

Colchester Borough Council

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**Policy & Corporate
CONSERVATION**

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Our ref: **180811**

Date: 30 April 2018

Dear Sir or Madam

Review of Birch Conservation Area & Article 4 Direction

Town and Country Planning Act 1990, as amended; Town & Country Planning (General Permitted Development) (England) Order 2015, as amended, [*Article 4. Schedule 2 & Schedule 3*]; Planning (Listed Buildings and Conservation Areas) Act 1990 [*S69, 70 & 71*], as amended & National Planning Policy Framework [*paragraph 127*].

PUBLIC CONSULTATION: Monday 30 April 2018 (09.00hrs) – Sun. 10 June 2018 (23.59hrs)

At its meeting of 19 March 2018, the Local Plan Committee of Colchester Borough Council resolved to approve, for the purposes of public consultation, the review of the existing Birch Conservation Area as considered in the Draft Birch Conservation Area Appraisal and Management Proposal review 2018 document. (map produced on **page 5** of this letter)

This document can be viewed on the Council's Planning Consultation website.

<https://beta.colchester.gov.uk/info/cbc-article/?catid=local-plan-consultations&id=KA-01758>

As part of the public consultation exercise, I am writing to you to seek your views on the draft review document.

Within the existing conservation area are currently seven listed buildings but such is the quality of a number of other buildings that they are now identified in the review document as having townscape merit and are possibly worthy of statutory listing in their own right.

Conservation area designation is a recognition of special character but with that comes certain planning restrictions and responsibilities for home owners. These already apply and are described in summary form below:

Your house and permitted development:

Permitted development (PD) rights* [*your ability to undertake certain works to your house without the need for planning permission] are slightly different in conservation areas compared to other areas. This means that you need to make a planning applications for some forms of development which would not need such applications outside conservation areas. For example:

- Detailed residential changes like two-storey extensions, dormer windows, and stone cladding
- Extensions to retail premises (smaller floorspace increases; appearance should match the existing; limitations to click and collect facilities)
- Industrial and warehouse buildings (smaller floorspace increases)
- Limitations on change of use such as retail or agricultural to dwellinghouse

Demolition:

If you want to demolish your building you will need planning permission. If the building is also listed you will also need listed building consent.

Trees:

If you want to cut down, top or lop any but the smallest of trees in a conservation area you must notify your local planning authority six weeks before work begins. The authority will then consider the contribution the tree makes to the character of the area and if necessary create a Tree Preservation Order (TPO) to protect it.

Article 4 Direction:

It is the Council's intention to apply an 'Article 4 Direction' to preclude amongst other things any works of extension or alteration to the exterior of a dwelling within the area defined as the new conservation area without first having secured planning permission even where such works would previously have constituted 'permitted development' . Whilst this may at first seem somewhat onerous it does mean the Council is better able to control changes in the conservation area that would otherwise have not needed planning permission and that might harm unintentionally its special character. We hope you will agree that the overall longer term benefit to the Birch Conservation Area outweighs any shorter term inconvenience to those individuals wishing to modify the exterior of their home.

The website described above provides an explanation of conservation area principles and the Full Draft Conservation Area Character Appraisal and Management proposals Document upon which the proposed conservation area is based.

I welcome any views you might have on this proposal and in particular any comments you may have on the proposed Appraisal and Management Proposals. Your comments will be reported back to a future meeting of Local Plan Committee. It will then consider adopting the proposed Conservation Area Appraisal and Management Proposals for the 'Designated' conservation area either in their current form or as amended following the views put forward during this public consultation period.

All properties within and adjoining Birch Conservation Area are being consulted along with Birch Parish Council, local Borough Councillors [*Councillors Andrew Ellis, Jackie Maclean & Kevin Bentley*], and relevant external agencies.

Your views and comments can be made on-line at:

<https://beta.colchester.gov.uk/info/cbc-article/?catid=local-plan-consultations&id=KA-01758> (email to planning.policy@colchester.gov.uk)

or in writing to

Colchester Borough Council
Policy & Corporate Services
Conservation Area Consultation [BIRCH]
Rowan House
33 Sheepen Road
Colchester
CO3 3WG

If you are not the property owner, would you please pass this letter and accompanying information on to the appropriate person. Thank you for your assistance and I look forward to receiving your views on this proposal. If you wish to discuss any of the above please contact me at vincent.pearce@colchester.gov.uk or 01206 282452. Please note that I work on Wednesdays, Thursdays and Fridays.

Yours faithfully

Simon Cairns

Simon Cairns, MRTPI, IHBC
Planning Manager

Proposed permitted development restrictions and map showing proposed conservation area boundary follow.....

Proposed 'permitted development' restrictions under Article 4 of the Town & Country Planning (General Permitted Development) 1995 (as amended)

Schedule 2:

Part 1: Development within the curtilage of a dwellinghouse

Class A: enlargement, improvement or other alteration of a dwellinghouse

Class B: enlargement of a dwellinghouse consisting of an addition or alteration to its roof

Class C: any other alteration to the roof of a dwellinghouse.

Class D: erection or construction of a porch outside any external door of a dwellinghouse

Class E: The provision within the curtilage of the dwellinghouse of -

(a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or

(b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.

