least 4/12/4 and achieve as a minimum the 36dB sound reduction required at the front of the site. Additionally, suitable trickle vents should be fitted to all windows to allow background ventilation without opening the window.

Reason: In the interests of protecting future occupiers of the development from noise nuisance.

Informatives

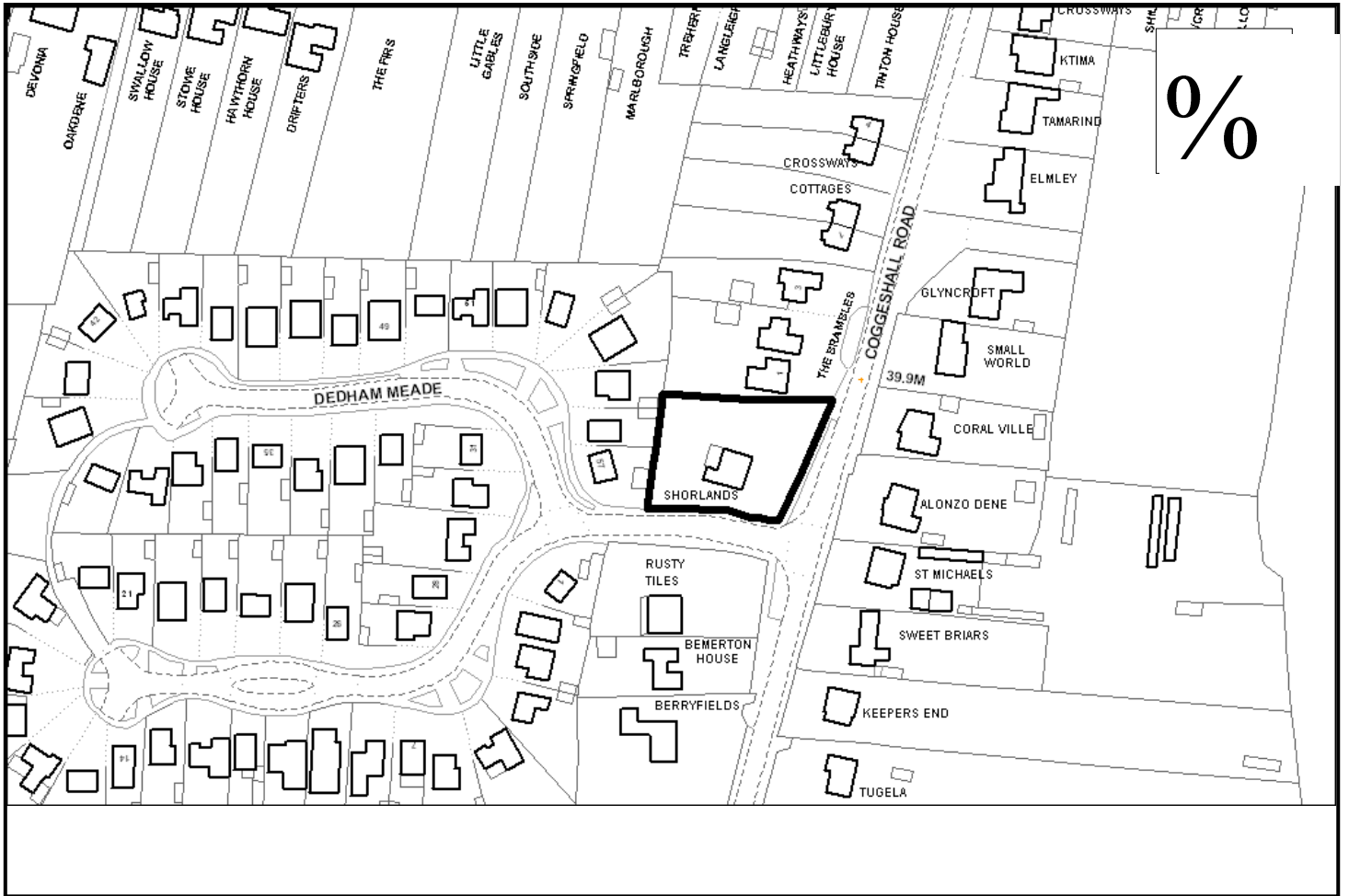
The above is required to ensure the proposal complies with the County Council's Highways and Transportation Development Control Policies, as originally contained in Appendix G of the Local Transport Plan 2006/2011 and refreshed by Cabinet Member Decision dated 19 October 2007.

In making this recommendation the Highway Authority has assumed the proposal site internal layout will not be laid out and constructed to adoptable standards and that the applicant does not intend to offer it to the Highway Authority for adoption. All residential developments which lead to the creation of a new street will be subject to the Advance Payments Code under the Highways Act 1980. The developer will be served with an appropriate notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development shall provide guaranteed deposits, which will ensure that the new street is constructed to a specification sufficient to ensure its future maintenance.

All highway related details shall be agreed with the Highway Authority.

Number of parking spaces, including disabled, cycle and motorcycle shall be in accordance with those standards set down within Essex Planning Officers Association, Vehicular Parking Standards, August 2001. Further all cycle and motorcycle parking shall be convenient, covered and secure.

Any proposed traffic calming shall be laid out and constructed having consulted the emergency services and bus operators.



Application No: 091139

Location: Shorlands, Coggeshall Road, Dedham, Colchester, CO7 6ET

Scale (approx): 1:1250

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7.2 Case Officer: Bradly Heffer

EXPIRY DATE: 27/10/2009

MINOR

Site: Shorlands, Coggeshall Road, Dedham, Colchester, CO7 6ET

Application No: 091139

Date Received: 1 September 2009

Agent: Vaughan & Blyth (Construction) Ltd

Applicant: Rusden Ltd

Development: Demolition of existing dwelling and construction of 2no. 4 bedroom detached houses and associated garaging.

Ward: Dedham & Langham

Summary of Recommendation: Conditional Approval subject to Unilateral Undertaking

1.0 Site Description

- 1.1 This planning application seeks permission for the demolition of a dwelling and its replacement with two houses and detached garages. The site for this proposal is currently occupied by a chalet known as 'Shorlands' and is located at the junction of Coggeshall Road with Dedham Meade. The application site is within an established residential area, which comprises a range of two-storey, chalet and single storey units.
- 1.2 The application site itself is a level, roughly rectangular plot having a given size of 0.33 hectares. The existing dwelling sits towards the southern end of the site, and pedestrian access currently takes place in the south-eastern corner. Vehicular access is available in the north-eastern corner. The site's boundaries are defined by established hedging, trees and fencing. It is evident from examination of the site that tree removal has taken place.
- 1.3 The proposed redevelopment scheme consists of two detached houses, each having four bedrooms, located towards the eastern end of the site approximately in line with the existing dwelling directly north of the application site. The dwelling shown on Plot 1 would consist of a rendered main range, with brick projections to the rear. The design incorporates elements such as open eaves, projecting plinth and a porch. The roofs of this dwelling would be clad in clay plain tiles. The dwelling on Plot 2 would have a brick main range with a rear addition in weatherboarding. The detailing on this dwelling would incorporate a string course feature, brick plinth and brick arches. Both dwellings would be served by a detached double garage, constructed in brick with a pyramidal roof clad in pantiles. Plot 1 would utilise the existing vehicular access at the north eastern corner of the site, whereas Plot 2 would be served by a new vehicular access taken off Dedham Meade. Each plot would benefit from 4 off-street parking spaces. The planning application is accompanied by a Design and Access Statement that is available for inspection at the Council's Website.

2.0 Land Use Allocation

2.1 The site for this proposal lies in the defined village envelope for Dedham Heath, as allocated in the adopted Colchester Borough Local Plan.

3.0 Relevant Planning History

3.1 None

4.0 Principal Policies

- 4.1 Adopted Review Colchester Borough Local Plan
DC1 - General Development Control criteria
UEA11 - Design
UEA12 - Design/Backland Development
UEA13 - Development, including extensions, adjoining existing or proposed residential property
H7 - Development within village envelopes
- 4.2 Local Development Framework Core Strategy
H2 - Housing Density
UR2 - Built Design and Character
ENV2 - Rural communities

5.0 Consultations

5.1 The Highway Authority comments as follows:-

"It is noted that the access onto Coggeshall Road is existing and traffic levels through this access will not alter. The Highway Authority raises no objection subject to suitable conditions (being imposed)."

5.2 Environmental Control would require that the Demolition and Construction advisory note is added to a planning approval.

5.3 The Council Tree Officer's comments will be reported on the Amendment Sheet.

6.0 Parish Council's Views

6.1 Dedham Parish Council's comments were not available at the time this report was drafted but any comments received will be reported on the Amendment Sheet.

7.0 Representations

7.1 As a result of local notification, six letters have been received from residents objecting to the proposals. The points of objection may be summarised as follows:-

1. The gap between the garage and the boundary (north) on Plot 1 is approximately half that shown on Plot 2. Suitable adjustment should be made in order that the gap is widened to match that on Plot 2.
2. The roof heights are excessive in relation to existing properties in the area.

3. The proposed new vehicular access on to Dedham Meade would create a safety hazard, particularly bearing in mind that a new access is proposed to serve land directly south of the application site. Double yellow lines may assist.
4. New hedging along the frontage should not encroach on to the highway.
5. Trees on the boundary of the site with properties in Dedham Meade should be properly managed as they cause amenity nuisance at present.
6. The development will create overlooking problems and loss of amenity for surrounding properties and will adversely affect open space and light.
7. Builders' vehicles should not be allowed to park in the highway.
8. A number of trees on the site have already been felled.

8.0 Report

- 8.1 As the site for this proposal is within the established village envelope for Dedham Heath, it is considered that the principle of residential development taking place on this site would be acceptable.
- 8.2 Nevertheless, it is considered that any new development on the site would have to be particularly well-designed and appropriately arranged in order that residential and visual amenity is not adversely affected. To this end, it is considered that the proposed development submitted under this scheme is sufficiently responsive to the character of the area, as well as specific constraints that exist. As noted previously in this report, the area surrounding the site consists of a mix of dwelling styles and heights and, in your officer's opinion, the provision of two storey development would not appear incongruous. While the plot is currently occupied by a single dwelling, the proposed scheme to replace it with two houses would still avoid a visually cramped development. Both dwellings would be served by plot sizes that accord with Essex Design Guide requirements, and the overall density of development created would equate to 6 dwellings per hectare which is considered to be generally sympathetic to the surrounding area.
- 8.3 In terms of the detailed design the dwellings would following a traditional approach, incorporating a palette of materials that are established within rural areas of the borough e.g. render, brick, weatherboarding and clay plain tiles.
- 8.4 As regards the comments received from local residents, the following responses are made:-
 1. The location of the garage on Plot 1 may be suitably revised by condition.
 2. The proposed dwellings scale at a height of approximately 8.7 metres to ridge. This compares to an approximate ridge height of 8 metres for the dwelling adjacent to the north, known as No. 1 The Brambles. Whilst the proposed dwellings would be higher it is your officer's view that the height difference would not be harmful to visual amenity in this location.
 3. The proposed access arrangements on to Dedham Meade have not given rise to an objection from the Highway Authority. The dwelling at No. 57 Dedham Meade is served by a similar form of access that is closer to the bend in this estate road. Members should note that a similar form of access was endorsed on the opposite side of the road, when planning permission was granted for a residential development on part of the garden of the dwelling known as 'Rusty Tiles' (Ref: 072229).

4. The frontage arrangement shown on the submitted plan consists of a post and rail fence with hedging behind. Although encroachment of the hedging may be possible in the future it is considered that the visibility splay at this point would not be adversely affected.
5. Works to trees and hedging on the site would be controlled by condition. In the case of issues in the future this would be a matter for individual parties to resolve at that time. The 'high hedges' legislation may be applicable in this case.
6. The location of properties and the relationship with surrounding properties is a key consideration. To this end it is noted that the back-to-back distances between the proposed houses and those in Dedham Meade to the rear would scale at approximately 33 metres, which is considered to be acceptable, augmented by established planting on the shared boundary. The first floor accommodation of the proposed dwellings would also afford views of the front gardens of dwellings directly opposite along Coggeshall Road, as well as the front garden of the dwelling known as 'Rusty Tiles'. As Members will appreciate the protection of views across front gardens is not normally an issue in planning terms as these areas are usually clearly visible from public viewpoints. As mentioned previously, officers are content that the privacy of rear amenity areas is not adversely affected.
7. The control of contractor vehicle parking in the highway is a matter for the Highway Authority and the police to control.
8. Although trees have been felled, this work was not referred to the Council as none of the trees on site was covered by a Tree Preservation Order. Furthermore, the site does not fall within a Conservation Area. Therefore the Council has no specific control over tree removal on the site as it stands.

8.5 In summary it is considered that the submitted application represents a reasonable scheme of redevelopment on this particular site and, subject to the imposition of various conditions, a planning permission is recommended. Members are also advised that a Unilateral Undertaking relating to the required open space and recreation contribution has been included as part of the submitted application.

9.0 Background Papers

9.1 ARC; Core Strategy; HA; HH; PTC: NLR; 072229

Recommendation - Conditional Approval subject to a Unilateral Undertaking for a contribution to open space provision.

Conditions

1 - A1.5 Full Perms (time limit for commencement of Development)

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 - Non-Standard Condition

The garage building serving the dwelling on Plot 1 as shown on the drawing hereby returned stamped approved shall be located a minimum of 1 metre distant from the northern boundary of the site.

