

# **Planning Committee**

## **Thursday, 17 March 2016**

**Attendees:** Councillor Peter Chillingworth (Group Spokesperson), Councillor Helen Chuah (Member), Councillor Jo Hayes (Member), Councillor Brian Jarvis (Member), Councillor Michael Lilley (Member), Councillor Jackie Maclean (Member), Councillor Jon Manning (Chairman), Councillor Patricia Moore (Member), Councillor Jessica Scott-Boutell (Deputy Chairman)

**Substitutes:** Councillor Nigel Chapman (for Councillor Pauline Hazell), Councillor Gerard Oxford (for Councillor Philip Oxford), Councillor Julie Young (for Councillor Rosalind Scott)

### **289 Site Visits**

Councillors Chapman, Chillingworth, Chuah, Hayes, Hazell, Jarvis, Maclean, Manning, Moore, G. Oxford and Scott-Boutell attended the site visits.

### **290 Minutes of 4 February 2016**

The minutes of the meeting held on 4 February 2016 were confirmed as a correct record.

### **291 Minutes of 18 February 2016**

The minutes of the meeting held on 18 February 2016 were confirmed as a correct record.

### **292 Minutes of 3 March 2016**

The minutes of the meeting held on 3 March 2016 were confirmed as a correct record.

### **293 152826 Land to east of Warren Lane and west of Dyers Road, Stanway**

**Councillor J. Maclean (in respect of her spouse's previous employment at the application site) declared a non-pecuniary interest pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Committee considered an application for full planning permission for the development of the site for 93 dwellings, public open space, landscaping, access and

car parking at land east of Warren lane and west of Dyers Road, Stanway. The application had been referred to the Committee because it was a major application which had generated objections and a Section 106 legal agreement was required. The Committee had before it a report and an amendment sheet in which all the information was set out. The Committee made a site visit in order to assess the impact of the proposals upon the locality and the suitability of the proposals for the site.

Alistair Day, Principal Planning Officer, presented the report and, together with the Simon Cairns, Major Development and Projects Manager, assisted the Committee in its deliberations.

Robin Matthews addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He explained that he was speaking on behalf of residents of the house called Streamlines and others living adjacent to the application site. Streamlines was an exemplary building and a rare example of the art deco movement which warranted more attention. He was of the view that the proposals would compromise the setting and design qualities of the building. His concerns were in relation to loss of privacy, overlooking and light pollution and the loss of hedgerows and other amenities.

Lauren Dooley addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. She referred to the site having been designated for development since 2010 on the basis of its sustainability. The proposals accorded in full with the design brief as well as providing an improved roundabout. There would be a mix of homes, including affordable housing as well as education, community and open space contributions. The proposals had been carefully designed with parking spaces exceeding the relevant guidelines. She acknowledged the objection received in relation to the building called Streamlines and confirmed that the plots closest to this site would be 12 metres from the boundary line and, as such, were in accordance with the required standards.

Some Committee members voiced various concerns relating to the impact of the development in terms of urban design principles, density of plot size, traffic and highway developments in relation to the local road network, speed limits for the roads in the development, light pollution from additional illumination from the development and the provision of play areas, refuse collection facilities and dog waste bins. More detail was requested in relation to the conditions heads and the comments provided by the Archaeological Officer, particularly in view of the close proximity of Gosbecks Archaeological Park. Reference was also made regarding the impact of the development on local schools and the fact that the Education Authority had not requested a contribution for Secondary school places. The provision of a crossing point along Warren Lane was also considered to be essential and a request was made for the developers to arrange for broadband ducting to be included in the construction phase for the development and for consideration to be given to the provision of solar panels and electric car charging points. The comments made in relation to the building known as

Streamlines were acknowledged but, as the land had been designated for development in the Local Plan and Streamlines was not a Listed Building or included in the Local List, the application was appropriate in land use terms.

