

# Planning Committee

Thursday, 02 April 2015

- Attendees:** Councillor Peter Chillingworth (Group Spokesperson), Councillor Jackie Maclean (Member), Councillor Helen Chuah (Member), Councillor Theresa Higgins (Chairman), Councillor Laura Sykes (Member), Councillor Pauline Hazell (Member), Councillor Brian Jarvis (Member), Councillor Michael Lilley (Group Spokesperson), Councillor Julie Young (Member), Councillor Jessica Scott-Boutell (Member)
- Substitutes:** Councillor Nick Barlow (for Councillor Jon Manning)

## 141 Site Visits

The following members attended the formal site visit: Councillors Chuah, Hazell, T. Higgins, Jarvis, Lilley and Sykes.

## 142 150071 Alderwood Care Home, 39 Essex Hall Road, Colchester

The Committee considered an application for the proposed 24 bed specialist care home in the grounds of Alderwood Care Home at 39 Essex Hall Road, Colchester. The application had been referred to the Committee because the Committee had approved the application subject to the signing of a legal agreement under Section 106 of the Town and Country Planning Act 1990 which included a contribution of £7,680 to mitigate the primary care impact of the development but in the event, NHS (England) had indicated that they did not consider a contribution to be appropriate. The Committee had before it a report in which all the information was set out.

*RESOLVED* (UNANIMOUSLY) that the application be approved subject to the conditions set out in the report.

## 143 146583 Tesco Stores, Highwoods Square, Colchester

The Committee considered an extension to existing ClassA1 retail store at Tesco Stores, Highwoods Square, Colchester. The application had been referred to the Committee at the request of Councillor G. Oxford. The Committee had before it a report in which all the 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.

Nadine Calder, Planning Officer, presented the report and assisted the Committee in its

deliberations.

Councillor G. Oxford attended and, with the consent of the Chairman, addressed the Committee. He explained that he was making representations to the Committee at the request of local residents living around the perimeter of the Tesco site. The residents were very aggrieved at the repeated development proposal submitted for the supermarket and were of the view that such a large store should not be situated in the midst of a residential development. The current application was the 63<sup>rd</sup> to be submitted in relation to the store and he acknowledged that each application had to be considered on its own merits. When the previous application had been considered by the Committee last year a view had been expressed that any further applications would be considered to be over development. The current proposal had been the subject of amendments in order to achieve the officer's recommendation for approval. However, this demonstrated no regard whatever for neighbouring residents who considered, as a consequence, that the store was just being allowed to grow and grow on a piecemeal basis. He also referred to regular litter picking exercises undertaken by children from St Luke's Church which should rightly be the responsibility of the store holders rather than the local community.

Members of the Committee expressed sympathy for the residents' views but acknowledged that the proposal was small, innocuous and unlikely to generate increased traffic nuisance in the vicinity, as such, there were no grounds upon which the proposal could be refused.

*RESOLVED* (TEN voted FOR and ONE ABSTAINED) that the application be approved subject to the conditions set out in the report.

#### **144     146509 Tregullon, High Street, Langham**

The Committee considered an application for a new detached house, comprising two storey main house with two single storey wings (one called 'Annexe' although it shared access and core facilities and services with the house) and garages, forming an L-shaped building enclosing the front parking and turning courtyard, existing hedges to be retained and strengthened, new western boundary hedge and formation of a wildflower meadow/ butterfly reserve in the southern half of the existing two acre site at Tregullon, High Street, Langham. The application had been referred to the Committee at the request of Councillor Cable. The Committee had before it a report and amendment sheet in which all the 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.

Mark Russell, Principal Planning Officer, presented the report and assisted the Committee in its deliberations.

Chris Exley addressed the Committee pursuant to the provisions of Planning Committee

Procedure Rule 8 in support of the application. He referred to fencing and established hedgerow surrounding the site of a nearby property known as 'Six Acres' which had received planning permission in 2000 for change of use from agricultural to residential. He pointed out the local characteristic in Langham Moor for the predominantly 20<sup>th</sup> century houses to face and be set back from the road. He considered there was no locally distinctive architectural style although there were a small number of vernacular dwellings with chimneys, rendered walls and thatched roofs and it was these characteristics which had been picked up for the design of the dwelling the subject of the application. He considered the design to be exemplary, ahead of its time with numerous innovations and flexibility for an extended family through various stages of life. The house would be a certified *passivhaus* and a fully integrated sustainable proposal. The ecological proposal on part of the site had been designed by an award winning butterfly conservationist which would provide a wildlife corridor benefitting the wider area. He considered the proposal to be innovative and sustainable, complying with the National Planning Policy Framework.

The Principal Planning Officer explained his view that the ecological proposal could be the subject of an application without the need for residential development on the same site.

Andrew Tyrrell, the Planning Manager, confirmed that the example of the planning permission granted 15 years ago referred to by Mr Exley pre-dated the Council's Core Strategy and reflected decision making three sets of policy documents previously and, as such, it could not be considered relevant to the consideration of the current application.

Members of the Committee were of the view that the proposal was clearly outside the village envelope and the Council's policies provided for a strong presumption against development in such locations, with exceptions being made where applications demonstrated particular merit. Although the application did demonstrate good design principles and included innovative ideas, it was not considered to be of sufficiently high merit for an exception to be made for this particular site.

*RESOLVED* (UNANIMOUSLY) that the application be refused for the reasons set out in the report and the amendment sheet.

**145      150351 Elfin House, 3 Pedders Close, Colchester**

The Committee considered an application for the a two storey office extension at Elfin house, 3 Pedders Close, Colchester. The application had been referred to the Committee because the agent worked as a consultant for Colchester Borough Council. The Committee had before it a report in which all the information was set out.

*RESOLVED* (UNANIMOUSLY) that the application be approved subject to the conditions set out in the report.