

Planning Committee

Thursday, 30 March 2023

Attendees:	Councillor Nigel Chapman, Councillor Helen Chuah, Councillor Michael Lilley, Councillor Jackie Maclean, Councillor Roger Mannion, Councillor Sam McCarthy
Apologies:	Councillor Lyn Barton, Councillor Chris Pearson, Councillor Leigh Tate, Councillor Martyn Warnes
Substitutes:	Councillor Mike Hogg (for Councillor Lyn Barton), Councillor Sam McLean (for Councillor Chris Pearson), Councillor Robert Davidson (for Councillor Leigh Tate), Councillor Catherine Bickersteth (for Councillor Martyn Warnes)

979 Site Visit

A site visit was conducted on the 30 March 2023 and was attended by Councillors Lilley, Chapman, Chuah, Hogg, McCarthy, McLean and MacLean. Members of the Committee visited the following sites:

- 223045 Garrison Building L03, R M P Barracks, Circular Road West, Colchester, CO2 7NZ

980 Minutes of Previous Meeting

The Minutes of the meeting held on the 9 March 2023 were confirmed as a true record.

981 223045 Garrison Building L03, R M P Barracks, Circular Road West, Colchester, CO2 7NZ

The Committee considered an application for 2 no. Chinook simulators proposed for training purposes. Resubmission of 222000. The application was referred to the Planning Committee as it had been called in by Councillor Harris for the following reasons:

- Local people in Henry Everett Grove and nearby road have read the document which gives no info of how loud this will be, and indeed the papers seem to give little assurance at restricted times of the day or night.
 - To approve this there needs to be answers on how the noise control can be controlled and ways of monitoring disruption to houses near the site.
 - Written assurances are needed for all these residents on non-operational hours
- Call in is in response to calls by residents of the local neighbour association and individual members of Henry Everett Grove.

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

John Miles, Senior Planning Officer presented the application to the Committee and assisted the Committee in its deliberations. The Committee were shown the location of the proposal within the Barracks and its relationship to the surrounding areas which included the closest residential properties and the aerial plan to illustrate the surrounding terrain and existing development in the vicinity. The Committee were shown detailed drawings of the proposal which had removed the speakers since the previous application and detailed their proposed location. The Senior Planning Officer concluded by outlining that the proposal was recommended for approval as detailed in the report.

Carla Wilson addressed the Committee pursuant to provisions of Planning Committee Procedure Rule 8 in opposition to the application. The Committee heard that the speaker was representing themselves and neighbouring residents and outlined that the proposal would have a negative effect on them due to previously existing health conditions and that the low level of noise created from the proposal would mean that they could not switch off and could lead to mental breakdowns and further issues. Further to this it was noted that there were also a number of people in the area that also had pre-existing health conditions. It was noted that the Garrison did occasionally have bands and festivals in the area but as these were only one off's they did not cause issues. The speaker outlined that the equipment could be used in the night and could be seen from their home and had asked that the equipment be turned on so that the level of noise could be heard.

Rebecca Howard (Agent) addressed the Committee pursuant to provisions of Planning Committee Procedure Rule 8 in support of the application. The Committee heard that the proposal before the Committee would improve the training facilities on the site so that the passengers on the helicopters would be trained to leave the craft in a safe manner and practice this in low light conditions which could be reflective of battlefields and disputed zones. The application had been resubmitted as the speaker system had been refused and had been removed from the application before the Committee. The speaker provided assurance that the proposal would not replicate the noise of a chinook helicopter and the only parts to make sound would be the hydraulics of the rear hatch opening and it was predicted that the noise level would be 4db below background noise during the day and 1db below in the evening. The Agent concluded by noting that the officer recommendation was for approval and asked the Committee to approve the training facility on the base.

The Democratic Services Officer read out a statement from Councillor Martyn Warnes who was unable to attend the meeting. The statement read as follows:

"Dear Councillors,

I am not able to be with you this evening but would like you to consider my following comments in relation to the resubmitted planning application before you this evening, and which relates to the proposed Chinook Helicopter Simulators to be used for training purposes by the Ministry of Defence.