Reason: In order to ensure a satisfactory form of development and in the interests of residential amenity.

3 - A7.8 Limits to Loft Conversions

The dwellings hereby permitted shall only be two storeys in height with no habitable accommodation provided within the roofspace.

Reason: For the avoidance of doubt as to the scope of the permission and to protect the amenity and privacy of adjoining residents.

4- B7.3 Programme to be Agreed

No demolition whatsoever shall take place until such time as a programme has been submitted to, and agreed in writing by the Local Planning Authority stipulating the extent and timing of such operations.

Reason: In order to safeguard amenity in this location.

5 - B7.4 Fencing Around Site

Neither demolition nor any other site works shall commence until the frontage of the site has been enclosed by a continuous solid fence in accordance with details to be agreed in writing by the Local Planning Authority. Such fencing shall remain in place until clearance/building works have been completed.

Reason: To protect the amenities of the locality.

6 -B7.5 Hours of Work

No construction work relating to this permission shall be carried out on any Sunday or Public/Bank Holidays nor before 0730 hours or after 1800 hours on any weekday or before 0800 hours or after 1300 on Saturdays.

Reason: In order to protect the amenity of the area.

7 - C3.4 Samples of Traditional Materials

Samples of all materials to be used in the external construction and finishes of all parts of the proposed development, shall be selected from the local range of traditional vernacular building and finishing materials and 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.

Reason: To ensure a satisfactory appearance in the interests of visual amenity.

8 - C3.6 Samples of Roof Materials to be Agreed

The roofs of the proposed dwellings shall be clad in clay plain tiles, samples of which shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The development shall be implemented in accordance with agreed details.

Reason: To ensure a satisfactory appearance in the interests of visual amenity.

9 - C3.13 External Joinery to be Painted Timber

All external joinery shall be of painted timber, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance in the interests of visual amenity.

10 - C3.16 Walls to be Smooth Rendered

The walls of the building hereby approved, where they are to be rendered, shall have a smooth finish unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance in the interests of visual amenity.

11 - C3.18 External Boarding to be Painted

All external boarding to the development hereby approved shall be timber featheredged weatherboarding with a painted finish, the colour of which shall be previously agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance in the interests of visual amenity.

12 - C3.21 Hard Surfacing

Prior to the commencement of the development hereby permitted details of all materials to be used for hard surfaced areas within the site including [roads/driveways/car parking areas/courtyards/etc] shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason: To ensure a satisfactory appearance in the interests of visual amenity.

13 - C4.1 Large Scale Drawings

Additional drawings that show details of proposed new windows, doors, eaves, verges, cills and arches to be used, by section and elevation, at a scale between 1:20 and 1:1 as appropriate, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works. The development shall thereafter be carried out in accordance with such details.

Reason: To ensure a satisfactory appearance in the interests of visual amenity.

14 - C4.4 All Windows to be Painted White

All external window joinery shall have a white painted finish and be retained as such.

Reason: To ensure a satisfactory appearance in the interests of visual amenity.

15 - C11.14 Tree / Shrub Planting

Before any works commence on site, details of tree and/or shrub planting and an implementation timetable shall be submitted to and approved in writing by the Local Planning Authority. This planting shall be maintained 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 an appropriate visual amenity in the local area.

16 - C12.3 Details of Walls and Fences as Plans

The boundary/screen/walls/fences/railings/hedges etc as indicated on the approved plans returned herewith shall be erected/planted before the occupation of any building and shall be retained thereafter.

Reason: To ensure a satisfactory form of development and in the interests of visual amenity.

17 - Non-Standard Condition

Prior to the access in Dedham Meade being brought into use, vehicular visibility splays of 43m (west) by 2.4m by 30m (east) to the junction with Coggeshall Road, as measured along, from and along the nearside edge of the carriageway, shall be provided on both sides of the centre line of the access and shall be maintained in perpetuity free from obstruction exceeding a height of 600mm.

Reason: To ensure adequate intervisibility between drivers of vehicles using the proposed access and those in the adjoining highway, in the interests of highway safety.

18 - Non-Standard Condition

Prior to the access in Dedham Meade being brought into use, a 1.5m x 1.5m pedestrian visibility splay, relative to the highway boundary, shall be provided on both sides of that access and shall be maintained in perpetuity free from obstruction. These splays must not form part of the vehicular surface of the access.

Reason: To ensure adequate intervisibility between drivers of vehicles using the proposed access and those in the adjoining highway, in the interests of highway safety.

19 - Non-Standard Condition

Prior to commencement of the proposed development, the vehicular turning facility at the existing Coggeshall Road access as shown on the submitted drawing number 509/1, shall be provided within the site and shall be maintained free from obstruction at all times for that sole purpose.

Reason: To ensure that vehicles using the site access may enter and leave the highway in a forward gear, in the interests of highway safety.

20 - Non-Standard Condition

No unbound materials shall be used in the surface treatment of either access within 6m of the highway boundary.

Reason: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety.

Informatives

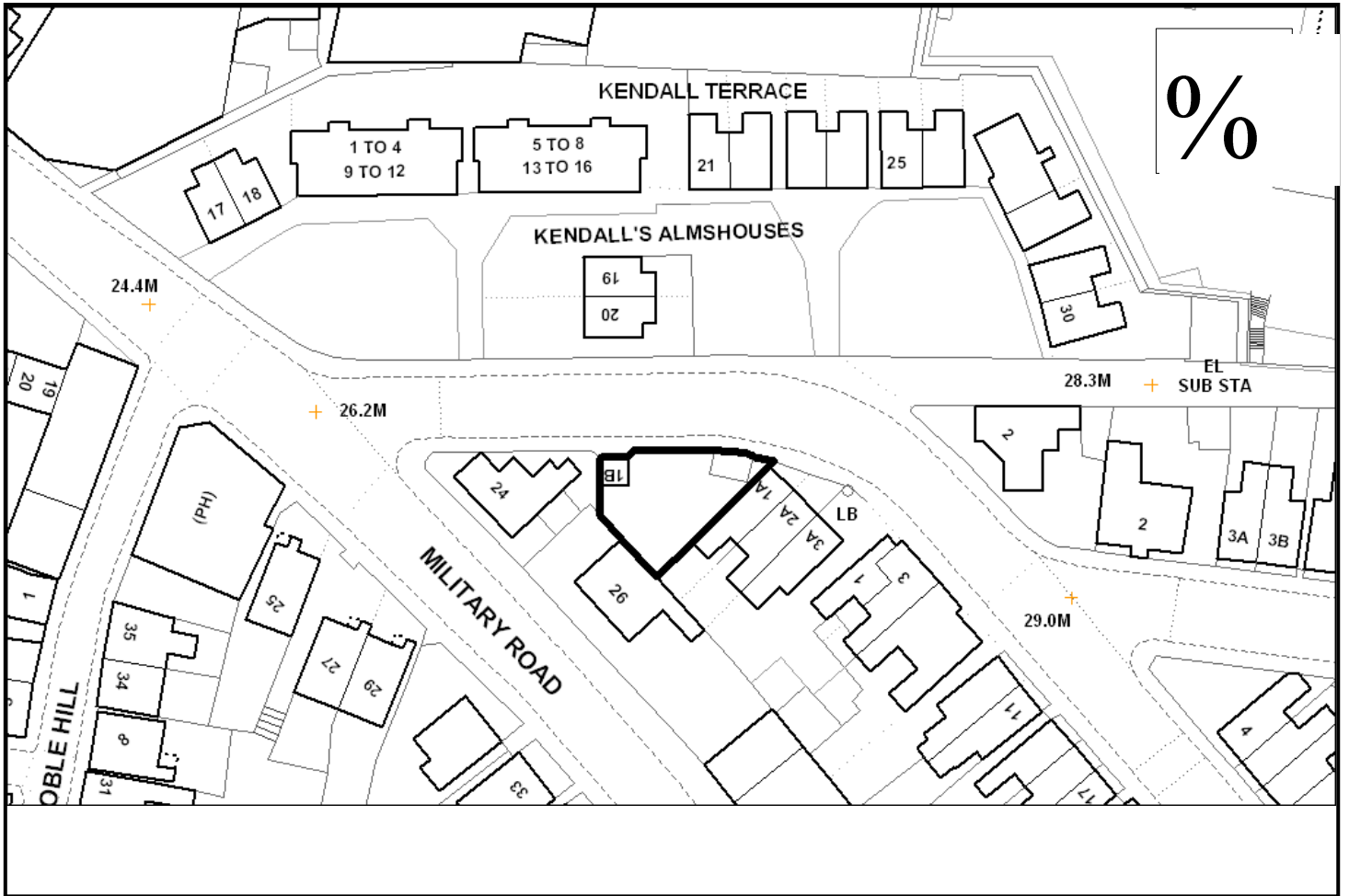
It should be borne in mind that, unless otherwise stated, the base for conditions 18-21 is policy 1.1 in Appendix G to the Local Transport Plan 2006/2011 as refreshed by Cabinet Member decision dated 19 October 2007.

The above is required to ensure the proposal complies with the County Council's Highways and Transportation Development Control Policies as originally contained in Appendix G to the Local Transport 2006/2011 and refreshed by Cabinet Member decision dated 19 October 2007.

All works affecting the highway shall 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 initially by telephoning 01206 838696 or by email on www.highways.eastarea@essex.gov.uk.

The developer is referred to the attached advisory note Advisory Notes for the Control of Pollution during Construction and Demolition Works for the avoidance of pollution during the demolition and construction of works. Should the applicant require any further guidance they should contact Environmental Control prior to the commencement of works.

The applicant is advised that it is a requirement of the Building Act 1984 that you must serve a demolition notice upon the Council prior to carrying out any demolition of buildings. Further advice may be obtained from the Building Control Section on 01206 282436.



Application No: 090902

Location: 1B Winnock Road, Colchester, CO1 2BG

Scale (approx): 1:1250

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7.3 Case Officer: Andrew Huntley

MINOR

Site: 1B Winnock Road, Colchester, CO1 2BG

Application No: 090902

Date Received: 29 July 2009

Agent: Gordon H Parker

Applicant: Bridgebank Developments Ltd

Development: Demolition of shop and construction of 3 No. 2 Bedroom Houses with secure cycle and bin store.

Ward: New Town

Summary of Recommendation: Conditional Approval subject to Unilateral Undertaking

1.0 Site Description

1.1 The site is located within a residential area on the southern side of Winnock Road, near its junction with Military Road. The site is a triangular shaped plot with a red brick wall running along most of the frontage. At the western end of the site lies a small building, which was formerly a sandwich shop. The site is bounded on three side by residential properties.

2.0 Description of Proposal

2.1 The submitted application proposes the demolition of the shop and construction of 3 No. 2 bedroom houses with secure cycle and bin store on the site edged red.

3.0 Land Use Allocation

3.1 Residential

4.0 Relevant Planning History

4.1 081280 - Demolition of existing sandwich shop and garage. Construction of 3 no. flats (2 x 2 bedroom and 1 x 1 bedroom) including 2no. parking spaces, cycle storage and communal garden. Refused 09 October 2008.

4.2 081516 - Demolition of sandwich shop and garage. Refused 09 October 2008.

5.0 Principal Policies

- 5.1 Adopted Review Borough Local Plan
 - DC1 – Development Control considerations
 - UEA1 – Character of Conservation Areas
 - UEA2 – Building within Conservation Areas
 - UEA3 – Demolitions within Conservation Areas
 - UEA11 – Design
 - UEA13 – Development
 - L5 – Open Space Provision Within New Residential Development
- 5.2 Core Strategy
 - SD1 – Sustainable Development Locations
 - H2 – Housing Density
 - H3 – Housing Diversity
 - UR2 – Built Design and Character
 - TA1 – Accessibility and Changing Travel Behaviour
 - TA5 - Parking
- 5.3 East of England Plan
 - ENV6 – The Historic Environment
 - ENV7 – Quality in the Built Environment
- 5.4 Planning Policy Statement 1
 - Planning Policy Statement 3
 - Planning Policy Guidance 15
- 5.5 Essex Design Guide

6.0 Consultations

- 6.1 ECC Highways: Recommends Refusal on the following grounds:-
 - The proposal will lead to intensification in on-street parking in an area where there is already a high level of parking stress and congestion.
 - The road network is narrow and has a number of sharp bends and blind corners; with the increase in breaking and turning movements associated with the above mentioned on-street parking an increased risk of accidents will occur.
 - This area is high in pedestrian traffic. Further manoeuvring vehicles would lead to an increased risk of vehicle/pedestrian accidents.
- 6.2 Landscape Officer: Whilst the tree is of little significance to the street scene, it is owned by a third party and therefore must be deemed to be retained as neither Colchester Borough Council or the developer has control over its management.
- 6.3 Environmental Control: Recommends the inclusion of an advisory note regarding demolition and construction.