The Principal Planning Officer explained that there would be no loss of private amenity and the existing hedging, including the trees, would be retained. As such, the building known as Streamlines would not be adversely affected by the development. A geophysical survey of the site had been undertaken which had revealed no evidence of significant buried remains and the Archaeological Officer had requested trial trenches to be dug at points where anomalies had been revealed and had included a condition requiring further investigations as the development progressed. He went on to explain that the open space provision was well in excess of the adopted standards, the scheme had been designed to comply with Street Services standards for refuse collection and the house types were not dissimilar to that used in developments at the Garrison and at Bergholt Road. He confirmed that it would be possible to add a condition to control the level of added illumination as a consequence of the development as well as the retention of hedgerows. However, he explained that incorporation of energy efficient measures such as solar panels was a matter to be dealt with by Building Regulations and he was of the view that it would be preferable to consider the provision of car charging points by means of an informative rather than a condition. He added that parking standards were being met, with the majority being provided within the curtilage of each dwelling, together with 24 visitor spaces. The road widths within the development were wider than some used elsewhere in the Borough which overcame potential access problems due to on-street parking. The Highway Authority had not considered there would be any adverse impact in relation to safety and congestion, whilst the Education Authority had required contributions for early years and primary provision. He also confirmed that, other than the spine road, the road network within the development would be designed to 20 mph.

*RESOLVED* (TEN voted FOR, ONE voted AGAINST and ONE ABSTAINED) that –

(i) Subject to additional conditions to provide for:

- the control of additional lighting levels from the development;
- retention of the hedgerow along the north side boundary to 'Burrows';
- the installation of ducting for Broadband during the construction of the development

and additional informatives to provide for:

- a request to the Highway Authority to consider the construction of pedestrian crossing points at Warren Lane;
- 20 mph speed restrictions to the road network, excluding the spine road;
- Car charging points being offered as an option by the developer to prospective purchasers

the Head of Commercial Services be authorised to enter into and complete a legal

agreement under Section 106 of the Town and Country Planning Act 1990 within six months from the date of the Committee meeting, to provide the following:

- Affordable Housing – 20% (19 units to reflect the private sale mix or such other mix as agreed by the Council's Housing Development Officer);
- Education - £116,159 for 8.3 additional Early Years and Childcare places and £339,599 for 28 primary places;
- Community Facilities – extension to the Lakelands Community Centre - £135,000;
- Open Space – strategic sport and recreation facilities £328,000 (improvements and maintenance of the Stanway Country Park and £73,332 for the off-site provision of a NEAP (improvement of the existing play area at Swift Avenue);
- On-site open space to be maintained by a management company, the open space is to be available for free public use in perpetuity;
- The timely delivery of the spine road to the site boundary;
- All sums to be index linked

(ii) In the event that the legal agreement is not signed within six months from the date of the Planning Committee meeting, to delegate authority to the Head of Commercial Services to have discretion to refuse the application, or otherwise to be authorised to grant planning permission subject to the following conditions heads:

- Time Limit for Full Permissions (standard);
- Development to Accord with Approved Plans (standard);
- Site Levels;
- Drainage (as recommended by the LLFA);
- Flooding (as recommended by Anglian Water);
- Materials shown on Plan to be Excluded (standard);
- Architectural Details to be agreed;
- Boundary walls to be constructed of brick;
- Tree Protection and Monitoring (standard);
- Landscape Proposals (standard);
- Landscape Management Plan (standard);
- Ecology Mitigation and Enhancement (non-standard);
- No occupation until roundabout has been completed (non-standard);
- Estate Carriageway Construction (standard);
- Car parking spaces to be retained;
- Travel plan (standard);
- Cycle Parking (non-standard);
- Construction Method Statement (non-standard);
- Contamination (standard);
- Removal of PD Rights for extensions.

**294      160224      Colchester Sports and Social Club, Bromley Road, Colchester**

**Councillor Chuah (due to a perception that she may have pre-determined the application) declared an other interest pursuant to the provisions of Meetings General Procedure Rule 7(5) and left the meeting during its consideration and**

## **determination.**

The Committee considered an application for the erection of twelve dwelling houses with associated parking and improvements to existing access at Colchester Sports and Social Club, Bromley Road, Colchester. The application had been referred to the Committee because it was a major application which had generated objections and a Section 106 legal agreement was required. The Committee had before it a report and an amendment sheet in which all the information was set out. The Committee made a site visit in order to assess the impact of the proposals upon the locality and the suitability of the proposals for the site.

