

Item No: 7.6

Application: 210121

Applicant: Sir Bob Russell

Proposal: Erection of a statue of the Taylor sisters - Dedicated to the children of the world.

Location: outside 32 & 33-34, High Street, Colchester, CO1 1DH

Ward: Castle

Officer: Mr Daniel Cooper

Recommendation: Approval

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee for reasons of transparency as the applicant is an Alderman and High Steward of the Borough.

2.0 Synopsis

- 2.1 The key issues for consideration are the impact of the proposal on the character and setting of the Conservation Area and the nearby Listed Buildings as well as any potential impact on the foot path, pedestrian foot traffic and any other wider highway impacts.
- 2.2 The application is subsequently recommended for Approval.

3.0 Site Description and Context

- 3.1 The site is located within Colchester High Street close to the footpath junction of Pelhams Lane (to the south) and with West Stockwell Street the other side of the road (to the north). The site is located within Colchester Conservation Area 1 and there are several listed buildings nearby. The Town Hall lies to the North and further listed buildings lie to the west and north east.
- 3.2 The proposed location of the statue is at a point where the footpath is at its widest point and due to this and the adjacently located planter, there will be minimal foot traffic with the flow more directed towards the shop frontages.

4.0 Description of the Proposal

- 4.1 The proposal is for a 1.8m high statue of the Taylor Sisters. The submitted planning statement states that they lived in West Stockwell Street between 1796 and 1810 and were the authors of a number of works including Twinkle Twinkle Little Star.
- 4.2 The statue is intended to commemorate this with the two sisters shown to be pointing up to the sky. The location of the proposal on the high street is due to West Stockwell Street's pavements being too narrow.
- 4.3 The base or foundation of the statue is intended on being flat and set into the ground to avoid trip hazards similar to the Red Lion way-finder.
- 4.4 The base will show a five pointed star within a circle with the Western point aligning with the street and facing towards Jumbo. The figurines will also be facing this way.
- 4.5 The submitted information also states that it is hoped the background of the star will contain children's handprints and goes on to state that this is in recognition that the statue is dedicated to the children of the world.

5.0 Land Use Allocation

- 5.1 The current land use is classed as Town Centre Outer Core and includes retail, offices, leisure and cultural facilities.

6.0 Relevant Planning History

- 6.1 There is no planning history directly related to this proposal and location however, members may be aware that several larger statues have been erected close by within the high street, most notably just outside Fenwicks.

7.0 Principal Policies

- 7.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) must be taken into account in planning decisions and is a material consideration, setting out national planning policy. Colchester's Development Plan is in accordance with these national policies and is made up of several documents as follows below.

- 7.2 The adopted Colchester Borough Core Strategy (adopted 2008, reviewed 2014) contains local strategic policies. Particular to this application, the following policies are most relevant:

SD1 - Sustainable Development Locations
CE2a - Town Centre
UR2 - Built Design and Character
ENV1 - Environment

- 7.3 The adopted Colchester Borough Development Policies (adopted 2010, reviewed 2014) sets out policies that apply to new development. Specific to this application are policies:

DP1 Design and Amenity
DP10 Tourism, Leisure and Culture
DP14 Historic Environment Assets

- 7.4 Submission Colchester Borough Local Plan 2017-2033:

The Council is developing a new Local Plan that has been submitted to the Planning Inspectorate (October 2017). An Inspector has been appointed and the formal examination commenced in January 2018. The examination is ongoing.

Paragraph 48 of the Framework states that decision makers may give weight to relevant policies in emerging plans according to:

1. The stage of preparation of the emerging plan;
2. The extent to which there are unresolved objections to relevant policies in the emerging plan; and

3. The degree of consistency of relevant policies to the policies in the Framework.

The Emerging Local Plan submitted in October 2017 is at an advanced stage, with Section 1 now adopted and Section 2 underwent examination hearing sessions in April. Section 1 of the plan is therefore considered to carry full weight.

Section 2 will be afforded some weight due to its advanced stage. However, as the Inspector's report following the examination is awaited, the exact level of weight to be afforded will be considered on a site-by-site basis reflecting the considerations set out in paragraph 48 of the NPPF. Proposals will also be considered in relation to the adopted Local Plan and the NPPF as a whole.