6.4 Design and Heritage Unit: The proposal is for a street frontage infill in the New Town conservation area. The architectural style is an interpretation of traditional terraced houses, and is considered appropriate to the setting. While infill is a welcome improvement to the overall street scene, there are a number of concerns:

1. The size of the development site is 165sqm, not 0.8ha as indicated in the DAS. The proposal achieves a density of 178du/ha, which is significantly higher than the average in New Town. Considering the location and proximity to public transport and local facilities, this in itself would not be a problem, provided there is adequate private amenity. Reduced parking provision may also be acceptable, provided there are quality pedestrian and cycle routes in the area for the alternative modes of transport. Good quality usable amenity space should also be provided.
2. The DAS falls short to justify the lack of parking and the inadequate private amenity provision. The scheme does not provide a quality pedestrian/cycle environment and the DAS incorrectly assumes that on-street parking is available in the area – there is no on-street parking in this section of Winnock Road and the road is not designed to accommodate on-street parking. Emerging new parking standards will set minimum standards for dwellings expected to be at least 2 spaces per 2+ bedroom.
3. Garden sizes appear well below adopted the Essex Design Guide standard (50sqm for 2 bed units) and the narrow triangular strips at the corners are deemed unusable space, which further reduces the amenity provision. Given the constraints of the awkwardly shaped site, an acceptable alternative will be to create a well designed communal amenity space, which will provide more useful space for children and adults.
4. The proposal appears to project beyond the existing site boundary, onto an already narrow public footpath. The presence of bollards in this section of the footpath creates a further pinch point, which is not conducive to walking and cycling. Although some traditional terraced houses in the surrounding area front directly onto the road, in this location this approach does not add to a quality of streetscape. It also appears from the plan that the proposed new wall to the east projects beyond the existing wall and onto the footpath. A building setback on the ground floor should be considered to provide a better interface with the public footpath.
5. The side elevations, both visible from the west and east from Winnock Road are blank gable ends, which is undesirable. Some articulation will be required on these elevations.

7.0 Representations

7.1 An objection has been received from the Ward Councillor. The objection relates to the lack of private amenity space provision and car parking.

8.0 Report

Introduction

8.1 This application follows on from a previous refusal for residential development on this site. The previous application sought permission for 3 flats. This was refused under delegated powers due to the inappropriate standard of design, overlooking from balconies at second floor level, poor parking and access arrangements and no unilateral undertaking to secure an open space contribution. The main considerations within this application are:

- Policy
- Design and Character
- Residential Amenity
- Highways
- Trees
- Other Considerations

Policy

8.2 The site lies within the urban area where the principle of residential development is acceptable. Due to the size and nature of the site, it is also considered that a residential use would be the best use of the site. As such, a proposal will be judged on the detailed policies within the Local Plan and government guidance with regard to design, impact on the character of the area, highways considerations and impact on residential amenity. The site lies within the conservation area and is subject to conservation policies. In particular, Planning Policy Statement 1 and Planning Policy Guidance Note 15 provide national guidance, whilst policies ENV6 and ENV7 of the East of England Plan (2008) provide regional guidance. Also of importance to be considered are the Adopted Review Colchester Borough Local Plan (2004) policies DC1, UEA1, UEA2, UEA3, UEA11, UEA13, L5, and H7 that seek to ensure that development proposals are of a high standard of design, do not adversely impact on the amenities of neighbours and preserve or enhance the character or appearance of the conservation area.

Design and Character

8.3 PPS1 states that proposals, which do not make the most of the opportunities available, should not be allowed and the site is located within the Conservation Area.

8.4 The site is unkempt and includes a stretch of dead frontage, which detracts from the character and appearance of the conservation area. The designs of the dwellings are of a traditional design, which reflects the period nature of the locality. The properties would be seen as a small terrace, which is considered to be in context with the surrounding area. The bulk and massing of the proposal in keeping with the character of the area and reflects the period design. While the drawings do not show a high level detailing, this can be covered by condition to ensure the detailed appearance is acceptable within the conservation area.

- 8.5 The proposal shows the properties would have very small rear gardens. However, the character of the area tends to show garden sizes being small so this proposal is not dissimilar. Even if the proposal was reduced to 2 dwellings, this would not have much impact on the garden sizes and possibly would provide a less satisfactory enclosure of the street. In addition, within Conservation Areas, it can often be desirable to relax the normal spatial standards to ensure that a scheme has an overall benefit to the character and appearance of the locality. Therefore, it is considered that the lack of amenity space could not be a reason for refusal in itself.
- 8.6 Overall, the proposal would enhance the character and appearance of the streetscene and the conservation area by reason of its design, mass, detailing and the alteration of a site which has a dead frontage.

Residential Amenity

- 8.7 While the proposal would have some impact in terms of privacy, it is considered that this would not be excessive or would result in direct overlooking into neighbouring dwellings. The proposal would not have a detrimental impact in terms of impact on sunlight/daylight.
- 8.8 Overall, the proposal's impact on residential amenity is considered to fall within acceptable tolerances.

Highways

- 8.9 The Highway Authority has objected to the proposal on the grounds that the proposal will lead to the intensification in on-street parking in an area where there is already a high level of parking stress and congestion. The road network is narrow and has a number of sharp bends and blind corners and this proposal would result in an increase in breaking and turning movements associated with the above mentioned on-street parking leading to an increased risk of vehicle/pedestrian accidents.
- 8.10 Parking outside the site is prohibited, with short term parking available for visitors opposite. The on street parking in the area is by way of resident permits. Whilst the proposal has no parking provision, the current adopted car parking standards, Planning Policy Statement 1 and Planning Policy Statement 3 all seek a flexible approach to car parking and all except that sustainable sites, which this site is, may be acceptable with no parking provision. In addition, within Conservation Areas, it can often be desirable to relax or remove the normal parking standards to ensure that a scheme has an overall benefit to the character and appearance of the locality. The parking situation would also act as a deterrent to car owners.
- 8.11 Overall, it is not considered that the lack of parking or the increased risk outweighs the benefits of the scheme.

Trees

- 8.12 Comments from the Council's landscape officer state that whilst the tree is of little significance to the street scene, it is owned by a third party and therefore must be deemed to be retained as neither Colchester Borough Council nor the developer have control over its management. As the tree is of little visual value to the street scene, the proposal's impact would not warrant a refusal on these grounds.

Other Considerations

- 8.13 One objection has been received by the Ward Councillor. The objections relates to the lack of private amenity space provision and car parking. These issues have already been considered earlier in the report.

9.0 Conclusion

- 9.1 The proposal would visually enhance the character and appearance of a dead frontage within the conservation area. On balance, the weaknesses of the scheme, namely small rear gardens and no car parking, do not outweigh the benefits to the character and appearance of the streetscene this scheme provides. Therefore, the proposal is recommended for approval

10.0 Background Papers

- 10.1 ARC; Core Strategy; GA; TL; HH; DHU; NLR

Recommendation - Conditional Approval subject to a Unilateral Undertaking for a contribution to open space provision.

Conditions

- 1 - A1.5 Full Perms (time limit for commencement of Development)

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 - Non-Standard Condition

Samples of all materials to be used in the external construction and finishes of all parts of the proposed development, shall be selected from the local range of traditional vernacular building and finishing materials and 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.

Reason: To ensure the use of an appropriate choice of materials having regard to the importance of this scheme in the Conservation Area and to ensure that the choice of materials will harmonise with the character and appearance of other buildings and development in the area.

3 - Non-Standard Condition

Prior to the commencement of the development, full details of all new brickwork, including the bond, mortar mix and joint profile shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with the agreed details.

Reason: To ensure that the development preserves and enhances the character and appearance of the Conservation Area.

4 - Non-Standard Condition

All new rainwater goods shall be of cast iron, or cast aluminium and painted black unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development preserves and enhances the character and appearance of the Conservation Area.

5 - Non-Standard Condition

Additional drawings that show details of proposed new windows, doors, eaves, verges, cills and arches to be used, by section and elevation, at a scale between 1:20 and 1:1 as appropriate, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works. The development shall thereafter be carried out in accordance with such details.

Reason: To protect the character of the proposed buildings and the contribution they will make to the appearance and character of the Conservation area.

6 - Non-Standard Condition

Prior to the commencement of any development details of screen walls/means of enclosure shall be submitted to and approved in writing by the local planning authority. The details shall include the position, height, design and materials to be used. The fences/walls shall be provided as approved prior to the occupation of any building and shall be retained thereafter.

Reason: To ensure the use of an appropriate choice of materials having regard to the importance of this scheme in the Conservation Area and to ensure that the choice of materials will harmonise with the character and appearance of other buildings and development in the area.

7 -C11.11 Landscape Design Proposals

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.

Hard Surfacing Materials

Soft landscape details shall include:

Planting plans.

Reason: To safeguard the provision of amenity afforded by appropriate landscape design.

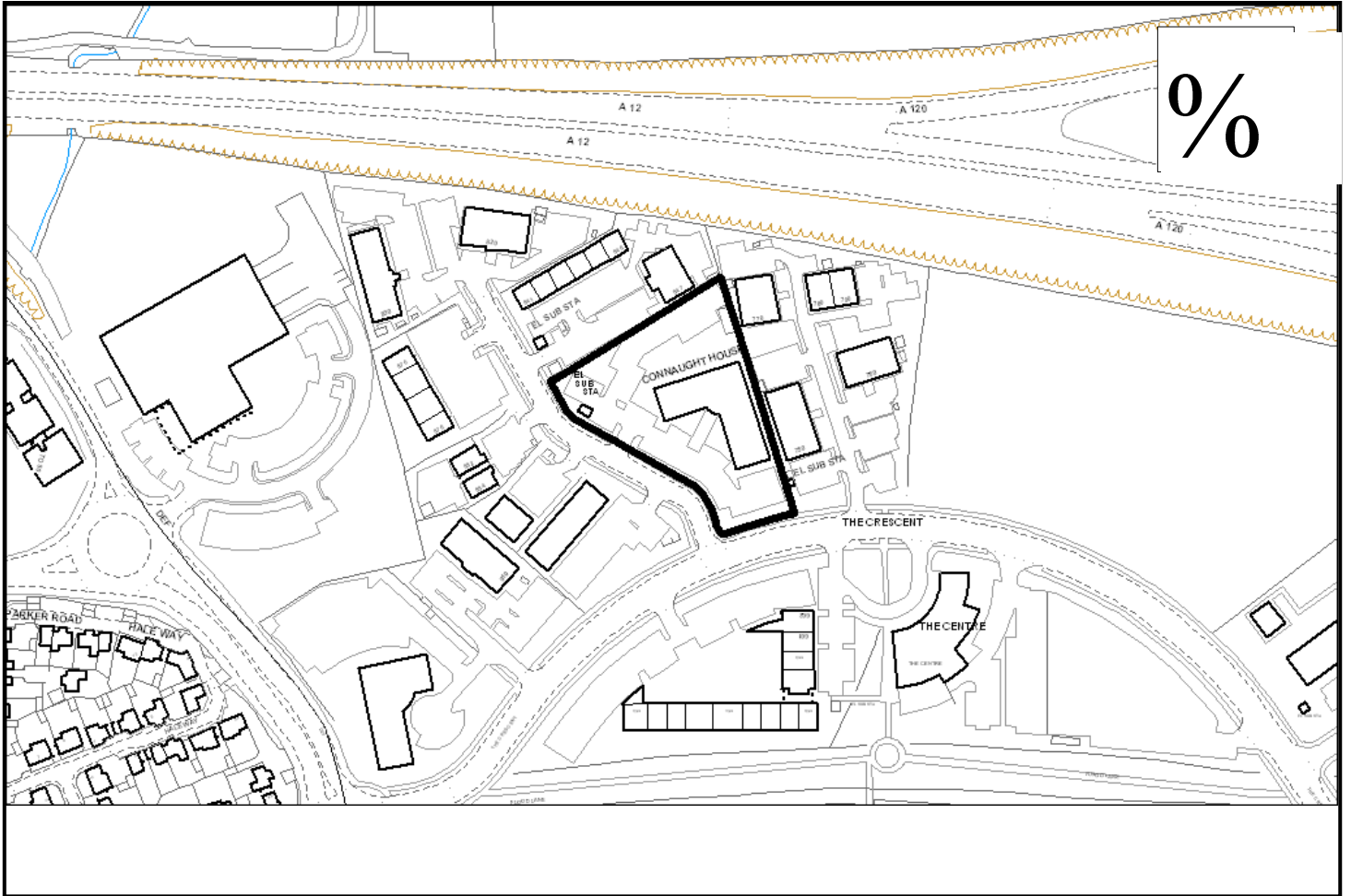
8 - Non-Standard Condition

No new window or other openings shall be inserted above ground floor level in the southern or western facing elevation or southern roof slope of the proposed building without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of residential amenity and to secure the privacy of adjoining occupiers.

Informatives

The developer is referred to the attached advisory note Advisory Notes for the Control of Pollution during Construction and Demolition Works for the avoidance of pollution during the demolition and construction of works. Should the applicant require any further guidance they should contact Environmental Control prior to the commencement of works.



Application No: 091121

Location: Care UK PLC, Connaught House, 850 The Crescent, Colchester Business Park, Colchester

Scale (approx): 1:1250

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7.4 Case Officer: Nick McKeever

EXPIRY DATE: 21/10/2009

OTHER

Site: Connaught House, 850 The Crescent, Colchester Business Park, Colchester

Application No: 091121

Date Received: 26 August 2009

Agent: Mr Raymond Noble

Applicant: Care Uk Plc

Development: Construction of a compound to contain condensers

Ward: Highwoods

Summary of Recommendation: Conditional Approval

1.0 Site Description

- 1.1 The site is a two storey commercial property located within the midst of other existing commercial buildings served by an access drive off The Crescent. The site forms part of the Colchester Business Centre off Severalls Lane, Colchester
- 1.2 850 The Crescent is an "L-Shaped" building, within a grassed area enclosed by car parking. Immediately to the north of the building is a brick and tiled single storey building providing a covered parking area and a small group of trees. The western boundary adjoins Nos.750 and 770 The Crescent, whilst the northern boundary is adjacent to No. 847 The Crescent.
- 1.3 The application proposes the installation of a cooling, heating and ventilation unit within a grassed area immediately to the south of the bicycle parking area and adjacent to the north eastern boundary of the site. The equipment is to be housed within a 1.8m high weatherboarded compound.