Class F: hard surfaces incidental to the enjoyment of a dwellinghouse

Class G: chimneys, flues etc on a dwellinghouse

Class H: microwave antenna on a dwellinghouse

Part 2: Minor operations

Class A: The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure

Class B: The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part).

Class C: The painting of the exterior of any building or work.

Class D: The installation, alteration or replacement, within an area lawfully used for off-street parking, of an electrical outlet mounted on a wall for recharging electric vehicles.

Class E: The installation, alteration or replacement, within an area lawfully used for off-street parking, of an upstand with an electrical outlet mounted on it for recharging electric vehicles.

Class F: The installation, alteration or replacement on a building of a closed circuit television camera to be used for security purposes.

Part 3: Changes of use

All classes

Part 5: use of land as caravan site

All classes

Part 6; Agricultural development and forestry

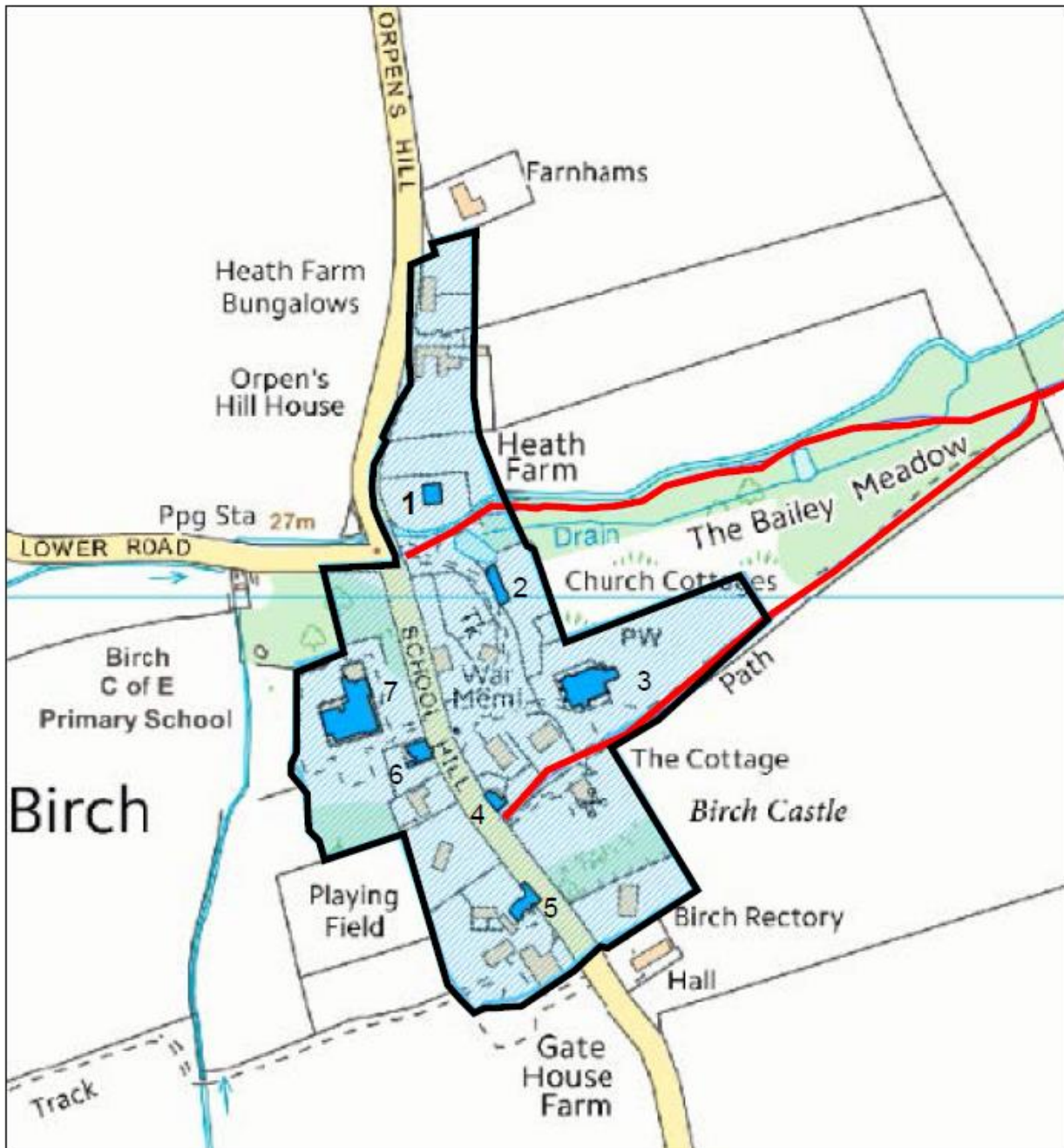
All classes




Part 7: non-domestic buildings and uses

All classes

map showing proposed unaltered conservation area boundary follows.....

DRAFT: 'Birch Conservation Area Review:
CONSERVATION AREA BOUNDARY: unaltered



	Birch C. A. boundary	}	1	Heath Farmhouse, Grade II
	Listed Building		2	Church Cottages, Grade II
	Designated public footpath		3	Church of St Peter & St Paul, Grade II
			4	White Cottage, Grade II
			5	Gatehouse Farmhouse, Grade II
			6	Schoolmaster's House, Grade II
			7	Primary School, Grade II