- 7.5 Regard should also be given to the following adopted Supplementary Planning Documents (SPD):

The Essex Design Guide
External Materials in New Developments
Town Centre Public Realm Strategy

8.0 Consultations

- 8.1 The stakeholders who have been consulted and who have given consultation responses are as set out below. More information may be set out on our website.

8.2 Highways

SUPPLEMENTARY INFORMATION DATED 07 May 2021

The Highway Authority does not object to the proposals as submitted, however, the precise location of the proposed development should be determined by Essex County Councils Streetworks Team together with the appropriate construction materials and details.

Informative1: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

8.3 Archaeological Officer

A depth of 500mm should not approach the levels of archaeological concern in this area. Records of nearby pieces of archaeological work suggest the depth of significant archaeology is about 900mm.

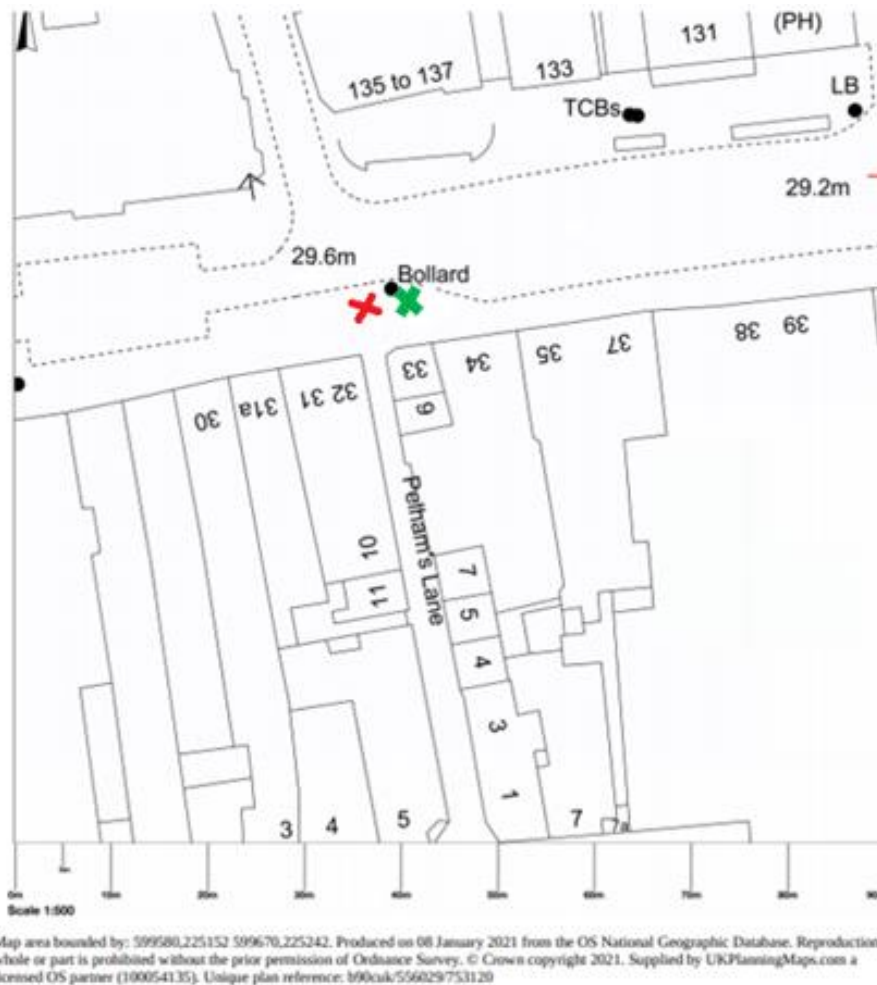
8.4 Environmental Protection – No comments

8.5 Historic Buildings and Areas officer

The main heritage consideration is the impact of the proposal on the character and appearance of the Conservation Area and the setting of the nearby heritage assets , in accordance with Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act (1990) which set out that planning decisions shall have special regard to the desirability of preserving listed buildings and their setting and the desirability of preserving or enhancing the character or appearance of Conservation Areas.

With the above requirements in mind , there are no objections to the erection of the statue in principle. However, the proposed location is situated right on the end of Pelham Lane , one of the three narrow passageways (together with Bank Passage and St Nicholas Passage) that interrupt High street's south frontage. These passageways play a significant role in providing a pedestrian link between High Street and Trinity and St Nicholas Square, Culver Street and the shopping precincts at Culver Square and Lion Walk. Keeping the ends of these passageways free of any features that would obstruct the circulation or the views of their ends encourages and facilitates their use. Pelham's Lane in particular affords pleasant views of High Street's junction with West Stockwell Street, which include part of the Town Hall , from its south end , as well as glimpses of Trinity Square from its north end, inviting thus the visitor to walk towards each side and explore further.