2.0 Land Use Allocation

- 2.1 Employment Zone

3.0 Relevant Planning History

- 3.1 None

4.0 Principal Policies

- 4.1 Adopted Review Borough Local Plan
Development Control Considerations - DC1
Design - UEA11
Pollution – P1

5.0 Consultations

- 5.1 Environmental Control has no comment.

6.0 Representations

- 6.1 The Group Property manager for Jardine Motor services, whose Head Office is at 770 The Crescent, is concerned that the proposed condensers will be excessively noisy and adversely affect their Head Office operations. In addition the compound is considered to be unsightly.

7.0 Report

- 7.1 With regard to the design of this compound, it reflects other existing compounds within the immediate vicinity e.g. immediately to the north eastern corners of Nos. 750 and 770 The Crescent. It is also screened to some extent by the existing hedge that forms the boundary between these two other units. It is also immediately adjacent to the existing car parking area and the bicycle compound. There is no impact upon the public realm.
- 7.2 With regard to the potential noise impact, it is noted that Environmental Control has no objections to the proposal.
- 7.3 Having regard to these matters it is considered that the proposed development is acceptable.

8.0 Background Papers

- 8.1 ARC; HH; NLR

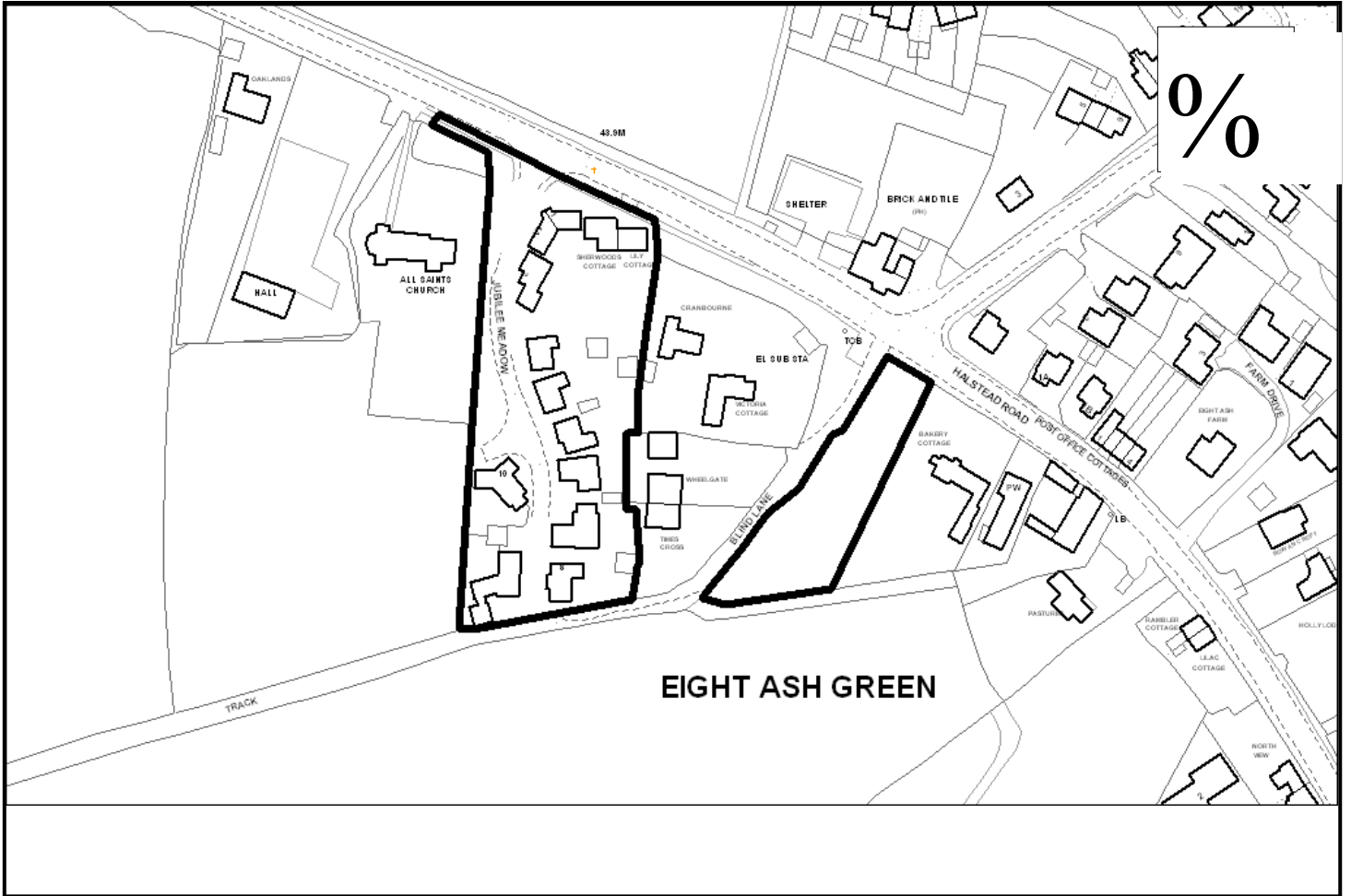
Recommendation - Conditional Approval

Conditions

1 - A1.5 Full Perms (time limit for commencement of Development)

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.



Application No: 090802

Location: Land Adjacent To, All Saints Church, Halstead Road, Eight Ash Green, Colchester

Scale (approx): 1:1250

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7.5 Case Officer: Mark Russell

OTHER

Site: All Saints Church, Halstead Road, Eight Ash Green, Colchester

Application No: 090802

Date Received: 1 July 2009

Agent: Anthony G James

Applicant: N P Powell Developments Limited

Development: Removal of Condition 21 attached to Approval Ref O/COL/02/0306
(Access onto CHURCH LAND prior to occupation of dwellings)

Ward: W. Bergholt & Eight Ash Green

Summary of Recommendation: Conditional Approval

1.0 Site Description

1.1 The site comprises an area of woodland near to All Saints Church off of the Halstead Road in Eight Ash Green.

2.0 Description of Proposal

2.1 The application seeks to vary Condition 21 of outline planning permission O/COL/02/0306 which was for the erection of 15 no. dwellings with an access road. This condition asked for an access road on to the Halstead Road and vehicular access on to Church land, prior to the occupation of any of the dwellings. The proposal is to remove the reference to the vehicular access on to Church land, whilst preserving the reference to the access on to Halstead Road. All other matters relating to the outline application, and the Reserved Matters applications RM/COL/06/2099 and 081848 are unaltered).

3.0 Land Use Allocation

3.1 Residential, in Village Envelope.

4.0 Relevant Planning History

4.1 96/1049 - Outline application for erection of 15 no. 2, 3 and 4 bedroom dwellings. Approved 18th December 1998.

4.2 99/0009 – New workshop and access road. Approved 25th March 1999.

4.3 O/COL/02/0306 - Outline application for erection of 15 no. dwellings with access road (renewal of COL/96/1049) - Approved 13th October 2006.

- 4.4 RM/COL/06/2099 - Reserved matters for 12 dwellings relating to outline permission. O/COL/02/0306 for 15 dwellings with access road. Approved 22nd February 2007.
- 4.6 081848 – Reserved matters for Plots 13, 14 & 15 pursuant to Outline Consent O/COL/02/0306 - Approved 23rd April 2009

5.0 Principal Policies

- 5.1 Adopted Review Colchester Local Plan:
DC1- Development Control considerations
CO4 – Landscape Features

- 5.2 Core Strategy:
ENV1 - Environment

6.0 Consultations

- 6.1 Natural England advised that the mature trees marked for felling (to facilitate the access road) may provide suitable roost sites for bats, and recommended that an ecological survey be undertaken before any such works take place. It further advised that a number of woodlands in the vicinity of Eight Ash Green are County Wildlife Sites, and reminded the applicant of its responsibilities of Natural Environment and Rural Communities Act and PPS9 with regard to biodiversity.

It further stated: “We suggest that your Council in discussion with the applicant, consider whether or not the current application requires revision as to the need for an access road, and whether or not there are any alternatives to the current proposal.”

- 6.2 The Highway Authority stated via email: “There does appear to be a huge amount of back history to this site, I would be happy to retain my predecessor’s view that the vehicle access onto church land is not required.” A fully-worded response is awaited and will be posted on the amendment sheet.

7.0 Parish Council's Views

- 7.1 Eight Ash Green responded as follows on 15th July 2009:

“At the Parish Council meeting held on Wednesday 8th July 2009 it was resolved that the Parish Council would raise no objection to the proposed removal of condition 21 subject to the erection of the boundary fence between the site and Blind Lane as discussed with all parties at the recent site meeting and which will complete the changes in access strategy for the site which have been agreed at various stages of the planning process.

The Parish Council would further like to note that the provision of the access road as originally required in condition 21 would have been a substantial cost to the developer and would ask the Borough Council if they would consider asking the developer for these funds to be diverted to other community uses?”

8.0 Representations

- 8.1 One letter of objection has been received. This was from the owner of Oaklands, Halstead Road as follows:

“Further to our notification of Planning Application No. 090802, we object to the proposal and would ask that the following points be taken into consideration:

Provision of the new access road to the church car park and closure of the existing access will alleviate problems with sight splay that the present access suffers from. There is virtually no line of vision for traffic exiting the site, and turning left onto the Halstead Road and very little for traffic turning right. With no street lighting at night, this problem is exacerbated.

At present, access to the church hall, which is situated in the car park, is dangerous for pedestrians/cyclists such as the children attending scouts who have to avoid cars dropping off other visitors. Vehicular access to the church car park via the agreed new road would have improved security for not only the church and ourselves, but also the new residents on the development. The possibility of being seen/noted is far greater if having to drive through a development than the present situation where cars can access the site via the existing entrance. Having suffered two burglaries, we had been looking forward to this benefit which could be viewed as a crime reduction measure.

We are currently suffering from a loss of amenity with the existing access allowing youngsters with cars to use the site, mainly at night, as a collecting point. This creates noise and disturbance. Closure of the existing entrance and the routing of all church/car park traffic through the agreed new road would, we feel, greatly alleviate this problem.”

- 8.2 The Church Council responded, stating: “We are trying to negotiate with Mr Powell in respect of his contractual obligation to us relating to the above application. In order to allow us to conclude our negotiations we would be grateful if you were able to postpone the decision relating to this application. We would like to be in a position to support Mr Powell's application but we are not currently able to do so.”

9.0 Report

- 9.1 The full wording of condition 21 of O/COL/02/0306 reads: “No dwellings shall be occupied until such time as the proposed new access onto the Halstead Road, together with the vehicular access to Church Land, as shown edged in blue on Drawing No. 154/10D, have been formed and constructed in the location shown on the amended, illustrative layout plan and in accordance with details previously agreed in writing with the Council and the new accesses constructed and completed in accordance with the approved plans.”

- 9.2 The applicant has proposed to word this as follows:

“No dwellings shall be occupied until such time that the proposed new access road onto the Halstead Road has been constructed and completed in accordance with the approved plans.”

- 9.3 The proposal, therefore, is to delete the reference to the vehicular access to Church Land.

- 9.4 The Highway Authority has stated that the access is not required, and Natural England has advised that it would be preferable to not have this access due to the potential effect on trees.
- 9.5 The matter of the access road to the church and its significance for the housing development has also become confused with the original reason for the said road, which was tied up with permission for a workshop.
- 9.6 The original workshop (used for lawnmower/light agricultural equipment repair) was required to be demolished by original outline application 96/1049. Subsequent application 99/0009 sought to rebuild it in a different position, and to install an access road for this. The proposal was granted, with a personal condition for use by a Mr Woodward.
- 9.7 The workshop, and access road, were duly granted permission, and the road itself then became a requirement by condition as part of subsequent permissions for housing – namely renewed Outline permission O/COL/02/0306 and Reserved Matters permission RM/COL/06/2099.
- 9.8 Permission for the workshop, however, has expired. And thus the original reason for the condition is no longer valid.
- 9.9 As the agent has pointed out (in a letter of 21st September 2009): “I am concerned that the current condition 21 is not relevant as the adjoining business no longer requires a new access particularly as the existing church access is satisfactory and has been in place for a very historic period of time.”
- 9.10 He adds: "There has been no attempt in the last 9 years and 6 months to resubmit a planning application for a workshop. It is considered following the sale of the residential site to the east (within the settlement boundary) the relevance of the workshop 'diminished'. In any event there is no planning consent associated with the provision of a new workshop to the west which 'as noted from third party comments would be considered' an unacceptable use adjacent a residential property as well as being located within the 'open countryside' where nearly 10 years has now passed without the benefit of a valid consent."
- 9.11 The Highway Authority, as reported, no longer insists upon the access road, but does add: “Were an application to be made for the replacement workshop the highway authority would recommend considerable improvement to the access sight splays and its width as a pre-requisite”.
- 9.12 Whilst the comments from the neighbouring property are noted, the Highway Authority has now stated that the access road is not required. It is also worth noting that the nuisance which the objector refers to would not necessarily be alleviated as a track would still be in place leading towards the same location, but would be more circuitous rather than straight off of Halstead Road.
- 9.13 The comments from the Church Council are also noted, but the issue of outstanding contractual or legal agreements is outside of the remit of the Planning system and the two parties involved will need to resolve these matters.

