

AMENDMENT SHEET

Planning Committee

30 April 2015

AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED

7.2 150669 – 99-105 London Road, Copford

Since the report was drafted a further 9 representations have been received, they all object to the application for reasons already set out in the committee report. Additional objections raised refer to an increase in commuters parking in Allendale Drive and Ashwin Avenue. The owner of the property where an extension is under construction has commented that the large vehicles involved equate to less than one a month.

A further objection has been received:

“Please do not let these contractors BULLY the residents of Allendale Drive. The applicant purchased the development site when fully aware of the planning conditions. If the developer has a problem with access he should resolve it by use of his imagination and not by seeking to re-open the issue, to impose his will in defiance of the democratic process, and prioritising profit over the interests of residents.”

Environmental Protection has commented:

“Where practical, delivery and construction traffic should enter the site from London Road in order to reduce the impact on residential amenity in Allendale Drive. However, if it is not possible for very large vehicles to access the site from London Road we suggest that access from Allendale Drive is restricted to large vehicles only (which we understand is estimated to equate to approximately one delivery per week) between the hours of 9am and 5pm Monday to Friday only.”

ECC Highways has raised no objection and has provided the following clarification:

“This Authority did not ask for this condition to be attached to the initial decision and therefore is happy for it to be removed

London Road is one of the more busy routes in the Colchester Borough. The fact that lorries would have to manoeuvre using the entire width of the carriageway would increase the risk of conflict with existing highway users. Whilst it is recognised the construction phase of the development is only temporary, removing these vehicles will be beneficial to the highway interest. Allendale Drive is a quiet residential street and therefore on those occasions when vehicles use it to access the development site there is far less risk of difficulties being created, and as stated, this will only be for a temporary period.

The applicant has shown that the level of deliveries is going to be infrequent, and as it is only a temporary period during the construction phase, this Authority does not consider it to be an imposition for the highway users. I am a little unsure how this condition could be enforced in any event; vehicles have a right to use the highway, and people have a right to access property. A grant of planning consent, as you know, does not remove the need to satisfy other branches of legislation. The development was permitted and therefore they can access the site by vehicles associated with the development. If one wants to place controls on the type of vehicle which can use the highway, a full Traffic Regulation Order would be required which was never put in place”.