*RESOLVED* (UNANIMOUSLY) that –

(i) Subject to Sport England withdrawing their holding objection, the Head of Commercial Services be authorised to enter into and complete a legal agreement under Section 106 of the Town and Country Planning Act 1990 within six months from the date of the Committee meeting, to provide the following:

- To allow the football club to continue to operate under their existing arrangements until such time that the land is transferred to the Council;
- Not to commence the residential development until the two adult pitches have been repositioned on site to a specification that shall have previously been agreed with the Council;
- The new pitches shall be constructed at the owners expense;
- The two fit for purpose adult playing pitches, club house and ancillary land shall be transferred (freehold) to the Council without undue restrictions

(ii) In the event that the legal agreement is not signed within six months from the date of the Planning Committee meeting, to delegate authority to the Head of Commercial Services to have discretion to refuse the application, or otherwise to be authorised to grant planning permission subject to the following conditions heads:

- Time (standard);
- Approved Plans (standard);
- Site Levels;
- Materials (standard);
- Architectural Details;
- Landscaping (standard);
- Monitoring (standard);
- Tree Protection and Monitoring;
- Ecology;
- Construction Method Statement (non-standard);
- Asbestos (standard);
- Drainage and flooding;
- Sport pitch conditions;
- Highway conditions;
- Cycle parking.

**Councillor Chuah (in respect of her former employment at the Hospital) declared a non-pecuniary interest pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Committee considered an application for approval of reserved matters following outline approval 151401 for erection of 730 new build residential dwellings, open space, landscaping, parking, access and associated infrastructure and an application for full planning permission for highway improvements to facilitate the redevelopment of the site both at Severalls Hospital, Boxted Road, Colchester. The applications had been referred to the Committee because the Council was involved in the redevelopment of the building. The Committee had before it a report and an amendment sheet in which all the information was set out. The Committee made a site visit in order to assess the impact of the proposals upon the locality and the suitability of the proposals for the site.

Alistair Day, Principal Planning Officer, presented the report and, together with Simon Cairns, the Major Development and Projects Manager, assisted the Committee in its deliberations.

Lauren Dooley addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. She explained that the site had been allocated for residential development for some time and the application reflected changes in market conditions, constraints of trees needing to be retained and the retained use of some of the site by the NHS. There had been regular meetings with Planning Officers to shape and form the proposals which included the retention of some of the original buildings which would be carefully restored for re-use. In addition, the proposals would strive to retain the character of the existing landscape and to retain or replace trees, where possible. She explained the mitigation arrangements for wildlife as well as the affordable housing and wheelchair accessibility elements.

Councillor Goss attended and, with the consent of the Chairman, addressed the Committee. He welcomed a lower density development than that originally envisaged as well as the good communication which had been developed between the consortium of developers, Myland Community Council and Mile End ward councillors. He requested consideration to the provision of electric car charging points on the development but he was most concerned about the proposals for construction traffic movements to share the access to the nearby primary school currently under construction. In particular he considered it to be essential that a condition be imposed to prevent the use of the school access by construction vehicles at school drop off and pick up times. He also referred to the need for the construction traffic to follow the designated routes proposed, for the use of Mill Road to be kept to a minimum and for the use of Boxted Road to be avoided. He considered the proposals for the site to be developed by three developers concurrently would mean the site was likely to be very busy and that diligence needed to be taken in relation to house-keeping arrangements such as regular road sweeping. He also

referred to the proposals for superfast broadband by means of a communal dish system but he wasn't sure this would be adequate.

Members of the Committee largely welcomed the improvements to the application since its original consideration by the Committee, particularly in relation to density and the positive comments made by the ward councillor and the Community Council in its formal representation to the application. Nevertheless, reference was made to the potential conflict at certain times of the day of the shared school access by construction vehicles and the need for appropriate restrictions to be applied within the relevant proposed condition. In this regard, the Committee were disappointed that this had not merited a specific comment from the Highway Authority which would have been helpful for them in their consideration. Concern was also expressed regarding the potential for on street parking despite parking provision being in accordance with the relevant guidance, given the potential for garage spaces to be used for storage rather than parking. Particular comment was made in relation to the benefit of providing car charging points, especially given recent information provided to them in relation to Air Quality, the provisions contained within Section 35 of the National Planning Policy Framework for developments to include facilities for charging low emission vehicles and statistics which had evidenced that Mile End had recorded above average deaths from respiratory disease.