9.14 The comments from the Parish Council are also noted and its desire for Blind Lane to be closed off is understood, but the two items are physically distinct from each other and the closure is not necessary for this application.

10.0 Conclusion

10.1 Whilst the access road to the church has long been awaited, it is no longer considered necessary by the Highway Authority, and would appear to be harmful to trees and wildlife. Whilst the comments from the neighbouring property are noted, the application to vary the condition is felt to be acceptable.

11.0 Background Papers

11.1 ARC; Core Strategy; NE; HA; PTC; NLR

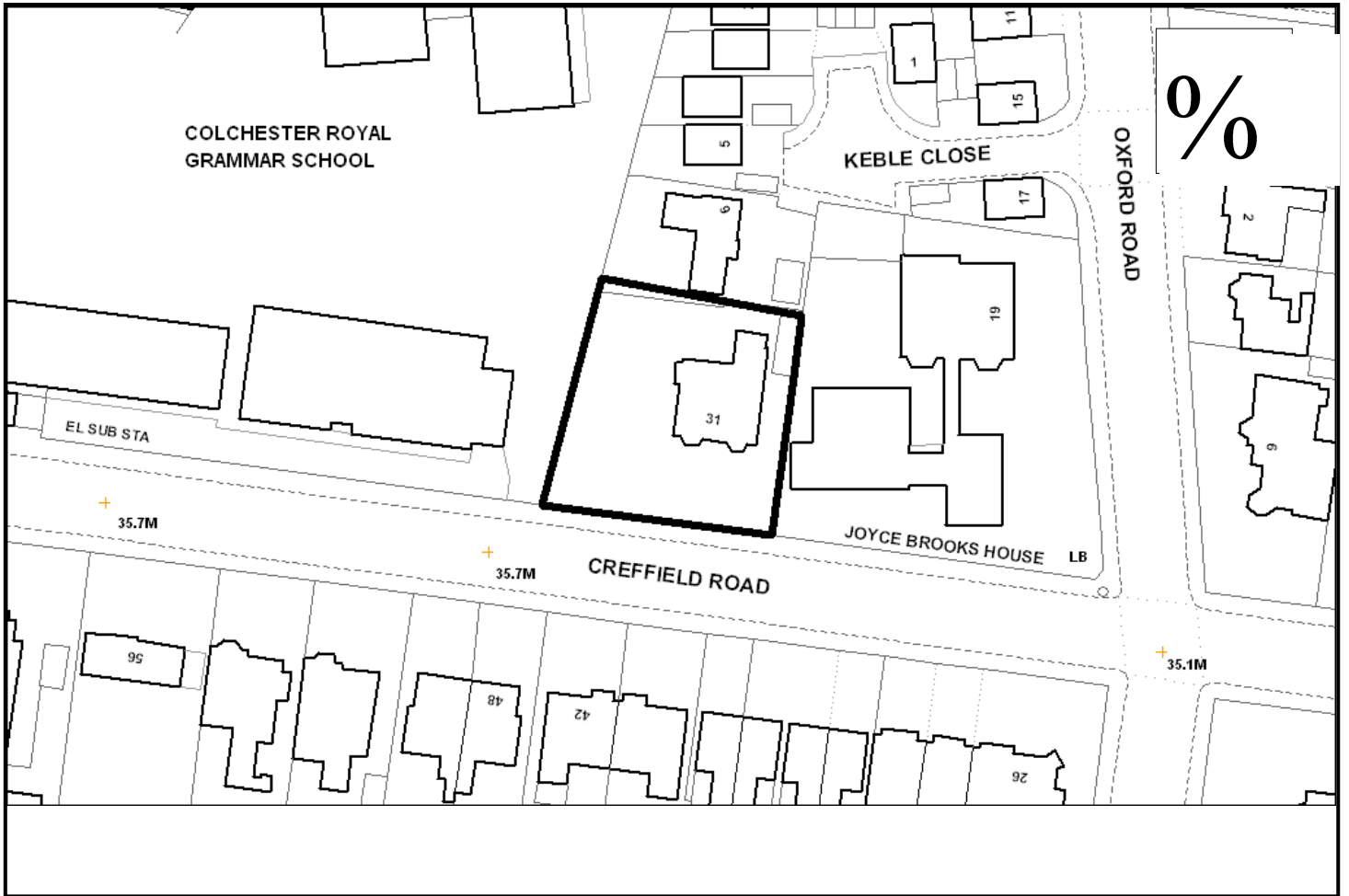
Recommendation - Conditional Approval

Conditions

1 - Non-Standard Condition

Condition 21 of O/COL/02/0306 is hereby reworded to: "No dwellings shall be occupied until such time that the proposed new access road onto the Halstead Road has been constructed and completed in accordance with the approved plans."

Reason: For avoidance of doubt as to the scope of this permission, and in the interests of Highway safety.



Application No: 090932

Location: 31 Creffield Road, Colchester, CO3 3HY

Scale (approx): 1:1250

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7.6 Case Officer: Jane Seeley

OTHER

Site: 31 Creffield Road, Colchester, CO3 3HY

Application No: 090932

Date Received: 22 July 2009

Agent: Mr David Barclay

Applicant: Mr & Mrs T Heath

Development: New garages, office (resubmission of 082042)

Ward: Christ Church

Summary of Recommendation: Conditional Approval subject to conditions advised by Trees and Landscape Officer

1.0 Planning Report Introduction

1.1 This application has been called in by Councillor Sonia Lewis because of its Conservation Area Issues.

2.0 Site Description

2.1 No 31 is on the north side of Creffield Road close to the junction with Oxford Road. To the west is an entrance to and buildings associated with Colchester Royal Grammar School. East of the site is Joyce Brooks House, a sheltered housing unit. The rear garden of No 31 has been separated from the plot and a chalet bungalow and detached garage have been erected (k/a Capel Lodge). Access to this new dwelling is from Keble Close. The site supports a mid/late 19th century Italianate villa that is used as a domestic property. To the side of the house is an early 20th century garage. A brick boundary wall marks the east boundary. Access to the site is in the form of an 'in and out' drive arrangement. There are trees and shrubs on the frontage that included a TPO tree. Adjacent to the side/rear of the site in the grounds of Joyce Brooks House are a number of lime trees.

2.2 It is proposed to demolish the existing garage and to erect 2 extensions. A side/rear extension on the site of the existing garage. This will be a 2 storey structure with garaging at ground floor level with a study/playroom above. The second extension will also be on the east elevation but in front of the 2 storey extension. This will provide additional garaging with storage above. The design of both extensions is contemporary and incorporate curved copper roofs.

3.0 Land Use Allocation

- 3.1 Residential
Conservation Area
Article 4 Direction
TPO 05/00

4.0 Relevant Planning History

- 4.1 O82040 - Proposed 2 no. side garages - Withdrawn 16.02.2009
- 4.2 090236 - Erection of 8ft high wooden close boarded fence – Approved 19.05.2009

5.0 Principal Policies

- 5.1 Adopted Borough Local Plan
DC1 - Development Control considerations
UEA1 - Character of Conservation Areas
UEA2 - Building within Conservation Areas
UEA11 - Design
UEA13 - Development, including extensions, adjoining existing or proposed residential property
CO4 - Landscape features
- 5.2 Core Strategy
UR2 – Built Design and Character

6.0 Consultations

- 6.1 The Tree Officer advises:-

“In principle the work as detailed within the engineering report provided is acceptable, however, the retained arboricultural consultant must be present on site to supervise any excavation works in proximity to the trees. We require a written report to be submitted detailing what occurs during the excavation works, even if this is just to advise that no deviation from the original method statement is required. Without this we will be unable to discharge the conditions. “

- 6.2 The Design Officer’s comments are summarised as follows:-

- More traditional styles and materials were considered but none of these have demonstrated a good fit in terms of proportions and style. The superficial echoing of historic features was seen, in this case as eroding rather than enhancing the character of the house and the Conservation Area.
- The massing, scale and proportions of the proposed buildings are sympathetic to the main house and have no detrimental effect on the house.
- The main house will have a conservatory to the west and a garage to the east; this is seen to reinforce the symmetry typical of the period of buildings in the area.
- The new buildings are set well within the space and the interfaces with the boundary and house are resolved in a sensitive manner.

- The house and extensions are set well back from the road and the overall effect on the Conservation Area is neutral.
- The Council is not against contemporary methods and materials and encourages high quality creative and design. (Policy UR2 Core Strategy) whilst being equally committed to enhancing its historic built character with well designed and distinctive developments that are both innovative and sympathetic to local character.
- Attention to detail in the proportioning and openings ensure the extension appears subordinate thus creating an accurate built form hierarchy.
- The use of traditional materials would compromise and erode the house and Conservation area. The use of high quality contemporary materials will provide a fresh visual interest.
- Recommend subject to conditioning materials.

7.0 Representations

7.1 7 letters/emails received (3 from 1 writer) commenting:

Conservation Area/Design:

- Creffield Road is characterised by large period houses of similar detailing and a consistent palette of materials set in sizable gardens. A two storey extension built out as far as the boundary is out of keeping with the character of the area.
- Proposed roofing material is out of keeping with the materials of the application site and other properties in the area.
- Section 72 of the Act requires that any proposal in Conservation Area preserve or enhance the character appearance of the area.
- The form of the building is alien to the area.
- The copper roof cladding is inappropriate in this Conservation Area where the general palette does not include this material. The use of this material will neither maintain nor enhance the character of the area.
- Details of junction between the copper roof and wall has not been submitted; this is necessary as copper can cause unsightly staining on brick work.
- The scale of the new building is unrelated to the existing fine Victorian Villa.
- The DAS implies that the designer set out to achieve something not in keeping with the traditional conservation style – the design does impinge on the existing building and will compete with the existing house. The withdrawn scheme was more sympathetic. The suggested symmetry between the conservatory and garage is difficult to see.

Residential amenity:

- Two-storey extension built on the boundary presents an intrusive aspect to Capel Lodge to the rear of the site.
- The ridgeline to both extensions is significantly higher than the existing single garage in the garden of Capel Lodge.
- Windows in west elevation of the rear extension overlook the garden of Chapel Lodge and would be visible from the kitchen and a bedroom window. The extension would dominate the outlook from these windows and obscure early and mid morning sunlight

Miscellaneous:

- A 2 storey extension built to the full extent of the boundary allows no access for maintenance.
- The soakaway at the rear of the garage for Capel Lodge is not designed to cope with the development.
- The height of the rear boundary wall is not defined.
- It is unclear what is involved in the warehousing of classic vehicles.
- The type of brick the existing house is built in needs to be clarified, they are described as grey Suffolk bricks but the term normally used is Suffolk Whites – these are yellow in appearance and if the house is clean the contrast with copper would be very different to the existing weathered grey appearance of the bricks.
- Concerned that pre application advice does not carry the caveat that it is officer opinion only and that the quoting from planning officers in the DAS undermines the planning process.
- Can the applications be entertained when the submitted details poses questions?

Existing Garage/Motor House:

- Has an application been made for the demolition of the existing garage – this structure has some historic interest and worthy of retention.
- Information obtained from the County Records Office indicates that that the garage was designed in 1910 and erected by the builders of Jumbo; motor houses were very rare at this date.
- The building is therefore a very interesting historic building.

Lime Trees:

- The planning permission for the garage at Capel Lodge required planning conditions to protect the Limes.
- The tree survey (by the same authors) conflicts with the tree survey prepared for the previously mentioned garage application.
- The trees are not within the applicant's ownership and therefore the proposed pollarding will be difficult to maintain.

7.2 The Victorian Society express concern and recommend refusal:

- No 31 is a handsome mid/late C19th Italianate villa and the existing garage dates from early C20th.
- 31 makes a strong positive contribution to the Conservation Area and the garage does not detract from the Conservation Area and could be considered of interest in itself.
- PPG 15 states that proposal for Conservation Area must 'preserve or enhance the character or appearance'
- The size, design and material of the proposed building is inappropriate for a Conservation Area and would harm its character and appearance. It is excessively large and the contemporary design and materials fail to relate to, or respect the historic detailing and traditional materials that characterise the area.

8.0 Report

8.1 Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that any proposal in a conservation area preserve or enhance the character or appearance of the area. This stance is carried through into PPG 15 Planning and the Historic Environment. However the PPG does not suggest that all new development within a Conservation Area needs to mirror existing architecture detail or styles. Indeed paragraph 4.7 states:

‘What is important is not that new buildings should directly imitate earlier styles, but that they should be designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own.’

8.2 In addition Core Strategy Policy UR2 seeks to promote high quality design whilst recognising the importance of enhancing the Borough’s unique historic character.

8.3 An application was submitted in 2008 for a development of a similar scale as that now proposed for No 31 Creffield Road. This incorporated a more traditionally designed garage extension to the side of the dwelling, with a contemporary extension to the rear. Your Officers had concerns regarding the detailing of this garage extension. Following discussions with the applicants and their agent this scheme was withdrawn. The applicants indicated a desire for the design of both extensions to be contemporary. Since that time there have been on going discussions with the Council’s Urban Designer regarding the scale and detailing of the extensions which has ensured that the proposed design is of a high quality which reflects the Conservation Area status of the site.