I welcome the concession contained in this resubmitted application, namely the

removal of the unnecessary noise pollution that a speaker system would have produced. I also recognise and welcome the proposed condition that would prevent the later installation of such a speaker system if planning permission is granted. I would nevertheless ask members to consider if it is reasonable to impose upon neighbouring residents the potential operational use of these simulators during a sixteen hour period, seven days a week.

I therefore ask members to seriously consider if the proposed hours of operation are strictly necessary for the successful operation of the simulators and the training they would facilitate, or alternatively, if a reduction in those hours would offer a fairer planning balance in the interests of nearby residents. Please therefore consider granting local residents some respite by removing Sundays and public holidays from the condition regulating the hours of operation.”

Councillor Dave Harris addressed the Committee as Ward Member for Berechurch detailing that the Committee had heard from local residents and from the applicant and confirmed that they had called in the application as there was concern from residents that the proposal would be close to their back fences and gardens. It was noted that there was a very good relationship between local residents and the Barracks and that a lot of the personnel who worked on the base lived in the area. The Committee also heard that the residents wanted to have a demonstration of the equipment and had spoken to fellow ward Member, Councillor Pearson, about this application. The Ward Member concluded by asking that the Committee consider the hours of operation of the proposal especially in the evening and asked that the Committee endorse any enforcement action if the levels did go above those required.

At the request of the Chair the Senior Planning Officer responded to the speakers. The Committee heard that officers understand and appreciate why the proposal was a cause for concern and it had been noted in the noise survey in the non-technical summary that it could cause issues of detectability for people who have certain sensitivities but that this would not be the case on this site. It was noted that there were a number of conditions on the proposal that would ensure that the noise would not have a significant impact on residents. It was noted that there were concerns about the noise and that the agent had provided details of the equipment and subsequent noise surveys. The Senior Planning Officer concluded by detailing that the positioning on site was for the MOD to decide and that it would be difficult to add a restriction for the use of the equipment as the evidence provided showed that it would not need any mitigating measures.

The Committee debated the proposal discussing the issues that could be caused by the proposal and thanked the speakers for attending the meeting. It was accepted by the Committee that there would be noise pollution from the Barracks but that this had to be expected and discussed what they had seen on the site visit and the low level of noise would have a minimal impact.

A proposal was made to approve the application as detailed in the officer recommendation with the additional condition as follows:

- That the working hours of the equipment would be as detailed in the report apart from Sundays and bank holidays where the operational hours would be 7am-2pm.

The Committee continued to debate the application and discussed the importance of the training that this facility would provide and queried whether any acoustic fencing could be introduced or whether there was any other way that the noise could be controlled. Some Members raised concern that adding limitations was not necessary as the bund next to the site would absorb the noise from the proposal and that incidents that the base had to respond to would not take into account Sundays and bank holidays.

At the request of the Chair the Senior Planning Officer detailed that the site could be seen from residential properties that were over 200 metres away and that the conditions in the report provided security that the noise would not cause issues. The Chair added that the Councils Environmental Health Team would be able to monitor the noise if there were any suspected breaches.

The proposal that was made earlier in the meeting was subsequently withdrawn.

A new proposal was made and seconded that the application be approved as detailed in the officer recommendation.

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

982 230235 Shrub End Depot, 221 Shrub End Road, Colchester, CO3 4SA

The Committee considered an application for the partial demolition, alteration and extension to existing Baling Shed. The application was referred to the Planning Committee as the applicant is Colchester City Council.

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

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

983 230159 Whitesands, Keelars Lane, Wivenhoe, Essex

The Committee considered an application for a lawful development certificate for existing studio for personal use ancillary to and within curtilage of owners dwelling house. The application was referred to the Planning Committee as it had been submitted by or on behalf of a Council Officer (or their spouse or partner).

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

RESOLVED (UNANIMOUSLY) that the application be approved and the lawful Development Certificate issued, as set out in the report.

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223025 Former St Michael's Church, Rectory Close, Colchester

The Committee considered an application for the installation of a Heritage Interpretation Panel to former site of the medieval St Michael's Church. The application was referred to the Planning Committee as the applicant was Colchester City Council on behalf of Myland Community Council.

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

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