The Principal Planning Officer explained that he had corresponded in relation to the broadband satellite dish and understood this to be a dedicated arrangement including improved fault report response times. He confirmed that the individual developers would be occupying three different areas of the site and that a proposed condition had been included to provide for safeguards regarding school opening and closing times, which would need careful management by the developers. He also explained that, as there was no adopted policy in relation to the provision of electric car charging points, he did not consider it appropriate to apply a condition to provide for these, in particular given the consortium had indicated its willingness to offer these to prospective purchasers as part of the optional extra packages at the point of sale. The parking proposals, at 2.55 per dwelling, were well above standard requirements, with the majority of spaces being within the curtilage of dwellings. The roads including the spine road were being designed to 20 mph. He confirmed that three dwellings designed to meet disabled person requirements were included in the development, each of which would be two bedroom bungalows. In response to particular questions the Principal Planning Officer also confirmed that proposed conditions already included the provision to retain garage spaces for the parking of cars and the construction traffic management arrangements.

The Major Development and Projects Manager acknowledged the Committee's comments regarding the benefit of more detailed information from the Highway Authority on the proposals but clarified that the references in the report to 'serious concerns' about Highways issues were comments from councillor Goss, not the Highway Authority itself.

*RESOLVED –*

(i) (UNANIMOUSLY) that in respect of application no 152733, subject to an additional condition to provide for the development to include the installation of charging points for low emission vehicles for each dwelling and existing proposed heads to include the removal of permitted development rights for garage spaces and the restriction and management of construction vehicle movements at the shared school access during times of school pick up/drop off times in addition to the outstanding issues highlighted in the report the Head of Commercial Services be authorised to grant reserved matters planning approval subject to the following heads:

- Time Reserved Matters Applications (standard);
- Development to Accord with Approved Plans (standard);
- Amendment to Specified Plots / house types to address design issues (non-standard);
- Materials referred to in DAS Excluded (non-standard);
- Architectural Detailing (non-standard);
- Front Boundary Treatment in the Core to be brick or brick and railings unless agreed (non-standard);
- Boundary enclosures to rear / side garden that front a public / semi-public space to be brick (non-standard);
- Tree protection and monitoring (non-standard);
- Highway amendments requested by Highway Authority (non-standard);
- No occupation until Boxted Road entrance completed;
- Roads designed to 20 mph details of traffic calming to be agreed (non-standard);
- Occupation trigger for the completion of the spine road (non-standard);
- Estate Carriageway Construction linked to relevant occupation (standard);
- Parking space available (non-standard);
- No construction traffic to use the entrance by the school at school opening / closing times (non-standard);
- Trigger point related to the repair / refurbishment of the retained buildings (non-standard);
- Recording of historic hospital buildings (non-standard);
- Informative controlled parking zone (non-standard).

(ii) (ELEVEN voted FOR and ONE ABSTAINED) that in respect of application no 152794 planning permission be granted, subject to the following heads:

- Time;
- Development in accordance with approved plans;
- No occupation until access has been completed;
- Landscaping details and monitoring;
- Tree protection and monitoring;
- Construction Method Statement.

**296 160103 Former Bus Depot, Magdalen Street, Colchester**

**Councillor Chapman (in respect of his acquaintance with the speaker objecting to the application) declared a non-pecuniary interest pursuant to the provisions of**



## **Meetings General Procedure Rule 7(5).**

**Councillor J. Maclean (in respect of her Board membership of the Rosemary Almshouses) declared a non-pecuniary interest pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Committee considered an application for demolition of existing buildings and redevelopment of the site to deliver student accommodation (Use Class Sui Generis) across five blocks of one, two, three and four storeys to provide 230 bed spaces (59 cluster flats and 17 studio flats), communal facilities (to include bin stores, cycle stores, site management office, gym and communal amenity areas) as well as undercroft car park (20 car parking spaces), landscaping and a new public pathway through the site at the Former Bus Depot, Magdalen Street, Colchester. The application had been referred to the Committee because it was a major application on which material objections had been received, a legal agreement was required and Councillor T. Higgins had called in the application. The Committee had before it a report and an amendment sheet in which all the information was set out, including a copy of an example Management Plan for one of the applicant's existing sites.