8.4 It is recognised that design issues are subjective and that a contemporary approach to the design of extensions to traditional 19th Century dwellings design is not to all tastes. However the proposed design, which includes careful attention to detailing and materials, is considered will have a positive enhancing impact on the Conservation Area. Conditions to control materials etc will allow continued control on the extensions.

8.5 The rear extension would be visible from Keble Close. However the existing garage in the grounds of Capel Lodge will be in front of the building and will visually ‘break down’ the bulk of the structure.

8.6 There is one side window in the elevation of Joyce Brooks House adjacent to the proposed extension which is believed to be a landing window. The rear extension will be visible from the garden and windows facing north and west. However there is adequate separation to ensure no undue amenity concerns.

- 8.7 Capel Lodge, to the rear of the site is orientated so that the front elevation faces east. Your officer has viewed the site from the kitchen and garden of Capel Lodge. It is acknowledged that there will be views of the rear extension from the kitchen. There may be some loss of early morning sunlight, however, the kitchen does have the benefit of a glazed door to the south and windows/French doors to the west. On balance it is not considered that the impact on residential amenity would be so negative as to warrant refusal. Windows in the west side elevation have the potential for some overlooking of Capel Lodge and the rear garden. Accordingly a condition to require these windows to be obscurely glazed is suggested. Concerns regarding the adequacy of the soakaways will be dealt with at Building Regulations Approval stage. As the extension is on the boundary the Party Wall Act is relevant to ongoing maintenance issues.
- 8.8 The garage to be demolished appears to be of some historical interest. Conservation Area Consent is required for the demolition of buildings over 115 cubic metres in volume. The garage is smaller than this figure and therefore consent is not required for its demolition. It has been suggested to the applicants that the garage is repositioned within their garden. They considered that they do not have adequate space to reposition the building but have stated that are willing for any one who wishes to demolish and remove the garage for rebuilding elsewhere.
- 8.9 There are pollarded lime trees in the grounds of Joyce Brooks House immediately adjacent to the rear extension. The Arboricultural Officer has had concerns regarding the impact of construction works on the trees and the ongoing problems of a building in such close proximity to trees. This Council maintains these trees. The applicants have obtained a letter from the Parks and Recreation Officer confirming that the trees will be pollarded in the autumn/winter 2009. A methodology statement has been provided by a Consultant Engineer detailing the foundation design. The recommendation from Trees and Landscaping is that this application can be supported provided conditions requiring, amongst other matters, that an Arboricultural Consultant is on site during excavation works in proximity of the trees.

9.0 Conclusion

- 9.1 In light of the foregoing discussion it is considered that this proposal can be recommended for approval.

10.0 Background Papers

- 9.1 ARC; Core Strategy; TL; Urban Design; NLR; Victorian Society

Recommendation - Conditional Approval subject to conditions advised by the Trees and Landscape Officer

Conditions

1 – A1.5 Full Perms (time limit for commencement of Development)

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 - C3.1 Materials (general)

Before the development hereby permitted commences, the external materials and finishes to be used, shall be agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with agreed details.

Reason: To ensure that the development does not prejudice the appearance of the locality.

3 - Non-Standard Condition

The windows to be provided above ground floor level in the west facing elevation of the two storey side/rear extension shall be glazed in glass with an obscuration level equivalent to scale 4 or 5 of the Pilkington Texture Glass scale of obscuration and shall be retained as such at all times thereafter.

Reason: In the interests of residential amenity and to secure the privacy of adjoining occupiers.

4 - Non-Standard Condition

No new window or other openings shall be inserted above ground floor level in any elevations or roof slopes of the proposed extensions without the prior approval in writing of the Local Planning Authority.

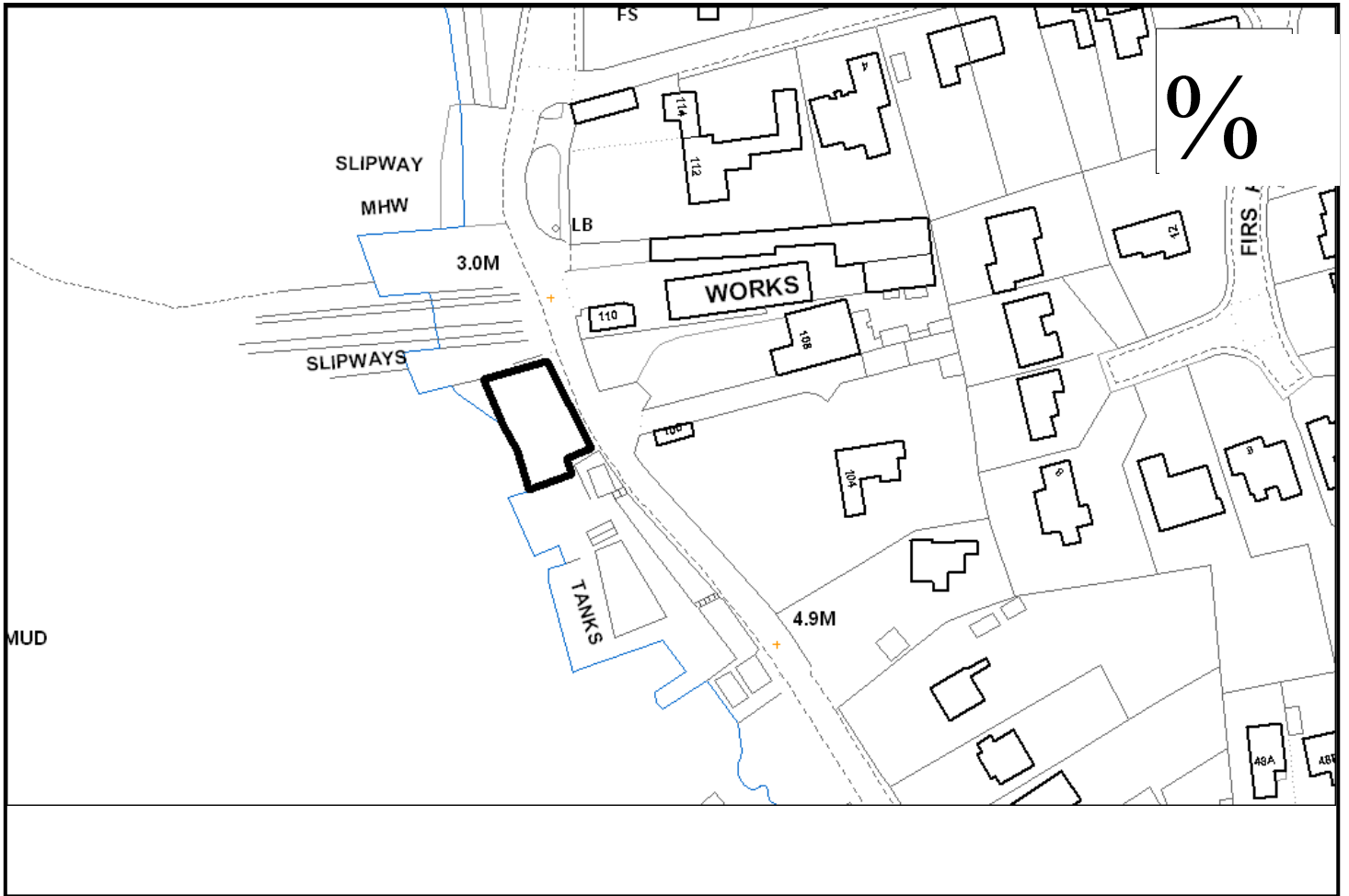
Reason: In the interests of residential amenity and to secure the privacy of adjoining occupiers.

5 - Non-Standard Condition

As advised by the Trees and Landscape Officer

Informatives

Your attention is drawn to the attached advisory guidelines relating to the control of pollution during demolition/building.



Application No: 091057

Location: Car Park Opposite, The Coast Inn, 108 Coast Road, West Mersea, Colchester, CO5 8NA

Scale (approx): 1:1250

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7.7 Case Officer: Nick McKeever

OTHER

Site: The Coast Inn, 108 Coast Road, West Mersea, Colchester, CO5 8NA

Application No: 091057

Date Received: 18 August 2009

Applicant: Mrs Belinda Cross

Development: Retention of posts and shuttering to enclose car parking area

Ward: West Mersea

Summary of Recommendation: Conditional Approval

1.0 Site Description

1.1 This application relates to a small parcel of land to the west of Coast Road, opposite the Coast Inn, West Mersea. Part of this land is currently contained by timber posts and wooden shuttering and is used as a car parking area for the Coast Inn.

1.2 The application is for the erection of a further stretch of this shuttering to contain the land immediately to the east.

2.0 Land Use Allocation

2.1 Area of Special Character
Article 4 Direction
Coastal Protection Belt
Conservation Area

3.0 Relevant Planning History

3.1 None

4.0 Principal Policies

4.1 Adopted Review Borough Local Plan
Development Control Considerations - DC1
Conservation Area – UEA1 & UEA2
Design - UEA11

4.2 Core Strategy
Environment – ENV1

5.0 Consultations

5.1 The Design and Heritage Unit comment that this shuttering would not cause a negative impact on the Article 4 Direction or the Conservation Area. The character of this area is somewhat untidy and the formalisation of the riverside with wooden post and shuttering is a sympathetic addition. If the extension to the car park is allowed there would be a need for a change of use application to use as a car park.

6.0 Town Council's Views

6.1 West Mersea Town Council recommend refusal for the following reasons:-

- (i) This appears to be an unnecessary encroachment on the salt marsh (infilling). Natural England should be contacted before any further consideration is given, and proper consideration given to the materials used;
- (ii) All work should cease until these actions have been taken.

7.0 Representations

7.1 None

8.0 Report

8.1 This application is retrospective in that some works have already been commenced, hence the submission of this application.

8.2 The comments of the West Mersea Town Council are acknowledged and appreciated. Natural England has been consulted formally on this application and their response is awaited.

8.3 With regard to the actual posts and shuttering, which is the subject of this application, the comments made by the Design and Heritage Unit are acknowledged. It is on this basis that permission for the posts and shuttering only should be granted, subject to no adverse comments being received from Natural England.

9.0 Background Papers

9.1 ARC; Core Strategy; Heritage and Design Unit; PTC

Recommendation - Conditional Approval

Conditions

1 - A1.5 Full Perms (time limit for commencement of Development)

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 - Non-Standard Condition

The permission hereby granted shall relate solely to the erection of the timber posts and shuttering as applied for in this application and not for the deposit on the site of any imported material or the extension or use of any part of the site for the parking of cars outside of the land currently used for this purpose. The extension of the car park will require planning permission.

Reason: For the avoidance of doubt as to the scope of this permission and in the interests of the visual amenity of this protected landscape.

3 – Non Standard Condition

The posts and shuttering shall only be timber with an external treatment to be agreed in writing by the Local Planning Authority prior to the erection of these posts and shuttering.

Reason: To ensure the use of appropriate materials and finishes within this Conservation Area.

Planning Committee

Item
8

15 October 2009

Report of	Head of Environmental and Protective Services	Author	Nelia Parmaklieva ☎ 01206 282446
Title	Guidance note for shopfront security		
Wards affected	All		

This report seeks Members' approval and endorsement of the guidance note on shop front security

1. Decision(s) Required

- 1.1. That Members endorse the guidance note for shop front security

2. Reasons for Decision(s)

- 2.1 In recent years, shop fronts have had security shutters installed to cope with the perceived threat of theft, vandalism, and/or ram raiding and for insurance purposes. Unfortunately, the use of certain security measures, particularly solid roller shutters, not only has had a serious harmful impact on the appearance of buildings, but also on the character of streetscene. The attached guidance note for shop front security clarifies the Council's expectations and offers advice and useful examples on what is and is not acceptable in terms of shop front security. The Council has a duty to require good design, having regard to local building traditions and preserving and enhancing its conservation areas. The requirements for good shop front design, providing natural surveillance and designing out crime can be reinforced through this technical guidance, and further advice and assistance can be offered to businesses.

3. Background

- 3.1. Two enforcement reports were submitted to Planning Committee on the 6 August 2009, requiring the removal of solid shutters from two shops in Colchester. Members of the Committee were very concerned about the frequency of this type of report and requested that officers produce a guidance note on shop front security to assist businesses when considering installing security measures

4. Alternative Options

- 4.1. In the event that no guidance is published, the frequency of reports submitted to the Planning Committee seeking approval to take enforcement action to remove inappropriate shop front security measures is likely to continue.

5. Explanation / Proposals

- 5.1 The guidance note outlines the different types of shop security currently available, provides advice on the most suitable options and outlines requirements for planning permission and listed building consent. In all instances where shop front security is to be replaced or installed, the Council will consider the impact on the appearance of the building and the local street scene. The emphasis given to security will depend on the location and the nature of the goods displayed. The right solution will depend on whether it is applied to new, existing or replacement shop fronts, and may comprise a range of possible measures. A high degree of transparency to enable the window display to be seen and light to diffuse through the shop front onto the street will be an essential requirement. Proposals for new shop fronts will need to demonstrate that shop front security forms an integral part of the overall shop front design.
- 5.2. The Guidance Note is intended as an interim measure until such time as a Shop Front Design Guide is produced.

6. Supporting Information

- 6.1. Copies of the guidance note are attached.

7. Strategic Plan References

- 7.1 Improving quality of public realm to create a place where people want to live.
- 7.2. Community safety - to make Colchester a safer place and reducing the fear of crime.