For that reason, it is recommended that the statue is erected to the east of the proposed position (location marked in the site plan below by X); this minor amendment would ensure that the views to and from Pelham's Lane would remain uninterrupted and the circulation at the end of the passageway would not be obstructed.



Officer Note – Given the above recommendation, the applicant has agreed to move the proposed location of the statue as that set out above and can also be seen in the proposed location plan.

9.0 Parish Council Response

9.1 The site is not located within a Parish.

10.0 Representations from Notified Parties

10.1 The application resulted in a number of notifications to interested third parties including neighbouring properties. The full text of all of the representations received is available to view on the Council's website. However, a summary of the material considerations is given below.

10.2 No objections have been received however, one supporting comment was received from a Ward Councillor and referring to the enhancement of the Town heritage and history of the Dutch Quarter and stating that the proposed location being a good wide point of the footpath and high visibility and footfall connecting Town users with Colchester's cultural heritage.

11.0 Parking Provision

11.1 The proposal will require no parking provision and will not impact any existing parking provision nearby.

12.0 Accessibility

12.1 Given the nature of the proposal, there are no accessibility considerations.

13.0 Report

13.1 The main issues in this case are:

- The Principle of Development
- Design and Layout
- Scale, Height and Detailed Design
- Impact on the Surrounding Area
- Highway Safety

13.2 The proposal will be located within a highly sensitive location within the Conservation Area and close to several listed buildings. Also, by its very nature it will be highly visible. That being said, the proposal represents a historic reference to two local figures who while they may not be widely known in themselves, their published work is familiar worldwide.

13.3 The proposal is therefore considered to be a benefit to the Town Centre and Colchester heritage as celebrating significant historic local figures.

13.4 As stated above, several statues have in recent years been erected along the High Street. The proposed location of this statue will be located at the widest point of the footpath and not within the main flow of foot traffic. This is further assisted by the location of the planter which has been/will be removed. This statue will be sited adjacent to the site of the planter as shown in the above location plan and the photos within the file giving street and site context. The statue will therefore result in no increase of street clutter beyond the existing.

13.5 It is considered that the proposed statue will result in minimal impact to the flow of foot traffic given the width of the foot path at this location and being close to a site of the previous street planter.

13.6 It is noted that the Council's Historic Buildings and Areas Officer has no objections. It is considered that the statue will result in minimal impacts to the character and appearance of the Conservation Area and the setting of the nearby heritage assets. The suggested relocation of the statue to the east of the initially proposed site has been agreed by the applicant and a new location plan submitted accordingly.

13.7 The minor amendment of location ensures views from Pelhams Lane would remain uninterrupted and the foot traffic circulation at the end of the passageway would not be obstructed.

17.0 Conclusion

17.1 To summarise, the impacts on the Conservation Area and the setting of heritage assets is considered minimal and therefore acceptable. Impacts to the highway regarding flow of foot traffic will be minimal and the enhancement of the local area by way of local context historical residents is considered a benefit to the town centre area and Borough in general. There are no archaeological concerns.

18.0 Recommendation to the Committee

18.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to the following conditions:

1. ZAA - Time Limit for Full Permissions

The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. ZAM - *Development to Accord With Approved Plans*

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawings labelled Proposed Statue received 21st January 2021, the details submitted under document labelled Supplementary Information received 7th May 2021 and drawing labelled New Locaiton received 13th July 2021.

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

3. ZBB - Materials As Stated in Application

The materials to be used shall be those specified on the submitted application form and drawings, unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure that materials are of an acceptable quality appropriate to the area.

19.1 Informatives

19.1 The following informatives are also recommended:

(1) ZT0 – Advisory Note on Construction & Demolition

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

(2) ZTB - Informative on Any Application With a Site Notice

PLEASE NOTE that a site notice was erected in a publicly visible location at the site. Colchester Borough Council would
your co-operation in taking the site notice down and disposing of it properly, in the interests of the environment.

(3) Non-Standard Informative

The applicants are reminded of the need to obtain a license from ECC Highways before installation of the artwork in the adopted highway.