Sue Jackson, Principal Planning Officer, presented the report and, together with Simon Cairns, the Major Development and Projects Manager, assisted the Committee in its deliberations.

Michael Siggs, on behalf of the Winnock's and Kendal's Almshouse Charity, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He explained his concern regarding the integrity of the boundary wall between the development site and the Almshouses. He emphasised that the Almshouse Charity, which had first been established in the 17<sup>th</sup> century, provided accommodation for poor, elderly, local people who were often near the end of their lives. The imposition of 250 students in close proximity was likely to lead to a very negative impact on the lives of the residents of the Almshouses as their respective lifestyles would be so different. He also voiced concerns about the density of the development and the proposals not being in accordance with the aspirations of the area.

Max Plotnek addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He explained that there had been an extensive pre-application process which had produced a high quality scheme which he considered would be an enhancement to the Magdalen Street area. He acknowledged the concerns expressed in relation to the Almshouses but explained that Historic England, as statutory consultees, had not indicated any objection to the application. He was of the view that the provision of student accommodation by means of this application would preserve the housing stock for local people, he referred to the over provision of parking spaces compared to the relevant standards and the proposed arrangements for 24/7 on site management to promptly deal with any matters of concern.

Councillor T. Higgins attended and, with the consent of the Chairman, addressed the Committee. She referred to the development brief for the site which she considered had been an opportunity to create a vibrant community asset in the area. She was concerned that the proposals were neither vibrant nor small-scale and would create a transient local community which would not be beneficial to the area. She explained that the number of bed spaces had increased to 230 from an original proposal of 200. The proposal would not be an enhancement for the Almshouses which needed to benefit from a clear space between them and the new building. The wall facing the Almshouses, although windowless to prevent overlooking would be featureless and stark whilst Block D would be located too close to the existing housing to the rear. She considered the development proposed was too large and in the wrong place and, as such, would be detrimental to the area. She also referred to the lack of foresight within the proposals as they did not include provision for the roof areas to be used for locating solar panels and there was no reference to the inclusion of ducting for broadband cabling. She went on the question the location of student accommodation in this location, given its distance from the University of Essex. She welcomed the development of the site in principle but considered the current proposals should be refused on the grounds of over development of the site, high density development and its impact on listed buildings.

The Principal Planning Officer responded to the points raised by commenting that proposals included the provision of CCTV along the frontage to Magdalen Street for additional security for students as well as the wider community whilst the Management plan included information as to how neighbour complaints such as noise problems would be dealt with. She acknowledged the building adjacent to the Almshouses included a blank elevation but the demolition of the existing shed building would be of considerable benefit. The proposals included the provision of broadband, Historic England had considered the proposals to be an enhancement to the street scene, the building materials would be brick and the demand for student accommodation was not exclusively from the University but various other educational establishments in the area. She confirmed that there was no provision for solar panels.

Some members of the Committee voiced their concern regarding the close proximity of elderly residents to the site, the difficulty of managing the different lifestyles of the proposed neighbouring communities, the impact on nearby listed buildings and the impact of a transient group of residents in this location. Reference was also made to the proposals not being in keeping with the contents of the development brief, whether the location was appropriate for this type of development and the cramped nature of the proposals at the rear of the site. Suggestions were made regarding the potential to reduce the density of the development and to introduce an outdoor open space area.

Other members of the Committee did not consider the location to be unsustainable as student accommodation and were of the view that it was beneficial to promote mixed communities along with the need to provide for safeguards to address disputes relating to lifestyle differences. It was considered possible for the opportunity to be taken to propose additional conditions to ensure a robust Management Plan was in place to

address neighbour impact issues. Examples were cited, to address such issues including visits by student representatives, eviction action after three reported problems, the imposition of timescales to restrict outdoor noise during the night time and waste management and litter collection measures.