8. Consultation

- 8.1 Spatial Policy raised no objection subject to the inclusion of all relevant up to date Local Plan policies.

9. Publicity considerations

- 9.1. There are no particular implications for publicity considerations, or financial, equality and diversity, human rights, health and safety or risk management considerations.

10. Community safety

- 10.1. The proposals are drafted with a view to reducing the fear of crime.

SHOPFRONT SECURITY GUIDANCE



INTRODUCTION

In recent years, the need for shopfront security has become increasingly important. Many alterations have taken place on existing and replacement shopfronts to cope with threat of theft and vandalism, ram raiding and for insurance purposes. Unfortunately, without the appropriate permission, the use of certain security measures, particularly solid roller shutters, has had a serious and harmful impact on the appearance of buildings and on the character of streets in the Borough of Colchester.

In this document, the Council clarifies its expectations and offers guidance and useful examples on what is and is not acceptable in terms of the appearance of shopfront security. The document provides additional technical guidance and information on how high quality shop front design can be achieved. It does not set new policy. Planning applications regarding shop fronts will continue to be assessed against the adopted policies listed in Appendix 1. The document also gives assistance and advice on the requirements for planning permission and when this is or is not necessary. Contact numbers are provided at the end of the document if you require more information on adding security measures or installing new shopfronts.

SHOPFRONT SECURITY PLANNING POLICY

Policy DC1(b) of the Adopted Review Colchester Borough Local Plan requires that developments be well designed, having regard to the local building tradition. Policies UEA1 and UEA2 state that Conservation Areas will be given special protection from development considered detrimental to their settings. Policy UR2 of the Core Strategy promotes high quality design and the provision of natural surveillance to design out crime. The emerging Local Development Framework will supercede the Local Plan and on its adoption policies Dp1 (Design and Amenity) and DP7 (Local Centres and individual shops) will be relevant.

The impact on the appearance of the building and the street scene will be considered where shopfronts are an important feature of the street scene. These include the town centre and most recognised shopping centres within the Borough. The classification of recognised shopping centres is set out in the Core strategy Policy Ce1, and should be read together with CE2a, CE2b and CE2c. A table setting out the centre hierarchy and classification, and maps showing the boundaries of centres



SHOPFRONT SECURITY MEASURES

APPROACHES TO SHOP SECURITY

APPROACHES TO SHOP SECURITY

Shopfront security can be achieved in a number of ways, and not all involve alterations to the shopfront. The emphasis given to security will depend on the location, the nature of the goods displayed, and on the purpose of the security. The right solution depends on whether it is applied to new, existing or replacement shopfronts, and may comprise a range of possible measures.

The impact on the appearance of the building and the street scene will be considered and in all instances where any form of security is being replaced or installed, a visual improvement to the current appearance of the shopfront will be sought. A high degree of transparency to enable the window display to be seen, and light to diffuse through the shopfront onto the street, will be an essential requirement. Proposals for new shopfronts should demonstrate that a suitable form of shopfront security is 'designed in' or can be sympathetically accommodated at present or in the future.

There is a range of products available on the market that are specifically designed to improve shopfront security without detracting from the shop appearance. These could be integrated into the design of the shopfront, and designed to have minimal visual impact and be compatible with the rest of the elevation of the building and the street scene. Listed below are some of the different types of shopfront security, categorised in terms of their visual impact, suitability and the necessary planning requirements.

Security by design

Refer to 'Secured by design' Section 17d Crime and Disorder Act and the 'Guide to security standards for doors and windows'

Comprehensive design of shopfronts to include security features will be encouraged by the Council. In new shopfronts all aspects of security should form an integral part of the design to avoid an add-on effect. Appropriate lighting, carefully integrated CCTV, a vertical mix of uses (including residential above shops) to provide eyes on the street should be considered.

In traditional shopfronts, introduction or re-instatement of glazing bars, mullions and re-inforced stall risers will provide greater strength to a shop window or door and have the effect of deterring ram-raids. The use of brick or rendered stall risers, or reinforcement with concealed steel rods and/or concrete barriers can also be considered. Retention of small window panes by dividing the shopfront with mullions and transoms reduces the cost of replacement glass if the need arises. The retention of the historic shopfront features and the use of traditional materials such as timber and brick will be encouraged in historic areas.

Security gates professionally painted with inspirational murals can also help liven up the street scene and discourage unsightly graffiti tagging. Installation of street furniture including bollards, railings etc. is another approach to consider as a deterrent to ramming. Measures of this type will require a planning permission. Further advice on the detailing will be available from the Design and Heritage Unit.



Designed-in shop security-suitably lit spaces, 'eyes on the street'



Retention of historic features in a shopfront

SHOPFRONT SECURITY MEASURES

ROLLER SHUTTERS

ROLLER SHUTTERS

External solid or perforated roller shutters have a significant impact on the appearance of the building and the street scene. They present a disadvantage of obscuring the window display and cutting out display lighting, which can create a hostile and unsafe street environment. These can also attract vandalism and graffiti. Solid shutters prevent views into shops and can increase the occurrence of theft due to lack of surveillance. Horizontals slats are at odds with the vertical emphasis of traditional shopfronts, which leads to loss of shopfront proportions. Galvanised steel and bright colours clashing with the rest of the elevation have the greatest negative effect, and so do the shutter box housing and the metal guides that form the perimeter and retain the roller shutter - boxes projecting beyond the building footprint have a negative add-on appearance.

In most cases, the installation of solid external roller shutters is unlikely to be permitted in the town centre, Conservation Areas and in recognised shopping centres where shopfronts are an important feature of the street scene. In other places it would only be acceptable if it can be demonstrated there is no other alternative, for example on open shopfronts with no glazed window display. Planning permission will be required for this type of security.

Although perforated and punched shutters give a degree of transparency, they are still harmful to the shop appearance. These would only be permitted where the nature of the goods displayed (e.g. jewellers), or prevention of smash and grab, necessitates them, and where there is no other alternative. In these instances, the Council will insist that the shutter box is either an integral part of the shopfront design or located behind the existing fascia and not protruding onto the street. The Council will also insist that the metal guides are slim and built into the frame and not separate and external to it, and the shutter is powder or plastic coated in a colour to harmonise with the shopfront and provide maximum transparency. Shutters running across the entire shopfront will not be encouraged, and protection of recessed or vulnerable entrances only should be considered instead. Planning permission will be required for this type of security.



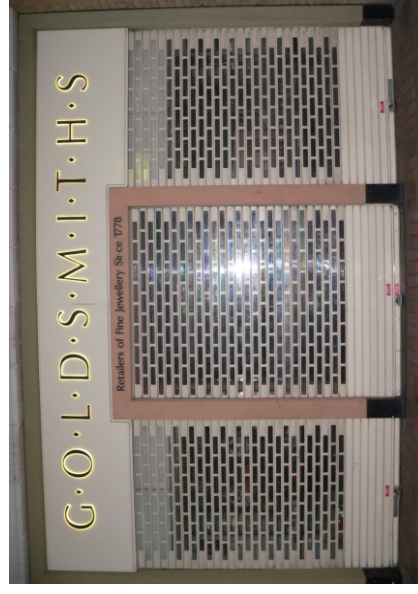
Well designed and integrated external roller shutters



Use of roller shutters on a vulnerable section of the shopfront



Undesirable shutters for jewellers



Preferable shutters for jewellers

Planning permission will not be required if shutters are installed internally, unless it is in a listed building (Listed Building Consent will be required in this instance), and the Council will encourage shop owners to provide good integration, maximum degree of transparency and back lighting to enliven the shopfront. Ideally, shutters should be positioned behind a display area, as shown in the images.



Well integrated internal roller shutters behind display area



Undesirable blank appearance



Still undesirable, although a better integration with the overall shop appearance



Internal roller shutters installed behind display area

SHOPFRONT SECURITY MEASURES

EXTERNAL GRILLES

EXTERNAL GRILLES

External grilles are not generally encouraged as a form of shopfront protection as they radically affect the appearance of properties. However, these can be useful where internal shutters are not feasible, e.g. for curved windows of traditional shopfronts or to enclose recessed shop entrances. The use of this type of security should be avoided at all cost on listed buildings, prominent buildings within conservation areas or buildings of architectural interest. In other circumstances, lattice, chain-link or brick bond grilles will be acceptable types, provided that:

- the ratio between solid and void provides a maximum degree of transparency
- care is taken to ensure grilles are painted to be compatible with the rest of the elevation of the building and the street scene,
- details are acceptable, in particular the thickness of the grille and the guiding rails, and that these do not obscure any architectural features,
- the roller box is inconspicuous and integrated into or behind the upper frame of the display window, (or if the structure does not allow that, the shopfront would need to be recessed) and its design is compatible with the rest of the shopfront.
- any solid portion required at the bottom of grilles must be no higher than the stall riser (if any) or a maximum of 300mm.
- back lighting required to enliven the shopfront when security is in use

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Planning permission will be required for this type of security. If the roller box cannot be concealed, or the grille extends over the whole shopfront rather than the window or door openings it is not likely to receive a favourable consideration.



External grille used for enclosure of curved shopfront



External grille used for enclosure of recessed entrance



A combination of external grille and back lighting

DE-MOUNTABLE GRILLES

De-mountable wire or decorative metal grilles in front of or behind windows and doors will be considered acceptable where the shopfront does not allow the housing for an external grille to be hidden, provided that:

- the grille only covers the door/window and does not itself hide any architectural joinery
- the fixing method does not detract from the shopfront character;
- the grilles should be of acceptable colour and finish, complement the elevation and ensure that the integrity of the shopfront and street scene are maintained; and
- grilles are stored inside the shop and out of sight when not in use

External de-mountable grilles will require planning permission.



Inconspicuous internal de-mountable grille



Well integrated grille on curved window



Well integrated de-mountable external grille



Well integrated de-mountable external grille

INTERNAL GRILLES

Internal grilles and shutters which allow window shopping and passive surveillance (visibility) of the premises from the street have the advantage of being less visually intrusive and having the least impact on the shopfront and will be preferred by the Council. Lattice and concertina, chainlink or brick bond will be acceptable types. Planning permission will not be required for this type of security, provided the details below are acceptable. Listed building consent will be required for listed buildings. Attention must be given to:

- the thickness of the grille and the guiding rails, that these are not too thick and do not obscure any architectural features
- that the roller box is inconspicuous and integrated into or behind the upper frame of the display window
- grilles are positioned behind a display area, and back lighting is used to enliven the shopfront



Inconspicuous brick bond internal grille



Concertina grilles



Decorative chain link



Combination of back lighting and internal grille

RAILINGS AND GATES

Suitably designed railings may be appropriate to protect or define private frontages, e.g. recessed entrances. Rear entrances can be protected by appropriately designed gates, and rear windows may be protected by bars providing this does not detract from the appearance of the building. Planning policy requires development to achieve a high standard of design and ensure the character and context of the area is enhanced or maintained.

The design should be of acceptable style, colour and finish to complement the elevation and ensure that the integrity of the shopfront and street scene are maintained. Planning permission will be required for this type of security.



Appropriately designed security gates



Appropriately designed security gates



Well designed gate protecting a recessed frontage

GLASS

Laminated and toughened glass offer safety and security and should be the first solution to be considered, particularly for historic shopfronts still having the original glass. This would be the preferred option for new shopfronts, where appropriate, e.g. for shops designed with extensive areas of glazing. Glass creates a welcoming street scene with the least obstruction of the display area, while providing good security. Planning permission will not be required for this type of security.

ALARMS AND CCTV

Installation of external or internal alarms or CCTV should be considered as a form of providing shop security, provided they are inconspicuous and do not clutter the building frontage. Their positioning should avoid cutting across architectural features and be painted to blend with background. In the town centre, Colchester's 24 hour closed circuit CCTV monitoring system can be used. Listed building consent will be required for installation of these on listed buildings.

SECURITY LIGHTS AND INTERIOR/EXTERIOR LIGHTS

Lights left on within the shop can act as a deterrent. The use of lighting can also act as a deterrent in recessed doorways.



A combination of toughened glass and internal illumination as security in shopfront with extensive glazing



A combination of interior and exterior lights



Internal alarm system blending with the background



If you require more information on adding security measures or installing new shopfronts you can contact the Design and Heritage Unit on 01206 282...

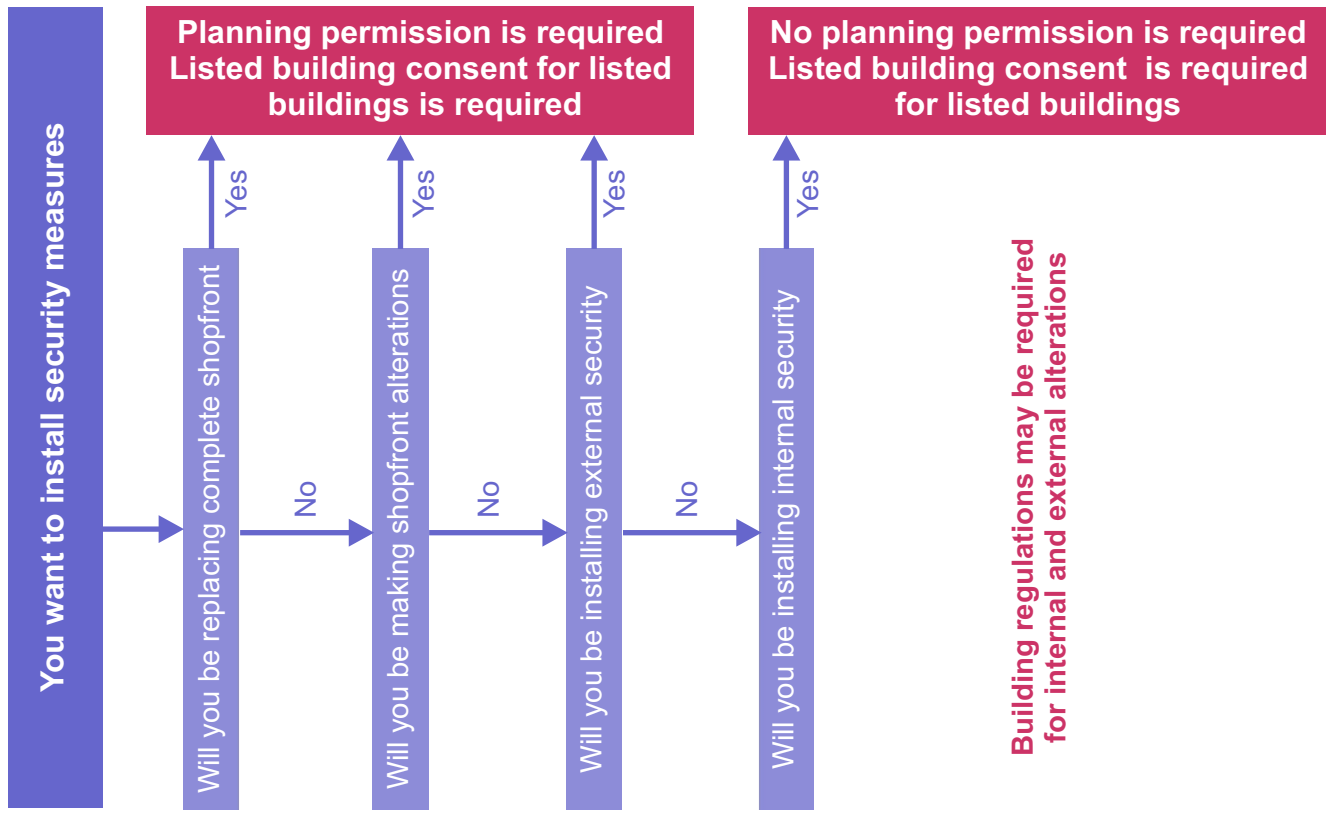
Planning permission will be required for any change to commercial property that materially affects its external appearance, including the erection of security external grilles or shutters. Planning permission will be refused for poorly designed shutters even if a similar example exists in the locality. Installation on listed buildings would require Listed Building Consent.

In support of applications the Council should expect the applicants to justify proposal, e.g. explain particular problem, explain other forms of protection and why they have not worked, include letter from insurance company/police. The applicant should explain how a negative visual impact of shopfront security will be minimised through careful design.

Planning permission will be required for the installation of street furniture including bollards and railings as deterrents to ramming. If on highway land, the ECC Highway Authority approval will be required. Consideration must also be given to the coordination with established street furniture and prevent unnecessary clutter in the public realm - for town centre sites please consult with the emerging Public Realm Strategy. Further advice on the detailing will be available from the Design and Heritage Unit.

Any work carried out without seeking the necessary planning permission will be subject to enforcement and may lead to prosecution if the Council decides that the alterations have a negative impact on the appearance of buildings and on the character of streets. If you have installed security measures without seeking permission, please contact us as soon as possible. We would be able to help you improve the overall appearance of the building and give you advice on how to apply for the appropriate consent. Be aware that the responsibility is transferred to you if unauthorised security measures were installed prior to you owning the building.

GUIDE TO PROCEDURE



Building regulations may be required for internal and external alterations

Shop Front Security Planning Policy

Adopted Core Strategy

Policy UR2 of the Core Strategy (adopted December 2008) promotes high quality design and the provision of natural surveillance to design out crime. Developments that are discordant with their context and fail to enhance the character, quality and function of an area will not be supported.

Saved Local Plan Policies

A number of policies from the 2004 Local Plan remain saved and continue to be used in decision making. These policies are expected to be superseded by the Development Policies DPD when it is adopted in 2010. Saved Local Plan policies relevant to shop front security include:

Policy DC1 - This requires developments to be well designed, having regard to the local building tradition.

Policies UEA1 and UEA2 - These policies state that Conservation Areas will be given protection from development considered detrimental to their settings.

Development Policies

When it is adopted (scheduled for 2010) the emerging Development Policies DPD will supersede the Saved Local Plan Policies. The following emerging Development Policies are relevant to shop front security:

DP1 (Design and Amenity) Requires all development to be designed to a high standard and avoid unacceptable impacts on amenity. Development must respect and enhance the character of the site and other assets that contribute positively to the site and surrounding area.

DP14 (Historic Environmental Assets) Development affecting the historic environment should seek to preserve or enhance the heritage asset and any features of specific historic, archaeological, architectural or artistic interest.

Application of this guidance

The impact on the appearance of the building and the street scene will be considered where shop fronts are an important feature of the street scene. The design guidance in this document can be applied to all shop fronts to achieve a high standard of design in accordance with the Council's adopted policies. The sensitivity of locations to shop front design will vary throughout the Borough and the Council is likely to require a higher standard of design in more sensitive areas. The context and character of the site should therefore be taken into account when applying the guidance.

INDEX TO PLANNING APPLICATIONS CODES

A	Advertisements	K	Certificate of Lawfulness
AG	Agricultural Determination	LB	Listed Building
C	Change of Use	M	County Matter
CA	Conservation Area	O	Outline
CBC	Colchester Borough Council	PA	Prior Approval
CC	Essex County Council	RM	Reserved Matters
F	Full	S	Electricity Consultation (Overhead Lines)
G	Government Dept. Consultation	T	Renewal of Temporary Permission
J	Alternative Development	X	Demolition in Conservation Area

INDEX TO BACKGROUND DOCUMENTS/REPORTS CODES (UPDATED OCTOBER 2000)

Note: Any Document or Consultee not included in these lists will be specified in full.

ARC	Adopted Review Colchester Borough Local Plan March 2004
BOT	St Botolphs Development Brief
CHD	Colne Harbour Urban Design Framework SPG - Nov. 2000
CPS	Cycle Parking Standards
ERP	Essex and Southend on Sea Replacement County Structure
GAP	Gosbecks Archaeological Park Draft Management Plan
HCP	High Woods Country Park Management Plan
MSP	Essex County Council - Minerals Subject Plan
VEM	East Mersea Village Appraisal - 19 February 1996
VFC	Village Facilities Survey 1995
VFD	Fordham Village Appraisal - 31 August 1994
VFG	Fingringhoe Village Appraisal - 1 September 1993
VGT	Great Tey Village Appraisal - 19 July 1993
VLG	Langham Village Appraisal - 6 April 1994
VPL	Peldon Village Appraisal - 4 June 1994
VRH	Rowhedge Village Appraisal - 20 November 1995
VWG	West Bergholt Village Appraisal - 30 August 1995
WMW	West Mersea Waterside Study

INTERNAL CONSULTEES

BC	Building Control Manager
CD	Conservation & Design Manager
CF	Financial Services
CU	Head of Street and Leisure Services
DO	Disability Access Officer
HA	Highway Authority (ECC)
HD	Housing Development Officer
HH	Environmental Protection (Env. Control)
MR	General Manager (Museum Archaeological)
PP	Head of Housing & Environmental Policy
SE	Head of Enterprise and Communities
SL	Legal Services
TL	Trees & Landscapes Officer - Planning Services

REPRESENTATIONS ETC

CAA	Correspondence with applicant/agent
CBC	Colchester Borough Councillor(s)
LAS	Other Local Amenity Society(ies) (not listed elsewhere)
NLR	Neighbours or Local Resident(s)
OTH	Other correspondence
PTC	Parish & Town Council(s)

EXTERNAL CONSULTEES (2 character codes)

AB	Soc Protection Ancient Buildings	HG	English Heritage - Historic Gardens
AM	Ancient Monuments Society	HM	English Heritage (Hist. Mon. Section)(England)
AR	Ardleigh Reservoir Committee	HO	The Home Office
AT	Colchester Archaeological Trust	HS	Health & Safety Executive
AV	Civil Aviation Authority	IR	Inland Revenue (Valuation)
AW	Anglian Water Services Limited	LF	Environment Agency (Waste Regs)
BA	Council for British Archaeology	MD	Defence Estates (East)
BD	Braintree District Council	MH	NEE Mental Health Services Trust
BG	Transco (B Gas)	MN	Maldon District Council
BH	Babergh District Council	MS	Marine Safety Agency
BO	Blackwater Oystermans' Association	NC	English Nature
BT	British Telecom	NE	North Essex Health Authority
BW	Essex Bridleways Association	NF	National Farmers Union
CA	Cmssn for Architecture & Built Environment	NI	HM Nuclear Installations Inspectorate
CB	Churches Conservation Trust	NP	New Possibilities Healthcare Trust
CE	County Education Department (ECC)	NR	Environment Agency
CH	Country Highways (Surveyor ECC)	NT	The National Trust
CS	Colchester Civic Society	PD	Ports Division (DETR)
CY	Colchester Cycling Campaign	PT	Petroleum Officer (ECC Trading Standards)
DS	Department of Social Security	RA	Ramblers Association
DT	Route Manager - Highways Agency	RD	The Rural Development Commission
DV	Dedham Vale Society	RE	Council Protection Rural Essex
DW	Dedham Vale & Stour Valley Project	RF	Royal Fine Art Commission
EB	Essex Badger Protection Group	RP	Rowhedge Protection Group
EE	Eastern Electricity – E-On	RR	Roman River Valley Society
EH	English Heritage	RS	RSPB
EI	HM Explosive Inspectorate	RT	Railtrack East Anglia
EN	Essex Wildlife Trust	RY	Royal Yachting Association
EP	Essex Police	SB	Save Britain's Heritage
EQ	Colchester Police	SD	MAFF Fisheries Office/Shellfish Division
ER	Essex Rivers Healthcare Trust	SK	Suffolk County Council
ET	Fair Trading (ECC Trading Standards)	SR	The Sports Council – Eastern Region
EU	University of Essex	ST	Colne Stour Countryside Association
EV	Environmental Health (ECC - Env. Services)	TB	Tollesbury Parish Council
EW	Essex & Suffolk Water Company	TG	Tendring District Council
FA	Essex Police - Fire Arms Officer	TI	Department of Trade and Industry
FB	Essex Fire & Rescue Service	TK	Tolleshunt Knights Parish Council
FC	Forestry Commission	TW	20 th Century Society
FE	Feering Parish Council	VI	Vehicle Inspectorate (GVTS)
GA	Colchester Garrison HQ	VS	Victorian Society
GE	Government Office for the East of England	WS	The Wivenhoe Society
GU	HM Coast Guard	WT	Wivenhoe Town Football Club
HB	House Builders Federation	WA	Wormingford Airfield (Gliding Club)
HE	British Horse Society	WW	Society Protection Ancient Buildings (Wind & Watermill Section)



Colchester Borough Council Environmental Control

Advisory Notes for the Control of Pollution during Construction & Demolition Works

The following information is intended as guidance for applicants/developers and construction firms. In order to minimise potential nuisance to nearby existing residents caused by construction and demolition works, Environmental Control recommends that the following guidelines are followed. Adherence to this advisory note will significantly reduce the likelihood of public complaint and potential enforcement action by Environmental Control.

Best Practice for Construction Sites

Although the following notes are set out in the style of planning conditions, they are designed to represent the best practice techniques for the site. Therefore, failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974)

Noise Control

1. No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Monday to Saturday (finishing at 13:00 on Saturday) with no working of any kind permitted on Sundays or any Public/Bank Holiday days.
2. The selection and use of machinery to operate on site, and working practices to be adopted will, as a minimum requirement, be compliant with the standards laid out in British Standard 5228:1984.
3. Mobile plant to be resident on site during extended works shall be fitted with non-audible reversing alarms (subject to HSE agreement).
4. Prior to the commencement of any piling works which may be necessary, a full method statement shall be agreed in writing with the Planning Authority (in consultation with Environmental Control). This will contain a rationale for the piling method chosen and details of the techniques to be employed which minimise noise and vibration to nearby residents.

Emission Control

1. All waste arising from the ground clearance and construction processes to be recycled or removed from the site subject to agreement with the Local Planning Authority and other relevant agencies.
2. No fires to be lit on site at any time.
3. On large scale construction sites, a wheel-wash facility shall be provided for the duration of the works to ensure levels of soil on roadways near the site are minimised.
4. All bulk carrying vehicles accessing the site shall be suitably sheeted to prevent nuisance from dust in transit.

Best Practice for Demolition Sites

Prior to the commencement of any demolition works, the applicant (or their contractors) shall submit a full method statement to, and receive written approval from, the Planning & Protection Department. In addition to the guidance on working hours, plant specification, and emission controls given above, the following additional notes should be considered when drafting this document: -

Noise Control

If there is a requirement to work outside of the recommended hours the applicant or contractor must submit a request in writing for approval by Planning & Protection prior to the commencement of works.

The use of barriers to mitigate the impact of noisy operations will be used where possible. This may include the retention of part(s) of the original buildings during the demolition process to act in this capacity.

Emission Control

All waste arising from the demolition process to be recycled or removed from the site subject to agreement with the Local Planning Authority and other relevant agencies.