The Principal Planning Officer explained that it was not necessarily possible for a development brief to predict each use which may come forward for consideration. She confirmed there was no standard for amenity space for student accommodation and that it would be possible to specify particular matters for inclusion in a management Plan for the conduct of residents within the accommodation. However, she voiced concerns regarding the ability to enforce provisions restricting activity outside the accommodation at night time.

The Major Development and Projects Manager reminded the Committee that the application was considered to address the aims for the site in a considerable way and that a letter of support had been received from Historic England. He acknowledged concerns from the Committee members regarding the impact on residential amenity but he considered that a refusal of the application would be difficult to sustain.

A proposal which had been seconded, to refuse the application suggested that the Committee may be minded to determine the application contrary to the officer's recommendation in the report on grounds of lack of conformity with the development brief, adverse effect on both the setting of adjacent listed buildings and adjacent communities and over development. In accordance with the Committee's Deferral and Recommendation Overturn Procedure (DROP) the Chairman invited the Major Development and Projects Manager to indicate the likely implications should the Committee overturn the Officer's recommendation in this instance.

The Major Development and Projects Manager advised against refusal on the grounds of adverse impact on amenity and in relation to its adherence to the development brief. He referred to the application having satisfied a number of aspirations for the area and the need for sound evidence to justify and substantiate a refusal. He explained that the proposal was for a quasi-residential use which could be made acceptable by the imposition of conditions. He also referred to an absence of sound reasons for refusal having the potential for costs to be awarded against the Council. In the light of this advice the Chairman determined that the DROP be invoked.

*RESOLVED* that the Deferral and Recommendation Overturn Procedure be invoked and a further report be submitted to the Committee giving details of the risks to the Council, the financial implications, possible reasons for refusal as well as advice on whether representations constituted evidence to support reasons for refusal and proposed provisions to be included in an accommodation Management Plan to address instances of noise, disturbance and littering.

**297      151886 Land adjacent North and South of Grange Road, Tiptree**

The Committee considered a Reserved Matters application following outline approval (122134) for the approval of appearance, landscaping, layout and scale for 103 residential units with associated landscape and highway works, along with the provision of public open space (including a new village green and allotments) and other ancillary infrastructure and works including drainage provision at land adjacent to the north and south of Grange Road, Tiptree. The application had been referred to the Committee following The Committee's request to consider the details at the time of outline permission being granted. The Committee had before it a report and an amendment sheet in which all the information was set out.

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

Steve Bays, on behalf of Tiptree Parish Council, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He explained that the Parish Council were not opposed to the development of the site but was seeking a fair allocation from the Section 106 Agreement. As the number of bedrooms included in the application had increased from that agreed at outline approval stage then the basis of the Section 106 Agreement should be revisited. He referred to previous agreements in relation to developments at Florence Park not being honoured and the multi-use games area not being available for use by the residents of Tiptree. He also referred to enforcement issues in relation to the development at Warrior's Rest which had yet to be addressed.

Iain Hill addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He referred to the reserved matters planning approval and the subsequent signing of a Section 106 Agreement which included contributions amounting to £350,000. The applicant had worked with Council officers to achieve a high quality development with low density, using traditional materials and providing a buffer between existing residents. He considered it to be a balanced scheme providing a mixed and sustainable community to which there had been no objections from statutory consultees.

The Planning Officer explained that reference to enforcement matters was not within the remit of the Committee's consideration of this application. He also confirmed that, as no provision had been made at the outline application stage for the Section 106 Agreement to be subject to a review and the number of dwellings had not been altered, there was no scope to enter into further negotiations regarding the contents of that Agreement.

*RESOLVED* (TEN voted FOR and TWO voted AGAINST) that, subject to the legal agreement under Section 106 of the Town and Country Planning act 1990 being amended to refer to St Luke's Church in lieu of Factory Hall within six months from the date of the Committee meeting, the Head of Professional Services be authorised to approve the application and, in the event that the agreement is not so amended within

six months of the date of the meeting, to delegate authority to the Head of Professional Services to refuse the application or otherwise be authorised to complete the agreement to provide for the conditions as set out in the report.

**298      150702 Homecroft, Chapel Lane, West Bergholt**

**Councillor Chuah (in respect of her acquaintance with the owners of a property to the rear of the application site) declared a non-pecuniary interest pursuant to the provisions of Meetings General Procedure Rule 7(5).**

**Councillor Lilley (in respect of his acquaintance with the agent for the application) declared a non-pecuniary interest pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Committee considered an application for the proposed formation of a private drive, erection of three detached bungalows, extensions and alterations to an existing bungalow, erection of garages and provision of associated parking facilities at Homecroft, Chapel Lane, West Bergholt. Consideration of the application had been deferred by the Committee at its meeting in October 2015 so that negotiations could take place to secure improvements in relation to the prominence of the proposed dwelling of Plot 1 and design of bungalows being in mind the context of the village scene and the reinstatement of hedges to the highway. The Committee had before it a report in which all the information was set out.

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

**299      152755 Winsley's House, High Street, Colchester**

**Councillor Chuah (in respect of her acquaintance with the applicant) declared a non-pecuniary interest pursuant to the provisions of Meetings General Procedure Rule 7(5).**

**Councillor Scott-Boutell (in respect of her acquaintance with the applicant) declared a non-pecuniary interest pursuant to the provisions of Meetings General Procedure Rule 7(5).**

**Councillor J. Young (in respect of her acquaintance with the applicant) declared a non-pecuniary interest pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Committee considered an application for a proposed timber framed and timber shiplap clad mobile scooter enclosure at Winsley's House, High Street, Colchester. The application had been referred to the Committee because the application had been called in by Councillor Laws. The Committee had before it a report in which all the information

was set out.

Carl Allen, Planning Officer, presented the report and assisted the Committee in its deliberations.

Duncan MacDiarmid, Chairman of Greyfriars Court Property Management Company, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He referred to a number of omissions contained in the application and the excessive height of the proposed scooter store which would tower above the boundary fencing. In addition, he explained that no information was provided to indicate the number of scooters to be stored and he was also concerned that the store may be used to undertake repair work, no indication was given regarding the number of days and hours of operation and the security implications associated with the inappropriate location of the store in what was intended to be a gated development.

Tracy Fortescue addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. She explained that Colchester Community Voluntary Service was a charity offering better life opportunities to people needing support. Winsley's House had been purchased in 2004 with full access to the rear of the property. C CVS had offered to pay for maintenance work for its neighbours whilst Oakpark Security was employed to ensure the rear of the properties remained fully secure at all times. It was further explained that users of the mobility scooters were generally dropped off at the perimeter of the site from where they collected the scooters which ensured there were no adverse health and safety issues of concern.

Councillor Laws attended and, with the consent of the Chairman, addressed the Committee. He was supporting the residents of Greyfriars Court which was considered a tranquil and well managed place to live. The residents had generally down-sized in order to live in a safe and secure environment. He referred to concerns regarding the nature and flammable properties of the store structure and its close proximity to a listed building as well as the security implications bearing in mind recent instances of burglaries in the area.

The Planning Officer explained that the store structure would be expected to be treated with fire retardant material which would be the subject of Building regulations approval. He also suggested the possibility of adding a further condition to restrict the use of the enclosure to the storage of mobility scooters only.

*RESOLVED* (ELEVEN voted FOR and ONE ABSTAINED) that the application be approved subject to the conditions set out in the report and an additional condition to provide for a restriction on the use of the store for mobility scooters only.

### **300      160023 185 Butt Road, Colchester**

The Committee considered an application for the erection of a single storey rear

extension to provide a family room, wc and boot room and the erection of 1½ storey single garage to the side of the existing dwelling (on the footprint of the pre-existing garage) with a home office in attic storey at 185 Butt Road, Colchester. The application had been referred to the Committee because the applicant was a relative of a member of staff. The Committee had before it a report in which all the information was set out.

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

**301      160211 7 Wesley Avenue, Colchester**

**Councillor G. Oxford (in respect of his acquaintance with the applicant) declared a non-pecuniary interest pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Committee considered an application for a single storey front extension at 7 Wesley Avenue, Colchester. The application had been referred to the Committee because the agent worked for the Council on a consultancy basis. The Committee had before it a report in which all the information was set out.

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